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**BILL REQUEST - CODE REVISER'S OFFICE**

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BILL REQ. #: H-1330.2/21 2nd draft

ATTY/TYPIST: AI:akl

BRIEF DESCRIPTION: Making transportation appropriations for the  
2021-2023 fiscal biennium.

1 AN ACT Relating to transportation funding and appropriations;  
2 amending RCW 43.19.642, 46.20.745, 47.66.120, 46.68.063, 46.68.370,  
3 46.68.300, 82.44.135, 47.12.370, 47.60.530, 47.60.315, 34.05.350,  
4 46.68.060, 46.68.325, 47.56.876, 47.60.322, and 46.68.395; amending  
5 2019 c 416 ss 101 and 106 (uncodified); amending 2020 c 219 ss 101,  
6 201, 202, 204, 205, 207-223, 301, 302, 304-310, and 401-406  
7 (uncodified); adding a new section to 2020 c 219 (uncodified);  
8 creating new sections; making appropriations and authorizing  
9 expenditures for capital improvements; providing an expiration date;  
10 and declaring an emergency.

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

12 **2021-2023 FISCAL BIENNIUM**

13 NEW SECTION. **Sec. 1.** (1) The transportation budget of the state  
14 is hereby adopted and, subject to the provisions set forth, the  
15 several amounts specified, or as much thereof as may be necessary to  
16 accomplish the purposes designated, are hereby appropriated from the  
17 several accounts and funds named to the designated state agencies and  
18 offices for employee compensation and other expenses, for capital  
19 projects, and for other specified purposes, including the payment of

1 any final judgments arising out of such activities, for the period  
2 ending June 30, 2023.

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

5 (a) "Fiscal year 2022" or "FY 2022" means the fiscal year ending  
6 June 30, 2022.

7 (b) "Fiscal year 2023" or "FY 2023" means the fiscal year ending  
8 June 30, 2023.

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

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

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

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

21 (g) "LEAP" means the legislative evaluation and accountability  
22 program committee.

23 **GENERAL GOVERNMENT AGENCIES—OPERATING**

24 NEW SECTION. **Sec. 101. FOR THE DEPARTMENT OF ARCHAEOLOGY AND**  
25 **HISTORIC PRESERVATION**

26 Motor Vehicle Account—State Appropriation . . . . . \$546,000

27 NEW SECTION. **Sec. 102. FOR THE UTILITIES AND TRANSPORTATION**  
28 **COMMISSION**

29 Grade Crossing Protective Account—State Appropriation . . . \$504,000

30 Pilotage Account—State Appropriation. . . . . \$150,000

31 Multimodal Transportation Account—State Appropriation. . . \$1,832,000

32 TOTAL APPROPRIATION. . . . . \$2,486,000

33 The appropriations in this section are subject to the following  
34 conditions and limitations: \$1,832,000 of the multimodal  
35 transportation account—state appropriation is provided solely for the  
36 implementation of chapter . . . (Engrossed Substitute House Bill No.

1 1418), Laws of 2021 (enhancing rail safety governance). If  
2 chapter . . . (Engrossed Substitute House Bill No. 1418), Laws of  
3 2021 is not enacted by June 30, 2021, the multimodal transportation  
4 account—state appropriation of \$1,832,000 provided in this section  
5 lapses.

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

7	Motor Vehicle Account—State Appropriation . . . . .	\$1,441,000
8	Puget Sound Ferry Operations Account—State Appropriation . .	\$126,000
9	TOTAL APPROPRIATION. . . . .	\$1,567,000

10 NEW SECTION. **Sec. 104. FOR THE STATE PARKS AND RECREATION**  
11 **COMMISSION**

12	Motor Vehicle Account—State Appropriation . . . . .	\$1,186,000
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13 The appropriation in this section is subject to the following  
14 conditions and limitations: The entire appropriation in this section  
15 is provided solely for road maintenance purposes.

16 NEW SECTION. **Sec. 105. FOR THE DEPARTMENT OF AGRICULTURE**

17	Motor Vehicle Account—State Appropriation . . . . .	\$1,358,000
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18 NEW SECTION. **Sec. 106. FOR THE LEGISLATIVE EVALUATION AND**  
19 **ACCOUNTABILITY PROGRAM COMMITTEE**

20	Motor Vehicle Account—State Appropriation . . . . .	\$668,000
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21 NEW SECTION. **Sec. 107. FOR THE OFFICE OF MINORITY AND WOMEN'S**  
22 **BUSINESS ENTERPRISES**

23	Motor Vehicle Account—State Appropriation . . . . .	\$2,000,000
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24 The appropriation in this section is subject to the following  
25 conditions and limitations: The entire appropriation in this section  
26 is provided solely for increasing the number of certified women and  
27 minority-owned contractors outside of the Puget Sound area in the  
28 transportation sector and supporting these contractors to  
29 successfully compete and earn more transportation contracting  
30 opportunities. This shall be done through various programs including  
31 but not limited to: (1) Outreach to women and minority business  
32 communities and individuals; (2) technical assistance as needed in  
33 areas such as financing, accounting, contracting, procurement, and  
34 resolution of disputes and grievances; (3) language access programs

1 for those with limited English proficiency; and (4) other programs  
2 that aim to increase the number of women and minority contractors  
3 that are successful in obtaining contracts in the transportation  
4 sector either directly with state agencies such as the department,  
5 with local jurisdictions, or as subcontractors for prime contractors.

6 NEW SECTION. **Sec. 108. FOR THE BOARD OF PILOTAGE COMMISSIONERS**  
7 Pilotage Account—State Appropriation . . . . . \$5,776,000

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

10 (1) \$2,926,000 of the pilotage account—state appropriation is  
11 provided solely for self-insurance liability premium expenditures;  
12 however, this appropriation is contingent upon the board:

13 (a) Annually depositing the first one hundred fifty thousand  
14 dollars collected through Puget Sound pilotage district pilotage  
15 tariffs into the pilotage account; and

16 (b) Assessing a self-insurance premium surcharge of sixteen  
17 dollars per pilotage assignment on vessels requiring pilotage in the  
18 Puget Sound pilotage district.

19 (2) The board of pilotage commissioners shall file the annual  
20 report to the governor and chairs of the transportation committees  
21 required under RCW 88.16.035(1)(f) by September 1, 2019, and annually  
22 thereafter. The report must include the continuation of policies and  
23 procedures necessary to increase the diversity of pilots, trainees,  
24 and applicants, including a diversity action plan. The diversity  
25 action plan must articulate a comprehensive vision of the board's  
26 diversity goals and the steps it will take to reach those goals.

27 NEW SECTION. **Sec. 109. FOR THE HOUSE OF REPRESENTATIVES**  
28 Motor Vehicle Account—State Appropriation . . . . . \$3,210,000

29 NEW SECTION. **Sec. 110. FOR THE SENATE**  
30 Motor Vehicle Account—State Appropriation . . . . . \$3,085,000

31 NEW SECTION. **Sec. 111. FOR THE DEPARTMENT OF FISH AND WILDLIFE**  
32 Motor Vehicle Account—State Appropriation. . . . . \$400,000

33 The appropriation in this section is subject to the following  
34 conditions and limitations: \$400,000 of the motor vehicle account—  
35 state appropriation is provided solely for the department, from

1 amounts set aside out of statewide fuel taxes distributed to cities  
2 according to RCW 46.68.110(2), to contract with the association of  
3 Washington cities to inventory and assess fish passage barriers  
4 associated with city roads located in the *U.S. v. Washington* case  
5 area, water resource inventory area numbers one through 23. The study  
6 is a continuation of previous inventories, and must finalize a  
7 complete inventory of city-owned fish passage barriers in water  
8 resource inventory area numbers one through 23. The inventories and  
9 assessments must be conducted using the methods described in the  
10 department's fish passage, inventory, assessment, and prioritization  
11 manual. A report of the study must be provided to the office of  
12 financial management and the transportation committees of the  
13 legislature by July 1, 2023.

14 NEW SECTION. **Sec. 112. FOR THE DEPARTMENT OF ECOLOGY**

15 (1) When distributing funds for litter control the department  
16 shall give priority to litter control along state highways.

17 (2) The department shall contract with the department of  
18 transportation to schedule litter prevention messaging and  
19 coordination of litter emphasis patrols with the Washington state  
20 patrol. The department of transportation may coordinate with the  
21 department to conduct litter pickup during scheduled maintenance  
22 closures as situations allow.

23 **TRANSPORTATION AGENCIES—OPERATING**

24 NEW SECTION. **Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY**  
25 **COMMISSION**

26	Highway Safety Account—State Appropriation . . . . .	\$4,601,000
27	Highway Safety Account—Federal Appropriation . . . . .	\$27,198,000
28	Highway Safety Account—Private/Local Appropriation . . . . .	\$60,000
29	School Zone Safety Account—State Appropriation . . . . .	\$850,000
30	TOTAL APPROPRIATION. . . . .	\$32,709,000

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

33 (1) The Washington traffic safety commission may oversee a  
34 demonstration project in one county, coordinating with a public  
35 transportation benefit area (PTBA) and the department of  
36 transportation, to test the feasibility and accuracy of the use of

1 automated enforcement technology for high occupancy vehicle (HOV)  
2 lane passenger compliance. All costs associated with the  
3 demonstration project must be borne by the participating public  
4 transportation benefit area. Any photograph, microphotograph, or  
5 electronic images of a driver or passengers are for the exclusive use  
6 of the PTBA in the determination of whether an HOV passenger  
7 violation has occurred to test the feasibility and accuracy of  
8 automated enforcement under this subsection and are not open to the  
9 public and may not be used in a court in a pending action or  
10 proceeding. All photographs, microphotographs, and electronic images  
11 must be destroyed after determining a passenger count and no later  
12 than the completion of the demonstration project. No warnings or  
13 notices of infraction may be issued under the demonstration project.

14 For purposes of the demonstration project, an automated  
15 enforcement technology device may record an image of a driver and  
16 passenger of a motor vehicle. The county and PTBA must erect signs  
17 marking the locations where the automated enforcement for HOV  
18 passenger requirements is occurring.

19 The PTBA, in consultation with the Washington traffic safety  
20 commission, must provide a report to the transportation committees of  
21 the legislature with the number of violations detected during the  
22 demonstration project, whether the technology used was accurate and  
23 any recommendations for future use of automated enforcement  
24 technology for HOV lane enforcement by June 30, 2022.

25 (2) The Washington traffic safety commission shall coordinate  
26 with each city that implements a pilot program as authorized in RCW  
27 46.63.170, chapter 224, Laws of 2020 to provide the transportation  
28 committees of the legislature with the following information by June  
29 30, 2023:

30 (a) The number of warnings and infractions issued to first-time  
31 violators under the pilot program;

32 (b) The number of warnings and infractions issued to the  
33 registered owners of vehicles that are not registered with an address  
34 located in the city conducting the pilot program; and

35 (c) The frequency with which warnings and infractions are issued  
36 on weekdays versus weekend days.

37 (3) The Washington traffic safety commission may oversee a pilot  
38 program in up to three cities implementing the use of automated  
39 vehicle noise enforcement cameras in zones that have been designated  
40 by ordinance as "Stay Out of Areas of Racing."

1 (a) Any programs authorized by the commission must be authorized  
2 by December 31, 2022.

3 (b) If a city has established an authorized automated vehicle  
4 noise enforcement camera pilot program under this section, the  
5 compensation paid to the manufacturer or vendor of the equipment used  
6 must be based upon the value of the equipment and services provided  
7 or rendered in support of the system.

8 (c) Any city administering a pilot program overseen by the  
9 traffic safety commission shall use the following guidelines to  
10 administer the program:

11 (i) Automated vehicle noise enforcement camera may record  
12 photographs or audio of the vehicle and vehicle license plate only  
13 while a violation is occurring. The picture must not reveal the face  
14 of the driver or of passengers in the vehicle;

15 (ii) The law enforcement agency of the city or county government  
16 shall install two signs facing opposite directions within two hundred  
17 feet, or otherwise consistent with the uniform manual on traffic  
18 control devices, where the automated vehicle noise enforcement camera  
19 is used that state "Street Racing Noise Pilot Program in Progress";

20 (iii) Cities testing the use of automated vehicle noise  
21 enforcement cameras must post information on the city website and  
22 notify local media outlets indicating the zones in which the  
23 automated vehicle noise enforcement cameras will be used;

24 (iv) A city may only issue a warning notice with no penalty for a  
25 violation detected by automated vehicle noise enforcement cameras in  
26 a Stay Out of Areas of Racing zone. Warning notices must be mailed to  
27 the registered owner of a vehicle within fourteen days of the  
28 detected violation;

29 (v) A violation detected through the use of automated vehicle  
30 noise enforcement cameras is not part of the registered owner's  
31 driving record under RCW 46.52.101 and 46.52.120;

32 (vi) Notwithstanding any other provision of law, all photographs,  
33 videos, microphotographs, audio recordings, or electronic images  
34 prepared under this section are for the exclusive use of law  
35 enforcement in the discharge of duties under this section and are not  
36 open to the public and may not be used in a court in a pending action  
37 or proceeding. No photograph, microphotograph, audio recording, or  
38 electronic image may be used for any purpose other than the issuance  
39 of warnings for violations under this section or retained longer than



1 necessary to issue a warning notice as required under this subsection  
2 (3); and

3 (vii) By June 30, 2023, the participating cities shall provide a  
4 report to the commission and appropriate committees of the  
5 legislature regarding the use, public acceptance, outcomes, warnings  
6 issued, data retention and use, and other relevant issues regarding  
7 automated vehicle noise enforcement cameras demonstrated by the pilot  
8 projects.

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

10	Rural Arterial Trust Account—State Appropriation . . . . .	\$1,134,000
11	Motor Vehicle Account—State Appropriation . . . . .	\$7,743,000
12	County Arterial Preservation Account—State	
13	Appropriation . . . . .	\$1,669,000
14	TOTAL APPROPRIATION. . . . .	\$10,546,000

15 The appropriations in this section are subject to the following  
16 conditions and limitations: \$5,000,000 of the motor vehicle account—  
17 state appropriation is provided solely for deposit into the county  
18 road administration board emergency loan account—state account.

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

20	Transportation Improvement Account—State	
21	Appropriation . . . . .	\$4,495,000

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

23	Motor Vehicle Account—State Appropriation . . . . .	\$2,660,000
24	Multimodal Transportation Account—State Appropriation. . . . .	\$770,000
25	TOTAL APPROPRIATION. . . . .	\$3,430,000

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

28 (1) \$220,000 of the multimodal transportation account—state  
29 appropriation is provided solely for overseeing a consultant study to  
30 provide recommendations related to the Washington state department of  
31 transportation's role in broadband service expansion efforts as  
32 directed in chapter . . . (Engrossed Substitute House Bill No. 1457),  
33 Laws of 2021 (broadband and highway rights-of-way). If chapter . . .  
34 (Engrossed Substitute House Bill No. 1457), Laws of 2021 (broadband  
35 and highway rights-of-way) is not enacted by June 30, 2021, the  
36 amount provided in this subsection lapses.

1 (2) \$250,000 of the motor vehicle account—state appropriation is  
2 provided solely for the joint transportation committee to convene a  
3 study on the impacts of current and historical city transportation  
4 investments on designated populations, including communities of  
5 color, low-income households, vulnerable populations, and displaced  
6 communities. The study must identify and measure the true costs of  
7 underinvestment of accessible transportation for designated  
8 populations, including the secondary impacts to public health,  
9 economic opportunity, educational access, and environmental risk  
10 factors. The assessment must include specific approaches to  
11 addressing existing inequities within cities, as well as  
12 recommendations to develop best practices to improve, diversify, and  
13 expand city transportation investments. A report must be provided to  
14 the office of financial management and the transportation committees  
15 of the legislature by December 20, 2022.

16 (3) \$400,000 of the motor vehicle account—state appropriation is  
17 provided for the development of a workforce plan for the Washington  
18 state ferries which addresses recruitment, retention, diversity,  
19 training needs, leadership development, succession planning and other  
20 elements needed to ensure sufficient and cost-effective crewing and  
21 staffing of the ferry system. In developing the scope of work for the  
22 plan and throughout plan development, the joint transportation  
23 committee must solicit input from representatives of the Washington  
24 state ferries division and the human resources division of the  
25 Washington state department of transportation. Represented employee  
26 groups must also be consulted as part of plan development. The plan  
27 must include a roadmap for Washington state ferries to  
28 comprehensively address persistent staffing challenges and  
29 strategically position itself for its future workforce needs. The  
30 joint transportation committee must issue an interim report  
31 identifying short-term strategies to reduce reliance on overtime for  
32 staffing day-to-day ferry service. The interim report is due to the  
33 transportation committees of the legislature by January 1, 2022. The  
34 final report is due to the transportation committees of the  
35 legislature by December 20, 2022.

36 (4) \$250,000 of the motor vehicle account—state appropriation is  
37 provided for the joint transportation committee to examine best  
38 practices from other states for insuring highway facilities. The  
39 joint transportation committee shall report to the legislature on

1 findings and include recommendations for best practices for  
2 Washington state by December 15, 2021.

3 (5) \$150,000 of the multimodal transportation account—state  
4 appropriation is for the joint transportation committee to update the  
5 Washington State Short Line Rail Inventory and Needs Assessment,  
6 prepared in 2015, and to facilitate a stakeholder process to assess  
7 the effectiveness of state support for short line rail infrastructure  
8 based on current and future short line rail infrastructure needs.  
9 This assessment must include consideration of current state grant and  
10 loan programs, including state investment in nonstate owned short  
11 lines, the state's role and investments in the Palouse River and  
12 Coulee City (PCC) rail system, and any other ongoing state activities  
13 related to short line rail infrastructure. The joint transportation  
14 committee must solicit input from all regions of the state from  
15 representatives of: Short line rail infrastructure owners, short line  
16 rail operators, short line rail customers from representative  
17 industries, ports served by short line rail infrastructure, the  
18 Washington state department of transportation, the utilities and  
19 transportation commission, and other relevant stakeholders as  
20 identified by the joint transportation committee. A report with  
21 recommendations to enhance the state's support for short line rail  
22 infrastructure is due to the transportation committees of the  
23 legislature by January 1, 2022.

24 (6) (a) \$200,000 of the motor vehicle account—state appropriation  
25 is for the joint transportation committee to develop a truck parking  
26 action plan with recommendations for immediate next steps for near-  
27 term and lasting change in the availability of truck parking for  
28 short-haul and long-distance commercial vehicle drivers who require  
29 reasonable accommodations for parking commercial motor vehicles,  
30 obtaining adequate services, and complying with federal rest  
31 requirements. For each opportunity identified, the action plan must:

- 32 (i) Assess the magnitude of potential impact;  
33 (ii) Assess the potential difficulty level of implementation; and  
34 (iii) Explain barriers to success and specific steps required to  
35 overcome them.

36 (b) The action plan must focus on approaches that would be most  
37 impactful and feasible and may include, but not be limited to:

- 38 (i) Specific cooperative private sector and government actions;  
39 (ii) Legal and regulatory frameworks at the state level to drive  
40 private and/or public-sector action;

1 (iii) Incentive-based government programs to spur private sector  
2 innovation and investment; and

3 (iv) Direct government action at the state, regional, and/or  
4 local level.

5 (c) The action plan must identify specific, promising projects  
6 and approaches, and provide a clear roadmap to what is needed to  
7 drive real, substantial improvements in truck parking.

8 (d) Outreach for action plan input, including on the feasibility  
9 of each opportunity evaluated, must include outreach to  
10 representatives of: The trucking industry; truck labor organizations;  
11 the shipping industry; truck stop owners; commercial freight delivery  
12 recipients, including warehouse and retail recipients; the  
13 association of Washington cities; the Washington state association of  
14 counties; the Washington state department of transportation; the  
15 Washington state patrol; and an academic or research institution that  
16 can provide input on technical components of the plan.

17 (e) A concise action plan with specific recommended next steps is  
18 due to the transportation committees of the legislature by January 1,  
19 2022.

20 (7) \$400,000 of the multimodal transportation account—state  
21 appropriation is for the joint transportation committee to evaluate  
22 options for providing connectivity in the Pacific Northwest region  
23 from Portland, Oregon to Vancouver, British Columbia in light of new  
24 trends impacting the transportation system to determine how updated  
25 forecasts of future highway volumes and changes to future  
26 transportation mobility needs impact earlier assessments of options  
27 for facilitating mobility in the region, including ultra high speed  
28 rail. The assessment must consider and update relevant information  
29 provided in past Washington state department of transportation long  
30 range plans for the Cascades corridor. A comparative assessment of  
31 the potential benefits and costs of each option evaluated must be  
32 included. A report is due to the legislature by December 1, 2022.

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

34	Motor Vehicle Account—State Appropriation . . . . .	\$2,257,000
35	Interstate 405 and state Route Number 167 Express Toll Lanes	
36	Account—State Appropriation. . . . .	\$127,000
37	State Route Number 520 Corridor Account—State	
38	Appropriation. . . . .	\$276,000



1	Appropriation. . . . .	\$433,000
2	Tacoma Narrows Toll Bridge Account—State Appropriation. . . .	\$77,000
3	TOTAL APPROPRIATION. . . . .	\$552,538,000

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

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

15 (2) \$510,000 of the ignition interlock device revolving account—  
16 state appropriation is provided solely for the ignition interlock  
17 program at the Washington state patrol to provide funding for two  
18 staff to work and provide support for the program in working with  
19 manufacturers, service centers, technicians, and participants in the  
20 program.

21 (3) \$16,099,000 of the state patrol highway account—state  
22 appropriation is provided solely for the land mobile radio system  
23 replacement, upgrade, and other related activities. Beginning January  
24 1, 2022, the Washington state patrol must report semiannually to the  
25 office of the state chief information officer on the progress related  
26 to the projects and activities associated with the land mobile radio  
27 system, including the governance structure, outcomes achieved in the  
28 prior six-month time period, and how the activities are being managed  
29 holistically as recommended by the office of the chief information  
30 officer. At the time of submittal to the office of the state chief  
31 information officer, this report shall be transmitted to the office  
32 of financial management and the house and senate transportation  
33 committees.

34 (4) \$493,000 of the state patrol highway account—state  
35 appropriation is provided solely for aerial criminal investigation  
36 tools, including software licensing and maintenance, and annual  
37 certification, and is subject to the conditions, limitations, and  
38 review requirements of section 701 of this act.

1 (5) \$786,000 of the state patrol highway account—state  
2 appropriation is provided solely for one-time costs associated with  
3 establishing the second toxicology laboratory and addressing the  
4 backlog of toxicology cases from impaired driving and death  
5 investigations.

6 (6) \$580,000 of the state patrol highway account—state  
7 appropriation is provided solely for the operation of and  
8 administrative support to the license investigation unit to enforce  
9 vehicle registration laws in southwestern Washington. The Washington  
10 state patrol, in consultation with the department of revenue, shall  
11 maintain a running estimate of the additional vehicle registration  
12 fees, sales and use taxes, and local vehicle fees remitted to the  
13 state pursuant to activity conducted by the license investigation  
14 unit. Beginning October 1, 2021, and quarterly thereafter, the  
15 Washington state patrol shall submit a report detailing the  
16 additional revenue amounts generated since January 1, 2021, to the  
17 director of the office of financial management and the transportation  
18 committees of the legislature. At the end of the calendar quarter in  
19 which it is estimated that more than \$625,000 in state sales and use  
20 taxes have been remitted to the state since January 1, 2021, the  
21 Washington state patrol shall notify the state treasurer and the  
22 state treasurer shall transfer funds pursuant to section 406(18) of  
23 this act.

24 (7) The Washington state patrol and the office of financial  
25 management must be consulted by the department of transportation  
26 during the design phase of any improvement or preservation project  
27 that could impact Washington state patrol weigh station operations.  
28 During the design phase of any such project, the department of  
29 transportation must estimate the cost of designing around the  
30 affected weigh station's current operations, as well as the cost of  
31 moving the affected weigh station.

32 (8) \$4,180,000 of the state patrol highway account—state  
33 appropriation is provided solely for an additional arming and trooper  
34 basic training class. The cadet class is expected to graduate in June  
35 2023.

36 (9) By December 1st of each year during the 2021-2023 biennium,  
37 the Washington state patrol must report to the house and senate  
38 transportation committees on the status of recruitment and retention  
39 activities as follows:

1 (a) A summary of recruitment and retention strategies;

2 (b) The number of transportation funded staff vacancies by major  
3 category;

4 (c) The number of applicants for each of the positions by these  
5 categories;

6 (d) The composition of workforce; and

7 (e) Other relevant outcome measures with comparative information  
8 with recent comparable months in prior years.

9 (10) \$1,348,000 of the Interstate 405 and state route number 167  
10 express toll lanes account—state appropriation, \$433,000 of the state  
11 route number 520 corridor account—state appropriation, and \$77,000 of  
12 the Tacoma Narrows toll bridge account—state appropriation are  
13 provided solely for the Washington state patrol's proportional share  
14 of time spent supporting tolling operations and enforcement for the  
15 respective tolling facilities.

16 (11) \$289,000 of the state patrol highway account—state  
17 appropriation is provided solely for the replacement of 911  
18 workstations.

19 (12) \$35,000 of the state patrol highway account—state  
20 appropriation is provided solely for the replacement of bomb response  
21 equipment.

22 (13) \$713,000 of the state patrol highway account—state  
23 appropriation is provided solely for information technology  
24 infrastructure maintenance.

25 (14) The Washington state patrol must provide a report to the  
26 office of financial management and the house and senate  
27 transportation committees on its plan for implementing a transition  
28 to cloud computing and storage with its 2023-2025 budget submittal.

29 (15) \$945,000 of the state patrol highway account—state  
30 appropriation is provided solely for implementation of chapter . . .  
31 (Substitute House Bill No. 1223), Laws of 2021 (custodial  
32 interrogations). If chapter . . . (Substitute House Bill No. 1223),  
33 Laws of 2021 (custodial interrogations) is not enacted by June 30,  
34 2021, the amount provided in this subsection lapses.

35 (16) \$92,000 of the state patrol highway account—state  
36 appropriation is provided solely for implementation of chapter . . .  
37 (Engrossed Substitute House Bill No. 1054), Laws of 2021 (peace  
38 officer tactics). If chapter . . . (Engrossed Substitute House Bill



1 No. 1054), Laws of 2021 (peace officer tactics) is not enacted by  
2 June 30, 2021, the amount provided in this subsection lapses.

3 (17) \$92,000 of the state patrol highway account—state  
4 appropriation is provided solely for implementation of chapter . . .  
5 (Second Substitute House Bill No. 1310), Laws of 2021 (use of force  
6 by officers). If chapter . . . (Second Substitute House Bill No.  
7 1310), Laws of 2021 (use of force by officers) is not enacted by June  
8 30, 2021, the amount provided in this subsection lapses.

9 (18)(a) The Washington state patrol is directed to terminate its  
10 "Agreement for Utility Connection and Reimbursement of Water  
11 Extension Expenses" with the city of Shelton, executed on June 12,  
12 2017, subject to the city of Shelton's consent to terminate the  
13 agreement. The legislature finds that the water connection extension  
14 constructed by the Washington state patrol from the city of Shelton's  
15 water facilities to the Washington state patrol academy was necessary  
16 to meet the water supply needs of the academy. The legislature also  
17 finds that the water connection provides an ongoing water supply that  
18 is necessary to the operation of the training facility, that the  
19 state is making use of the water connection for these public  
20 activities, and that any future incidental use of the municipal  
21 infrastructure put in place to support these activities will not  
22 impede the Washington state patrol's ongoing use of the water  
23 connection extension.

24 (b) \$2,220,000 of the transfer from the waste tire removal  
25 account—state appropriation to the motor vehicle account—state  
26 appropriation in this act, as required under RCW 70A.205.425,  
27 reimburses the motor vehicle account—state appropriation for the  
28 portion of the water project costs assigned by the agreement to  
29 properties, other than the Washington state patrol academy, that make  
30 use of the water connection while the agreement remains in effect.  
31 This reimbursement to the motor vehicle fund is intended to address  
32 any possibility that the termination of this agreement could be  
33 determined to result in the unconstitutional use of 18th amendment  
34 designated funds for nonhighway purposes under the constitution of  
35 the state of Washington; however, this transfer is not intended to  
36 indicate that the incidental use of this infrastructure by these  
37 properties necessarily requires such reimbursement under the state  
38 Constitution.

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

2	Marine Fuel Tax Refund Account—State Appropriation . . . . .	\$34,000
3	Motorcycle Safety Education Account—State	
4	Appropriation . . . . .	\$4,928,000
5	Highway Safety Account—State Appropriation . . . . .	\$241,888,000
6	Highway Safety Account—Federal Appropriation . . . . .	\$1,294,000
7	Motor Vehicle Account—State Appropriation . . . . .	\$63,817,000
8	Motor Vehicle Account—Federal Appropriation. . . . .	\$150,000
9	Motor Vehicle Account—Private/Local Appropriation . . . . .	\$15,604,000
10	Ignition Interlock Device Revolving Account—State	
11	Appropriation . . . . .	\$4,099,000
12	Department of Licensing Services Account—State	
13	Appropriation . . . . .	\$8,189,000
14	License Plate Technology Account—State	
15	Appropriation . . . . .	\$4,250,000
16	Abandoned Recreational Vehicle Account—State	
17	Appropriation. . . . .	\$3,074,000
18	Limousine Carriers Account—State Appropriation. . . . .	\$110,000
19	Electric Vehicle Account—State Appropriation. . . . .	\$417,000
20	DOL Technology Improvement & Data Management	
21	Account—State Appropriation. . . . .	\$816,000
22	Agency Financial Transaction Account—State	
23	Appropriation. . . . .	\$21,257,000
24	Limited Fish and Wildlife Account—State Appropriation. . . . .	\$916,000
25	TOTAL APPROPRIATION. . . . .	\$370,843,000

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

28        (1) \$12,000 of the motorcycle safety education account—state  
29 appropriation, \$2,000 of the limited fish and wildlife account—state  
30 appropriation, \$728,000 of the highway safety account—state  
31 appropriation, \$238,000 of the motor vehicle account—state  
32 appropriation, \$10,000 of the ignition interlock device revolving  
33 account—state appropriation, and \$10,000 of the department of  
34 licensing services account—state appropriation are provided solely  
35 for the department to redesign and improve its online services and  
36 website, and are subject to the conditions, limitations, and review  
37 requirements of section 701 of this act.

1 (2) \$28,636,000 of the highway safety account—state appropriation  
2 is provided solely for costs necessary to accommodate increased  
3 demand for enhanced drivers' licenses and enhanced identicards. The  
4 department shall report on a quarterly basis on the use of these  
5 funds, associated workload, and information with comparative  
6 information with recent comparable months in prior years. The report  
7 must include detailed statewide and by licensing service office  
8 information on staffing levels, average monthly wait times, the  
9 number of enhanced drivers' licenses and enhanced identicards issued/  
10 renewed, and the number of primary drivers' licenses and identicards  
11 issued/renewed. Within the amounts provided in this subsection, the  
12 department shall implement efficiency measures to reduce the time for  
13 licensing transactions and wait times including, but not limited to,  
14 the installation of additional cameras at licensing service offices  
15 that reduce bottlenecks and align with the "keep your customer"  
16 initiative.

17 (3) (a) The department must implement cost recovery mechanisms to  
18 recoup at least a portion of credit card and other financial  
19 transaction costs as part of charges imposed for driver and vehicle  
20 fee transactions. The department must develop a method of tracking  
21 the amount of credit card and other financial cost-recovery revenues.  
22 The department must notify the state treasurer of these amounts and  
23 the state treasurer must deposit these revenues in the agency  
24 financial transaction account on a quarterly basis. If chapter . . .  
25 (House Bill No. 1115), Laws of 2021 (cost recovery of state agency  
26 credit card and transaction fees) is enacted by June 30, 2021, this  
27 subsection (3) (a) lapses.

28 (b) The appropriations in this section assume implementation by  
29 the department of cost recovery mechanisms to recoup at least  
30 \$21,257,000 during the 2021-2023 biennium in credit card and other  
31 financial transaction costs as part of charges imposed for driver and  
32 vehicle fee transactions. During the 2021-2023 fiscal biennium, the  
33 department must report any amounts recovered to the office of  
34 financial management and appropriate committees of the legislature on  
35 a quarterly basis.

36 (4) \$3,074,000 of the abandoned recreational vehicle disposal  
37 account—state appropriation is provided solely for providing  
38 reimbursements in accordance with the department's abandoned  
39 recreational vehicle disposal reimbursement program. It is the intent  
40 of the legislature that the department prioritize this funding for

1 allowable and approved reimbursements and not to build a reserve of  
2 funds within the account. During the 2021-2023 fiscal biennium, the  
3 department must report any amounts recovered to the office of  
4 financial management and appropriate committees of the legislature on  
5 a quarterly basis.

6 (5) \$950,000 of the highway safety account—state appropriation is  
7 provided solely for the department to provide an interagency transfer  
8 to the department of social and health services, children's  
9 administration division for the purpose of providing driver's license  
10 support to a larger population of foster youth than is already served  
11 within existing resources. Support services include reimbursement of  
12 driver's license issuance costs, fees for driver training education,  
13 and motor vehicle liability insurance costs.

14 (6) \$500,000 of the highway safety account—state appropriation is  
15 provided solely for communication and outreach activities necessary  
16 to inform the public of federally acceptable identification options  
17 including, but not limited to, enhanced drivers' licenses and  
18 enhanced identicards. The department shall continue the outreach plan  
19 that includes informational material that can be effectively  
20 communicated to all communities and populations in Washington. To  
21 accomplish this work, the department shall contract with an external  
22 vendor with demonstrated experience and expertise in outreach and  
23 marketing to underrepresented communities in a culturally responsive  
24 fashion.

25 (7) \$23,000 of the highway safety account—state appropriation is  
26 provided solely for the implementation of chapter . . . (Engrossed  
27 Substitute House Bill No. 1078), Laws of 2021 (restoring voter  
28 eligibility after felony conviction). If chapter . . . (Engrossed  
29 Substitute House Bill No. 1078), Laws of 2021 (restoring voter  
30 eligibility after felony conviction) is not enacted by June 30, 2021,  
31 the amount provided in this subsection lapses.

32 (8) \$523,000 of the highway safety account—state appropriation is  
33 provided solely for the implementation of chapter . . . (Substitute  
34 House Bill No. 1207), Laws of 2021 (department of licensing issued  
35 documents). If chapter . . . (Substitute House Bill No. 1207), Laws  
36 of 2021 (department of licensing issued documents) is not enacted by  
37 June 30, 2021, the amount provided in this subsection lapses.

38 (9) \$57,000 of the motor vehicle account—state appropriation is  
39 provided solely for the implementation of chapter . . . (Substitute

1 House Bill No. 1322), Laws of 2021 (off-road vehicle enforcement). If  
2 chapter . . . (Substitute House Bill No. 1322), Laws of 2021 (off-  
3 road vehicle enforcement) is not enacted by June 30, 2021, the amount  
4 provided in this subsection lapses.

5 (10) (a) \$54,000 of the motor vehicle account—state appropriation  
6 is provided solely for the issuance of nonemergency medical  
7 transportation vehicle decals to implement the high occupancy vehicle  
8 lane access pilot program established elsewhere in this act. A for  
9 hire nonemergency medical transportation vehicle is a vehicle that is  
10 a "for hire vehicle" under RCW 46.04.190 that provides nonemergency  
11 medical transportation, including for life-sustaining transportation  
12 purposes, to meet the medical transportation needs of individuals  
13 traveling to medical practices and clinics, cancer centers, dialysis  
14 facilities, hospitals, and other care providers.

15 (b) As part of this pilot program, the owner of a for hire  
16 nonemergency medical transportation vehicle may apply to the  
17 department, county auditor or other agent, or subagent appointed by  
18 the director, for a high occupancy vehicle exempt decal for a for  
19 hire nonemergency medical transportation vehicle. The high occupancy  
20 vehicle exempt decal allows the for hire nonemergency medical  
21 transportation vehicle to use a high occupancy vehicle lane as  
22 specified in RCW 46.61.165 and 47.52.025 during the 2021-2023 fiscal  
23 biennium.

24 (c) For the exemption in this subsection to apply to a for hire  
25 nonemergency medical transportation vehicle, the decal:

- 26 (i) Must be displayed on the vehicle so that it is clearly  
27 visible from outside the vehicle;
- 28 (ii) Must identify that the vehicle is exempt from the high  
29 occupancy vehicle requirements; and
- 30 (iii) Must be visible from the rear of the vehicle.

31 (d) The owner of a for hire nonemergency medical transportation  
32 vehicle or the owner's representative must apply for a high occupancy  
33 vehicle exempt decal on a form provided or approved by the  
34 department. The application must include:

- 35 (i) The name and address of the person who is the owner of the  
36 vehicle;
- 37 (ii) A full description of the vehicle, including its make,  
38 model, year, and the vehicle identification number;
- 39 (iii) The purpose for which the vehicle is principally used;

1 (iv) An attestation signed by the vehicle's owner or the owner's  
2 representative that the vehicle's owner has a minimum of one contract  
3 or service agreement to provide for hire transportation services for  
4 medical purposes with one or more of the following entities: A health  
5 insurance company; a hospital, clinic, dialysis center, or other  
6 medical institution; a day care center, retirement home, or group  
7 home; a federal, state, or local agency or jurisdiction; or a broker  
8 who negotiates these services on behalf of one or more of these  
9 entities; and

10 (v) Other information as required by the department upon  
11 application.

12 (e) The department, county auditor or other agent, or subagent  
13 appointed by the director shall collect the fee required under (f) of  
14 this subsection when issuing a high occupancy vehicle exempt decal.

15 (f) The department, county auditor or other agent, or subagent,  
16 is required to collect a \$5 fee when issuing a decal under this  
17 subsection, in addition to any other fees and taxes required by law.

18 (g) A high occupancy vehicle exempt decal may not be renewed and  
19 expires upon the termination of the pilot program established  
20 elsewhere in this act. The status as an exempt vehicle continues  
21 until suspended or revoked for misuse, or when the vehicle is no  
22 longer used as a for hire nonemergency medical transportation  
23 vehicle, or when the pilot program established elsewhere in this act  
24 is terminated.

25 (h) The department may adopt rules to implement this subsection.

26 (11) The department must place personal and company data elements  
27 in separate data fields to allow the department to select discrete  
28 data elements when providing information or data to persons or  
29 entities outside the department. Pursuant to the restrictions in  
30 federal and state law, a person's photo, social security number, or  
31 medical information must not be made available through public  
32 disclosure or data being provided under RCW 46.12.630 or 46.12.635.

33 (12)(a) The appropriations in this section assume full cost  
34 recovery for the administration and collection of a motor vehicle  
35 excise tax on behalf of any regional transit authority pursuant to  
36 section 717 of this act.

37 (b) The department must work with any regional transit authority  
38 pursuant to (a) of this subsection to determine cost allocations that  
39 are based on actual costs and that would result in full cost recovery  
40 for administration and collection of the taxes. The department must

1 report actual cost allocations to the transportation committees of  
2 the legislature by January 1, 2022.

3 NEW SECTION. **Sec. 209. FOR THE DEPARTMENT OF TRANSPORTATION—**  
4 **TOLL OPERATIONS AND MAINTENANCE—PROGRAM B**

5	State Route Number 520 Corridor Account—State	
6	Appropriation . . . . .	\$53,747,000
7	State Route Number 520 Civil Penalties Account—State	
8	Appropriation . . . . .	\$4,150,000
9	Tacoma Narrows Toll Bridge Account—State	
10	Appropriation . . . . .	\$29,809,000
11	Alaskan Way Viaduct Replacement Project Account—State	
12	Appropriation. . . . .	\$20,933,000
13	Interstate 405 and State Route Number 167 Express	
14	Toll Lanes Account—State Appropriation. . . . .	\$23,984,000
15	TOTAL APPROPRIATION. . . . .	\$132,623,000

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

18 (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state  
19 appropriation and \$12,483,846 of the state route number 520 corridor  
20 account—state appropriation are provided solely for the purposes of  
21 addressing unforeseen operations and maintenance costs on the Tacoma  
22 Narrows bridge and the state route number 520 bridge, respectively.  
23 The office of financial management shall place the amounts provided  
24 in this subsection, which represent a portion of the required minimum  
25 fund balance under the policy of the state treasurer, in unallotted  
26 status. The office may release the funds only when it determines that  
27 all other funds designated for operations and maintenance purposes  
28 have been exhausted.

29 (2) As long as the facility is tolled, the department must  
30 provide semiannual reports to the transportation committees of the  
31 legislature on the Interstate 405 express toll lane project  
32 performance measures listed in RCW 47.56.880(4). These reports must  
33 include:

34 (a) Information on the travel times and travel time reliability  
35 (at a minimum, average and 90th percentile travel times) maintained  
36 during peak and nonpeak periods in the express toll lanes and general  
37 purpose lanes for both the entire corridor and commonly made trips in  
38 the corridor including, but not limited to, northbound from Bellevue

1 to Rose Hill, state route number 520 at NE 148th to Interstate 405 at  
2 state route number 522, Bellevue to Bothell (both NE 8th to state  
3 route number 522 and NE 8th to state route number 527), and a trip  
4 internal to the corridor (such as NE 85th to NE 160th) and similar  
5 southbound trips;

6 (b) A month-to-month comparison of travel times and travel time  
7 reliability for the entire corridor and commonly made trips in the  
8 corridor as specified in (a) of this subsection since implementation  
9 of the express toll lanes and, to the extent available, a comparison  
10 to the travel times and travel time reliability prior to  
11 implementation of the express toll lanes;

12 (c) Total express toll lane and total general purpose lane  
13 traffic volumes, as well as per lane traffic volumes for each type of  
14 lane (i) compared to total express toll lane and total general  
15 purpose lane traffic volumes, as well as per lane traffic volumes for  
16 each type of lane, on this segment of Interstate 405 prior to  
17 implementation of the express toll lanes and (ii) compared to total  
18 express toll lane and total general purpose lane traffic volumes, as  
19 well as per lane traffic volumes for each type of lane, from month to  
20 month since implementation of the express toll lanes; and

21 (d) Underlying congestion measurements, that is, speeds, that are  
22 being used to generate the summary graphs provided, to be made  
23 available in a digital file format.

24 (3) The department shall make detailed semiannual reports to the  
25 transportation committees of the legislature and the public on the  
26 department's website on the following:

27 (a) The use of consultants in the tolling program, including the  
28 name of the contractor, the scope of work, the type of contract,  
29 timelines, deliverables, any new task orders, and any extensions to  
30 existing consultant contracts;

31 (b) The nonvendor costs of administering toll operations,  
32 including the costs of staffing the division, consultants, and other  
33 personal service contracts required for technical oversight and  
34 management assistance, insurance, payments related to credit card  
35 processing, transponder purchases and inventory management, facility  
36 operations and maintenance, and other miscellaneous nonvendor costs;

37 (c) The vendor-related costs of operating tolled facilities,  
38 including the costs of the customer service center, cash collections  
39 on the Tacoma Narrows bridge, electronic payment processing, and toll  
40 collection equipment maintenance, renewal, and replacement;



1 (d) The toll adjudication process, including a summary table for  
2 each toll facility that includes:

3 (i) The number of notices of civil penalty issued;

4 (ii) The number of recipients who pay before the notice becomes a  
5 penalty;

6 (iii) The number of recipients who request a hearing and the  
7 number who do not respond;

8 (iv) Workload costs related to hearings;

9 (v) The cost and effectiveness of debt collection activities; and

10 (vi) Revenues generated from notices of civil penalty; and

11 (e) A summary of toll revenue by facility on all operating toll  
12 facilities and express toll lane systems, and an itemized depiction  
13 of the use of that revenue.

14 (4) During the 2021-2023 fiscal biennium, the department plans to  
15 issue a request for proposals as the first stage of a competitive  
16 procurement process that will replace the toll equipment and select a  
17 new tolling operator for the Tacoma Narrows Bridge. The request for  
18 proposals and subsequent competitive procurement must incorporate  
19 elements that prioritize the overall goal of lowering costs per  
20 transaction for the facility, such as incentives for innovative  
21 approaches which result in lower transactional costs, requests for  
22 efficiencies on the part of the bidder that lower operational costs,  
23 and incorporation of technologies such as self-serve credit card  
24 machines or other point-of-payment technologies that lower costs or  
25 improve operational efficiencies.

26 (5) \$20,001,000 of the Alaskan Way viaduct replacement project  
27 account—state appropriation is provided solely for the new state  
28 route number 99 tunnel toll facility's expected share of collecting  
29 toll revenues, operating customer services, and maintaining toll  
30 collection systems. The legislature expects to see appropriate  
31 reductions to the other toll facility accounts once tolling on the  
32 new state route number 99 tunnel toll facility stabilizes and any  
33 previously incurred costs for start-up of the new facility are  
34 charged back to the Alaskan Way viaduct replacement project account.  
35 The office of financial management shall closely monitor the  
36 application of the cost allocation model and ensure that the new  
37 state route number 99 tunnel toll facility is adequately sharing  
38 costs and the other toll facility accounts are not being overspent or  
39 subsidizing the new state route number 99 tunnel toll facility.

1 (6) (a) \$1,651,000 of the state route number 520 corridor account—  
2 state appropriation, \$709,000 of the Tacoma Narrows toll bridge  
3 account—state appropriation, \$932,000 of the Alaskan Way viaduct  
4 replacement project account—state appropriation, and \$708,000 of the  
5 Interstate 405 and state route number 167 express toll lanes account—  
6 state appropriation are provided solely for the reappropriation of  
7 unspent funds on the new tolling back office system from the  
8 2019-2021 biennium, and are subject to the conditions, limitations,  
9 and review provided in section 701 of this act.

10 (b) The department shall continue to work with the office of  
11 financial management, office of the chief information officer, and  
12 the transportation committees of the legislature on the project  
13 management plan that includes a provision for independent  
14 verification and validation of contract deliverables from the  
15 successful bidder and a provision for quality assurance that includes  
16 reporting independently to the office of the chief information  
17 officer on an ongoing basis during system implementation.

18 (c) The office of financial management shall place the amounts  
19 provided in this subsection in unallotted status until the department  
20 submits a detailed progress report on the progress of the new tolling  
21 back office system. The director of the office of financial  
22 management or their designee shall consult with the chairs and  
23 ranking members of the transportation committees of the legislature  
24 prior to making a decision to allot these funds.

25 (7) Out of funding appropriated in this section, the department  
26 shall contract with the state auditor's office for a performance  
27 audit of the department's project to replace its electronic toll  
28 collection system. The audit should include an evaluation of the  
29 department's project planning, vendor procurement, contract  
30 management and project oversight. The final report is to be issued by  
31 December 31, 2022. The state auditor will transmit copies of the  
32 report to the jurisdictional committees of the legislature and the  
33 department.

34 (8) \$1,516,000 of the state route number 520 corridor account—  
35 state appropriation is provided solely for the increased costs of  
36 insurance for the state route number 520 floating bridge. The  
37 department shall conduct an evaluation of the short and long-term  
38 costs and benefits including risk mitigation of self-insurance as  
39 compared to the commercial insurance option for the state route

1 number 520 floating bridge, as allowed under the terms of the state  
2 route number 520 master bond resolution. By December 15, 2021, the  
3 department shall report to the legislature on the results of this  
4 evaluation.

5 (9) As part of the department's 2023-2025 biennial budget  
6 request, the department shall update the cost allocation  
7 recommendations that assign appropriate costs to each of the toll  
8 funds for services provided by relevant Washington state department  
9 of transportation programs, the Washington state patrol, and the  
10 transportation commission. The recommendations shall be based on  
11 updated traffic and toll transaction patterns and other relevant  
12 factors.

13 NEW SECTION. **Sec. 210. FOR THE DEPARTMENT OF TRANSPORTATION—**  
14 **INFORMATION TECHNOLOGY—PROGRAM C**

15	Transportation Partnership Account—State Appropriation . . .	\$1,437,000
16	Motor Vehicle Account—State Appropriation . . . . .	\$102,671,000
17	Puget Sound Ferry Operations Account—State	
18	Appropriation . . . . .	\$263,000
19	Multimodal Transportation Account—State	
20	Appropriation . . . . .	\$2,831,000
21	Transportation 2003 Account (Nickel Account)—State	
22	Appropriation . . . . .	\$1,441,000
23	TOTAL APPROPRIATION. . . . .	\$108,643,000

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

26 (1) \$8,546,000 of the motor vehicle account—state appropriation  
27 is provided solely for the department's cost related to the one  
28 Washington project, and is subject to the conditions, limitations,  
29 and review requirements of section 701 of this act.

30 (2) The capital systems replacement or modernization project is  
31 subject to the conditions, limitations, and review requirements of  
32 section 701 of this act.

33 NEW SECTION. **Sec. 211. FOR THE DEPARTMENT OF TRANSPORTATION—**  
34 **FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION—PROGRAM D—**  
35 **OPERATING**

36	Motor Vehicle Account—State Appropriation . . . . .	\$35,771,000
37	State Route Number 520 Corridor Account—State	

1	Appropriation . . . . .	\$34,000
2	TOTAL APPROPRIATION. . . . .	\$35,805,000

3        NEW SECTION.    **Sec. 212.    FOR THE DEPARTMENT OF TRANSPORTATION—**  
4 **AVIATION—PROGRAM F**

5	Aeronautics Account—State Appropriation . . . . .	\$8,480,000
6	Aeronautics Account—Federal Appropriation . . . . .	\$3,916,000
7	Aeronautics Account—Private/Local Appropriation . . . . .	\$60,000
8	TOTAL APPROPRIATION. . . . .	\$12,456,000

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

11        (1) \$2,888,000 of the aeronautics account—state appropriation is  
12 provided solely for the airport aid grant program, which provides  
13 competitive grants to public use airports for pavement, safety,  
14 maintenance, planning, and security.

15        (2) \$505,000 of the aeronautics account—state appropriation is  
16 provided solely for the implementation of chapter . . . (House Bill  
17 No. 1198), Laws of 2021 (aviation coordinating commission). If  
18 chapter . . . (House Bill No. 1198), Laws of 2021 is not enacted by  
19 June 30, 2021, the amount provided in this subsection lapses.

20        (3) \$280,000 of the aeronautics account—state appropriation is  
21 provided solely for the implementation of chapter . . . (Substitute  
22 House Bill No. 1379), Laws of 2021 (unpiloted aircraft system state  
23 coordinator). If chapter . . . (Substitute House Bill No. 1379), Laws  
24 of 2021 (unpiloted aircraft system state coordinator) is not enacted  
25 by June 30, 2021, the amount provided in this subsection lapses.

26        NEW SECTION.    **Sec. 213.    FOR THE DEPARTMENT OF TRANSPORTATION—**  
27 **PROGRAM DELIVERY MANAGEMENT AND SUPPORT—PROGRAM H**

28	Motor Vehicle Account—State Appropriation. . . . .	\$60,273,000
29	Motor Vehicle Account—Federal Appropriation . . . . .	\$500,000
30	Multimodal Transportation Account—State Appropriation . . . . .	\$258,000
31	TOTAL APPROPRIATION. . . . .	\$61,031,000

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

34        (1) The legislature recognizes that the trail known as the Rocky  
35 Reach Trail, and its extensions, serve to separate motor vehicle  
36 traffic from pedestrians and bicyclists, increasing motor vehicle

1 safety on state route number 2 and the coincident section of state  
2 route number 97. Consistent with chapter 47.30 RCW and pursuant to  
3 RCW 47.12.080, the legislature declares that transferring portions of  
4 WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and  
5 associated buffer areas to the Washington state parks and recreation  
6 commission is consistent with the public interest. The legislature  
7 directs the department to transfer the property to the Washington  
8 state parks and recreation commission.

9 (a) The department must be paid fair market value for any  
10 portions of the transferred real property that is later abandoned,  
11 vacated, or ceases to be publicly maintained for trail purposes.

12 (b) Prior to completing the transfer in this subsection (1), the  
13 department must ensure that provisions are made to accommodate  
14 private and public utilities and any facilities that predate the  
15 department's acquisition of the property, at no cost to those  
16 entities. Prior to completing the transfer, the department shall also  
17 ensure that provisions, by fair market assessment, are made to  
18 accommodate other private and public utilities and any facilities  
19 that have been legally allowed by permit or other instrument.

20 (c) The department may sell any adjoining property that is not  
21 necessary to support the Rocky Reach Trail and adjacent buffer areas  
22 only after the transfer of trail-related property to the Washington  
23 state parks and recreation commission is complete. Adjoining property  
24 owners must be given the first opportunity to acquire such property  
25 that abuts their property, and applicable boundary line or other  
26 adjustments must be made to the legal descriptions for recording  
27 purposes.

28 (2) With respect to Parcel 12 of the real property conveyed by  
29 the state of Washington to the city of Mercer Island under that  
30 certain quitclaim deed, dated April 19, 2000, recorded in King county  
31 under recording no. 20000425001234, the requirement in the deed that  
32 the property be used for road/street purposes only will be deemed  
33 satisfied by the department of transportation so long as commuter  
34 parking, as part of the vertical development of the property, is one  
35 of the significant uses of the property.

36 (3) During the 2021-2023 biennium, if the department takes  
37 possession of the property situated in the City of Edmonds for which  
38 a purchase agreement was executed between Unocal and the department  
39 in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department  
40 confirms that the property is still no longer needed for

1 transportation purposes, the department shall provide the City of  
2 Edmonds with the right of first purchase in accordance with RCW  
3 47.12.063(3) for the city's intended use of the property to  
4 rehabilitate near-shore habitat for salmon and related species.

5 (4) The department shall report to the transportation committees  
6 of the legislature by December 1, 2021, on the status of its efforts  
7 to consolidate franchises for broadband facilities across the state,  
8 including plans for increasing the number of consolidated franchises  
9 in the future.

10 NEW SECTION. **Sec. 214. FOR THE DEPARTMENT OF TRANSPORTATION—**  
11 **PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K**

12 Motor Vehicle Account—State Appropriation . . . . .	\$675,000
13 Electric Vehicle Account—State Appropriation. . . . .	\$3,900,000
14 Multimodal Transportation Account—State Appropriation. .	\$12,533,000
15 TOTAL APPROPRIATION. . . . .	\$17,108,000

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

18 (1) The public private partnerships program must continue to  
19 explore retail partnerships at state-owned park and ride facilities,  
20 as authorized in RCW 47.04.295.

21 (2) \$2,400,000 of the multimodal transportation account—state  
22 appropriation is provided solely for the pilot program established  
23 under RCW 47.04.355, to provide clean alternative fuel vehicle use  
24 opportunities to underserved communities and low to moderate income  
25 members of the workforce not readily served by transit or located in  
26 transportation corridors with emissions that exceed federal or state  
27 emissions standards.

28 (3) (a) (i) \$133,000 of the multimodal transportation account—state  
29 appropriation is provided solely for the purpose of conducting an  
30 assessment of options for the development, including potential  
31 features and costs, for a publicly available mapping and forecasting  
32 tool that provides locations and essential information of charging  
33 and refueling infrastructure to support forecasted levels of electric  
34 vehicle adoption, travel, and usage across Washington state as  
35 described in chapter . . . (Engrossed Substitute House Bill No.  
36 1287), Laws of 2021 (preparedness for a zero emissions transportation  
37 future).

1 (ii) The assessment must include a review of existing  
2 infrastructure needs assessments, mapping and forecasting tools,  
3 environmental health disparity resources, and related modeling. It  
4 must be performed in consultation with the department of ecology,  
5 department of commerce, and office of equity, and include a  
6 stakeholder process to address community, public agency, and relevant  
7 public and private utility needs to determine the resources needed to  
8 facilitate statewide and local transportation electrification efforts  
9 to drive emission reductions consistent with RCW 70A.45.020.

10 (iii) A report summarizing the findings of the assessment and the  
11 options recommended by the department for the tool's development is  
12 due to the transportation committees of the legislature by December  
13 31, 2021.

14 (b) \$10,000,000 of the multimodal transportation account—state  
15 appropriation is provided solely for a clean alternative fuel vehicle  
16 infrastructure grant program for clean alternative fuel vehicle  
17 charging and refueling infrastructure that will provide public  
18 benefits for the state's network of charging infrastructure to  
19 facilitate state zero emission vehicle requirements under RCW  
20 70A.30.010 and greenhouse gas emission reduction goals under RCW  
21 70A.45.020. The department must develop a strategy for grant award  
22 selection based on maximizing public benefits by: Facilitating  
23 residents' and businesses' ability to purchase and lease clean  
24 alternative fuel vehicles through increased access to public electric  
25 vehicle charging and refueling, facilitating a decline in vehicle  
26 emissions that would otherwise contribute to pollution and greenhouse  
27 gas emissions, and increasing equity of access to clean alternative  
28 fuel vehicles. The department shall use proposed grant matching funds  
29 as a criterion for selecting grant award recipients. When the  
30 publicly available mapping and forecasting tool in (a) of this  
31 subsection has been developed and is available to be used for this  
32 purpose, strategy development for grant award selection must include  
33 analysis of the information provided by the tool.

34 NEW SECTION. **Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION—**  
35 **HIGHWAY MAINTENANCE—PROGRAM M**

36	Motor Vehicle Account—State Appropriation . . . . .	\$505,498,000
37	Motor Vehicle Account—Federal Appropriation . . . . .	\$7,000,000
38	State Route Number 520 Corridor Account—State	

1	Appropriation . . . . .	\$4,222,000
2	Tacoma Narrows Toll Bridge Account—State	
3	Appropriation . . . . .	\$1,529,000
4	Alaskan Way Viaduct Replacement Project	
5	Account—State Appropriation . . . . .	\$8,443,000
6	Interstate 405 and State Route Number 167 Express	
7	Toll Lanes Account—State Appropriation. . . . .	\$2,573,000
8	TOTAL APPROPRIATION. . . . .	\$529,265,000

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

11 (1) \$7,529,000 of the motor vehicle account—state appropriation  
12 is provided solely for utility fees assessed by local governments as  
13 authorized under RCW 90.03.525 for the mitigation of stormwater  
14 runoff from state highways. Plan and reporting requirements as  
15 required in chapter 435, Laws of 2019 (Local Stormwater Charges)  
16 shall be consistent with the January 2012 findings of the Joint  
17 Transportation Committee Report for Effective Cost Recovery Structure  
18 for WSDOT, Jurisdictions, and Efficiencies in Stormwater Management.

19 (2) \$5,000,000 of the motor vehicle account—state appropriation  
20 is provided solely for a contingency pool for snow and ice removal.  
21 The department must notify the office of financial management and the  
22 transportation committees of the legislature when they have spent the  
23 base budget for snow and ice removal and will begin using the  
24 contingency pool funding.

25 (3) \$1,025,000 of the motor vehicle account—state appropriation  
26 is provided solely for the department to implement safety  
27 improvements and debris clean up on department-owned rights-of-way in  
28 the city of Seattle at levels above that being implemented as of  
29 January 1, 2019. The department must contract out or hire a crew  
30 dedicated solely to collecting and disposing of garbage, clearing  
31 debris or hazardous material, and implementing safety improvements  
32 where hazards exist to the traveling public, department employees, or  
33 people encamped upon department-owned rights-of-way. The department  
34 may request assistance from the Washington state patrol as necessary  
35 in order for both agencies to provide enhanced safety-related  
36 activities regarding the emergency hazards along state highway  
37 rights-of-way in the Seattle area.

38 (4) \$1,015,000 of the motor vehicle account—state appropriation  
39 is provided solely for a partnership program between the department



1 and the city of Tacoma. The program shall address the safety and  
2 public health problems created by homeless encampments on the  
3 department's property along state highways within the city limits.  
4 \$570,000 is for dedicated department maintenance staff and associated  
5 clean-up costs. The department and the city of Tacoma shall enter  
6 into a reimbursable agreement to cover up to \$445,000 of the city's  
7 expenses for clean-up crews and landfill costs.

8 (5) The department must continue a pilot program for the  
9 2021-2023 fiscal biennium at the four highest demand safety rest  
10 areas to create and maintain an online calendar for volunteer groups  
11 to check availability of weekends for the free coffee program. The  
12 calendar must be updated at least weekly and show dates and times  
13 that are, or are not, available to participate in the free coffee  
14 program. The department must submit a report to the legislature on  
15 the ongoing pilot by December 1, 2022, outlining the costs and  
16 benefits of the online calendar pilot, and including surveys from the  
17 volunteer groups and agency staff to determine its effectiveness.

18 (6) \$686,000 of the motor vehicle account—state appropriation is  
19 provided solely for reimbursing the Oregon department of  
20 transportation (ODOT) for the department's share of increased  
21 maintenance costs of six highway bridges over the Columbia River that  
22 are maintained by ODOT.

23 (7) \$4,145,000 of the motor vehicle account—state appropriation  
24 is provided solely for increased costs of highway maintenance  
25 materials.

26 (8) \$5,816,000 of the motor vehicle account—state appropriation  
27 is provided solely for a contingency pool for repairing damages to  
28 highways caused by known and unknown third parties. The department  
29 must notify the office of financial management and the transportation  
30 committees of the legislature when they have spent the base budget  
31 for third-party damage repair and will begin using the contingency  
32 pool funding.

33 (9) \$5,000,000 of the motor vehicle account—state appropriation  
34 is provided solely for the department to address the risks to safety  
35 and public health associated with homeless encampments on department  
36 owned rights-of-way. The department must coordinate and work with  
37 local government officials and social service organizations to  
38 provide services and direct people to housing alternatives that are  
39 not in highway rights-of-way to help prevent future encampments from

1 forming on highway rights of way. The department may hire crews  
2 specializing in collecting and disposing of garbage, clearing debris  
3 or hazardous material, and implementing safety improvements where  
4 hazards exist. The department may request assistance from the  
5 Washington state patrol as necessary to provide enhanced safety-  
6 related activities along state highway rights-of-way.

7 (10) \$623,000 of the motor vehicle account—state appropriation is  
8 provided solely for the implementation of chapter . . . (Substitute  
9 House Bill No. 1355), Laws of 2021 (noxious weeds). If chapter . . .  
10 (Substitute House Bill No. 1355), Laws of 2021 (noxious weeds) is not  
11 enacted by June 30, 2021, the amount provided in this subsection  
12 lapses.

13 NEW SECTION. **Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION—**  
14 **TRAFFIC OPERATIONS—PROGRAM Q—OPERATING**

15	Motor Vehicle Account—State Appropriation . . . . .	\$76,141,000
16	Motor Vehicle Account—Federal Appropriation . . . . .	\$2,050,000
17	Motor Vehicle Account—Private/Local Appropriation . . . . .	\$250,000
18	State Route Number 520 Corridor Account—State	
19	Appropriation. . . . .	\$224,000
20	Tacoma Narrows Toll Bridge Account—State Appropriation. . . . .	\$40,000
21	Alaskan Way Viaduct Replacement Project Account—	
22	State Appropriation. . . . .	\$1,112,000
23	Interstate 405 and State Route Number 167 Express	
24	Toll Lanes Account—State Appropriation. . . . .	\$20,000
25	TOTAL APPROPRIATION. . . . .	\$79,837,000

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

28 (1) \$6,000,000 of the motor vehicle account—state appropriation  
29 is provided solely for low-cost enhancements. The department shall  
30 give priority to low-cost enhancement projects that improve safety or  
31 provide congestion relief. By December 15th of each odd-numbered  
32 year, the department shall provide a report to the legislature  
33 listing all low-cost enhancement projects completed in the prior  
34 fiscal biennium.

35 (2) (a) During the 2021-2023 fiscal biennium, the department shall  
36 continue a pilot program that expands private transportation  
37 providers' access to high occupancy vehicle lanes. Under the pilot  
38 program, when the department reserves a portion of a highway based on

1 the number of passengers in a vehicle, the following vehicles must be  
2 authorized to use the reserved portion of the highway if the vehicle  
3 has the capacity to carry eight or more passengers, regardless of the  
4 number of passengers in the vehicle: (i) Auto transportation company  
5 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter  
6 carrier vehicles regulated under chapter 81.70 RCW, except marked or  
7 unmarked stretch limousines and stretch sport utility vehicles as  
8 defined under department of licensing rules; (iii) private nonprofit  
9 transportation provider vehicles regulated under chapter 81.66 RCW;  
10 and (iv) private employer transportation service vehicles. For  
11 purposes of this subsection, "private employer transportation  
12 service" means regularly scheduled, fixed-route transportation  
13 service that is offered by an employer for the benefit of its  
14 employees. Nothing in this subsection is intended to authorize the  
15 conversion of public infrastructure to private, for-profit purposes  
16 or to otherwise create an entitlement or other claim by private users  
17 to public infrastructure.

18 (b) The department shall expand the high occupancy vehicle lane  
19 access pilot program to vehicles that deliver or collect blood,  
20 tissue, or blood components for a blood-collecting or distributing  
21 establishment regulated under chapter 70.335 RCW. Under the pilot  
22 program, when the department reserves a portion of a highway based on  
23 the number of passengers in a vehicle, blood-collecting or  
24 distributing establishment vehicles that are clearly and identifiably  
25 marked as such on all sides of the vehicle are considered emergency  
26 vehicles and must be authorized to use the reserved portion of the  
27 highway.

28 (c) The department shall expand the high occupancy vehicle lane  
29 access pilot program to organ transport vehicles transporting a time  
30 urgent organ for an organ procurement organization as defined in RCW  
31 68.64.010. Under the pilot program, when the department reserves a  
32 portion of a highway based on the number of passengers in a vehicle,  
33 organ transport vehicles that are clearly and identifiably marked as  
34 such on all sides of the vehicle are considered emergency vehicles  
35 and must be authorized to use the reserved portion of the highway.

36 (d) The department shall expand the high occupancy vehicle lane  
37 access pilot program to private, for hire vehicles regulated under  
38 chapter 81.72 RCW that have been specially manufactured, designed, or  
39 modified for the transportation of a person who has a mobility  
40 disability and uses a wheelchair or other assistive device. Under the

1 pilot program, when the department reserves a portion of a highway  
2 based on the number of passengers in a vehicle, wheelchair-accessible  
3 taxicabs that are clearly and identifiably marked as such on all  
4 sides of the vehicle are considered public transportation vehicles  
5 and must be authorized to use the reserved portion of the highway.

6 (e) The department shall expand the high occupancy vehicle lane  
7 access pilot program to for hire nonemergency medical transportation  
8 vehicles, when in use for medical purposes, as described elsewhere in  
9 this act. Under the pilot program, when the department reserves a  
10 portion of a highway based on the number of passengers in a vehicle,  
11 nonemergency medical transportation vehicles that meet the  
12 requirements identified elsewhere in this act must be authorized to  
13 use the reserved portion of the highway.

14 (f) Nothing in this subsection (2) is intended to exempt these  
15 vehicles from paying tolls when they do not meet the occupancy  
16 requirements established by the department for express toll lanes.

17 (3) When regional transit authority construction activities are  
18 visible from a state highway, the department shall allow the regional  
19 transit authority to place safe and appropriate signage informing the  
20 public of the purpose of the construction activity.

21 (4) The department must make signage for low-height bridges a  
22 high priority.

23 NEW SECTION. **Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION—**  
24 **TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S**

25	Motor Vehicle Account—State Appropriation . . . . .	\$43,973,000
26	Motor Vehicle Account—Federal Appropriation . . . . .	\$780,000
27	Motor Vehicle Account—Private/Local Appropriation . . . . .	\$500,000
28	Multimodal Transportation Account—State	
29	Appropriation . . . . .	\$1,129,000
30	State Route Number 520 Corridor Account—State	
31	Appropriation. . . . .	\$185,000
32	Tacoma Narrows Toll Bridge Account—State Appropriation. . .	\$150,000
33	Alaskan Way Viaduct Replacement Project Account—	
34	State Appropriation. . . . .	\$121,000
35	Interstate 405 and State Route Number 167 Express	
36	Toll Lanes Account—State Appropriation. . . . .	\$77,000
37	TOTAL APPROPRIATION. . . . .	\$46,915,000

1 The appropriations in this section are subject to the following  
2 conditions and limitations: \$6,000,000 of the motor vehicle account—  
3 state appropriation is provided solely for efforts to increase  
4 diversity in the transportation construction workforce through: (1)  
5 The preapprenticeship support services (PASS) program, which aims to  
6 increase diversity in the highway construction workforce and prepare  
7 individuals interested in entering the highway construction  
8 workforce. In addition to the services allowed by RCW 47.01.435, the  
9 PASS program may provide housing assistance for youth aging out of  
10 the foster care and juvenile rehabilitation systems in order to  
11 support the participation of these youth in a transportation-related  
12 preapprenticeship program; (2) assisting minority and women-owned  
13 businesses to perform work in the highway construction industry. This  
14 assistance shall include technical assistance, business training,  
15 counseling, guidance, prime to subcontractor relationship building,  
16 and a capacity building mentorship program. At a minimum, \$1,000,000  
17 of the total appropriation in this subsection shall be directed  
18 towards the efforts outlined in this subsection. Of the total  
19 appropriation in this subsection, up to one full time position can be  
20 created to support all this work. The provider(s) chosen to complete  
21 the work in this subsection shall be selected through a competitive  
22 bidding process. The program shall be administered by the Washington  
23 state department of transportation's office of equal opportunity.

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

26	Motor Vehicle Account—State Appropriation . . . . .	\$26,776,000
27	Motor Vehicle Account—Federal Appropriation . . . . .	\$34,865,000
28	Motor Vehicle Account—Private/Local Appropriation. . . . .	\$400,000
29	State Route Number 520 Corridor Account—State	
30	Appropriation. . . . .	\$406,000
31	Multimodal Transportation Account—State Appropriation . .	\$1,669,000
32	Multimodal Transportation Account—Federal	
33	Appropriation . . . . .	\$2,809,000
34	Multimodal Transportation Account—Private/Local	
35	Appropriation . . . . .	\$100,000
36	Interstate 405 and State Route Number 167 Express	
37	Toll Lanes Account—State Appropriation. . . . .	\$2,879,000
38	TOTAL APPROPRIATION. . . . .	\$69,904,000

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

3 (1) \$2,879,000 of the Interstate 405 and state route number 167  
4 express toll lanes account—state appropriation is provided solely for  
5 completion of updating the state route number 167 master plan.

6 (2) \$406,000 of the state route number 520 corridor account—state  
7 appropriation is provided solely for the department to contract with  
8 the University of Washington department of mechanical engineering, to  
9 study measures to reduce noise impacts from the state route number  
10 520 bridge expansion joints. The field testing shall be scheduled  
11 during existing construction, maintenance, or other scheduled  
12 closures to minimize impacts. The testing must also ensure safety of  
13 the traveling public. The study shall examine testing methodologies  
14 and project timelines and costs. A final report must be submitted to  
15 the transportation committees of the legislature and the governor by  
16 March 1, 2022.

17 (3) \$5,900,000 of the motor vehicle account—federal appropriation  
18 and \$400,000 of the motor vehicle account—private/local appropriation  
19 are provided solely for delivery of the department's state planning  
20 and research work program and pooled fund research projects, provided  
21 that the department may not expend any amounts provided in this  
22 section on a long-range plan or corridor scenario analysis for I-5  
23 from Tumwater to Marysville. This is not intended to reference or  
24 impact: The existing I-5 corridor from Mounts road to Tumwater design  
25 and operations alternatives analysis; design studies related to HOV  
26 lanes or operations; or where it is necessary to continue design and  
27 operations analysis related to projects already under development.

28 (4) \$4,080,000 of the motor vehicle account—federal appropriation  
29 is provided solely for the Forward Drive road usage charge research  
30 project overseen by the transportation commission using a portion of  
31 the amount of the federal grant award. The purpose of the Forward  
32 Drive road usage charge research project is to advance research in  
33 key policy areas related to road usage charge including assessing  
34 impacts of future mobility shifts on road usage charge revenues,  
35 conducting an equity analysis, updating and assessing emerging  
36 mileage reporting methods, determining opportunities to reduce cost  
37 of collection, conducting small-scale pilot tests, and identifying a  
38 long-term, detailed phase-in plan.

1 (5) \$500,000 of the multimodal transportation account—state  
2 appropriation is provided for the department to partner with the  
3 department of commerce in developing vehicle miles traveled targets  
4 for the counties in Washington state with (a) a population density of  
5 at least 100 people per square mile and a population of at least  
6 200,000; or (b) a population density of at least 75 people per square  
7 mile and an annual growth rate of at least 1.75 percent as determined  
8 by the office of financial management. Given land use patterns are  
9 key factors in travel demand and should be taken into consideration  
10 when developing the targets, the department and the department of  
11 commerce shall partner with local jurisdictions, regional  
12 transportation planning organizations and other stakeholders to  
13 inventory existing laws and rules that promote transportation and  
14 land use, identify gaps and make recommendations for changes in laws,  
15 rules and agency guidance, and establish a framework for considering  
16 underserved and rural communities in the evaluation. The department  
17 and the department of commerce shall provide an initial technical  
18 report by December 31, 2021, an interim report by June 22, 2022, and  
19 a final report to the governor and legislature by June 30, 2023, that  
20 includes a process for establishing vehicle miles traveled reduction  
21 targets, a recommended suite of options for local jurisdictions to  
22 achieve the targets, and funding requirements for state and local  
23 jurisdictions.

24 (6) \$500,0000 of the multimodal transportation account—state  
25 appropriation is provided solely for implementation of a state route  
26 number 161 corridor study to be conducted in consultation with Pierce  
27 Transit, Sound Transit, and other regional entities. The department  
28 must study practical solutions to address high vehicle volumes and  
29 delays in the corridor. The study should develop short-, mid-, and  
30 long-term strategies and identify potential improvements for the  
31 corridor or improvements to nearby roads that could help address the  
32 traffic congestion on state route number 161.

33 (7) \$800,000 of the motor vehicle account—state appropriation is  
34 provided solely for WSDOT to do a corridor study of SR 302 (Victor  
35 Area) to recommend safety and infrastructure improvements to address  
36 current damage and prevent future roadway collapse and landslides  
37 that have caused road closures.





1 department to the director of the office of financial management and  
2 the transportation committees of the legislature. The report must  
3 include information on: (a) The number of claims and settlements by  
4 type; (b) the average claim and settlement by type; and (c) defense  
5 costs associated with those claims and settlements.

6 (4) When the department identifies significant legal issues that  
7 have potential transportation budget implications, the department  
8 must initiate a briefing for appropriate legislative members or staff  
9 through the office of the attorney general and its legislative  
10 briefing protocol.

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

13	State Vehicle Parking Account—State Appropriation . . . . .	\$784,000
14	Regional Mobility Grant Program Account—State	
15	Appropriation . . . . .	\$99,004,000
16	Rural Mobility Grant Program Account—State	
17	Appropriation . . . . .	\$33,168,000
18	Multimodal Transportation Account—State	
19	Appropriation . . . . .	\$146,827,000
20	Multimodal Transportation Account—Federal	
21	Appropriation . . . . .	\$3,574,000
22	Multimodal Transportation Account—Local	
23	Appropriation . . . . .	\$100,000
24	TOTAL APPROPRIATION. . . . .	\$283,457,000

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

27 (1) \$72,698,000 of the multimodal transportation account—state  
28 appropriation is provided solely for a grant program for special  
29 needs transportation provided by transit agencies and nonprofit  
30 providers of transportation. Of this amount:

31 (a) \$16,526,000 of the multimodal transportation account—state  
32 appropriation is provided solely for grants to nonprofit providers of  
33 special needs transportation. Grants for nonprofit providers must be  
34 based on need, including the availability of other providers of  
35 service in the area, efforts to coordinate trips among providers and  
36 riders, and the cost effectiveness of trips provided. Fuel type may  
37 not be a factor in the grant selection process.

1 (b) \$56,172,000 of the multimodal transportation account—state  
2 appropriation is provided solely for grants to transit agencies to  
3 transport persons with special transportation needs. To receive a  
4 grant, the transit agency must, to the greatest extent practicable,  
5 have a maintenance of effort for special needs transportation that is  
6 no less than the previous year's maintenance of effort for special  
7 needs transportation. Grants for transit agencies must be prorated  
8 based on the amount expended for demand response service and route  
9 deviated service in calendar year 2019 as reported in the "Summary of  
10 Public Transportation - 2019" published by the department of  
11 transportation. No transit agency may receive more than thirty  
12 percent of these distributions. Fuel type may not be a factor in the  
13 grant selection process.

14 (2) \$33,168,000 of the rural mobility grant program account—state  
15 appropriation is provided solely for grants to aid small cities in  
16 rural areas as prescribed in RCW 47.66.100. Fuel type may not be a  
17 factor in the grant selection process.

18 (3) \$2,000,000 of the multimodal transportation account—state  
19 appropriation is provided solely for a vanpool grant program for: (i)  
20 Public transit agencies to add vanpools or replace vans; and (ii)  
21 incentives for employers to increase employee vanpool use. The grant  
22 program for public transit agencies will cover capital costs only;  
23 operating costs for public transit agencies are not eligible for  
24 funding under this grant program. Additional employees may not be  
25 hired from the funds provided in this section for the vanpool grant  
26 program, and supplanting of transit funds currently funding vanpools  
27 is not allowed. The department shall encourage grant applicants and  
28 recipients to leverage funds other than state funds. Fuel type may  
29 not be a factor in the grant selection process.

30 (4) \$21,326,000 of the regional mobility grant program account—  
31 state appropriation is reappropriated and provided solely for the  
32 regional mobility grant projects identified in LEAP Transportation  
33 Document 2021-2 ALL PROJECTS as developed March 22, 2021, Program -  
34 Public Transportation Program (V).

35 (5) (a) \$77,679,000 of the regional mobility grant program account  
36 —state appropriation is provided solely for the regional mobility  
37 grant projects identified in LEAP Transportation Document 2021-2 ALL  
38 PROJECTS as developed March 22, 2021, Program - Public Transportation  
39 Program (V). The department shall review all projects receiving grant

1 awards under this program at least semiannually to determine whether  
2 the projects are making satisfactory progress. Any project that has  
3 been awarded funds, but does not report activity on the project  
4 within one year of the grant award, must be reviewed by the  
5 department to determine whether the grant should be terminated. The  
6 department shall promptly close out grants when projects have been  
7 completed, and any remaining funds must be used only to fund projects  
8 identified in the LEAP transportation document referenced in this  
9 subsection. The department shall provide annual status reports on  
10 December 15, 2021, and December 15, 2022, to the office of financial  
11 management and the transportation committees of the legislature  
12 regarding the projects receiving the grants. It is the intent of the  
13 legislature to appropriate funds through the regional mobility grant  
14 program only for projects that will be completed on schedule. A  
15 grantee may not receive more than twenty-five percent of the amount  
16 appropriated in this subsection. Additionally, when allocating  
17 funding for the 2023-2025 biennium, no more than thirty percent of  
18 the total grant program may directly benefit or support one grantee.  
19 The department shall not approve any increases or changes to the  
20 scope of a project for the purpose of a grantee expending remaining  
21 funds on an awarded grant. Fuel type may not be a factor in the grant  
22 selection process.

23 (b) In order to be eligible to receive a grant under (a) of this  
24 subsection during the 2021-2023 fiscal biennium, a transit agency  
25 must establish a process for private transportation providers to  
26 apply for the use of park and ride facilities. For purposes of this  
27 subsection, (i) "private transportation provider" means: An auto  
28 transportation company regulated under chapter 81.68 RCW; a passenger  
29 charter carrier regulated under chapter 81.70 RCW, except marked or  
30 unmarked stretch limousines and stretch sport utility vehicles as  
31 defined under department of licensing rules; a private nonprofit  
32 transportation provider regulated under chapter 81.66 RCW; or a  
33 private employer transportation service provider; and (ii) "private  
34 employer transportation service" means regularly scheduled, fixed-  
35 route transportation service that is offered by an employer for the  
36 benefit of its employees.

37 (6) Funds provided for the commute trip reduction (CTR) program  
38 may also be used for the growth and transportation efficiency center  
39 program.

1 (7) \$6,500,000 of the multimodal transportation account—state  
2 appropriation and \$784,000 of the state vehicle parking account—state  
3 appropriation are provided solely for CTR grants and activities. Fuel  
4 type may not be a factor in the grant selection process. Of this  
5 amount:

6 (a) \$30,000 of the state vehicle parking account—state  
7 appropriation is provided solely for the STAR pass program for state  
8 employees residing in Mason and Grays Harbor Counties. Use of the  
9 pass is for public transportation between Mason County and Thurston  
10 County, and Grays Harbor and Thurston County. The pass may also be  
11 used within Grays Harbor County. The STAR pass commute trip reduction  
12 program is open to any state employee who expresses intent to commute  
13 to his or her assigned state worksite using a public transit system  
14 currently participating in the STAR pass program.

15 (b) \$800,000 of the multimodal transportation account—state  
16 appropriation is provided solely for a first mile/last mile  
17 connections grant program. Eligible grant recipients include cities,  
18 businesses, nonprofits, and transportation network companies with  
19 first mile/last mile solution proposals. Transit agencies are not  
20 eligible. The commute trip reduction board shall develop grant  
21 parameters, evaluation criteria, and evaluate grant proposals. The  
22 commute trip reduction board shall provide the transportation  
23 committees of the legislature a report on the effectiveness of this  
24 grant program and best practices for continuing the program.

25 (8) Except as provided otherwise in this subsection, \$28,263,000  
26 of the multimodal transportation account—state appropriation is  
27 provided solely for connecting Washington transit projects identified  
28 in LEAP Transportation Document 2021-2 ALL PROJECTS as developed  
29 March 22, 2021. It is the intent of the legislature that entities  
30 identified to receive funding in the LEAP document referenced in this  
31 subsection receive the amounts specified in the time frame specified  
32 in that LEAP document. If an entity has already completed a project  
33 in the LEAP document referenced in this subsection before the time  
34 frame identified, the entity may substitute another transit project  
35 or projects that cost a similar or lesser amount.

36 (9) The department shall not require more than a ten percent  
37 match from nonprofit transportation providers for state grants.

1 (10) \$375,000 of the multimodal transportation account—state  
2 appropriation is provided solely for Intercity Transit for the Dash  
3 shuttle program.

4 (11) \$31,993,000 of the multimodal transportation account—state  
5 appropriation is provided solely for the green transportation capital  
6 grant program established in chapter 287, Laws of 2019 (advancing  
7 green transportation adoption).

8 (12) \$555,000 of the multimodal transportation account—state  
9 appropriation is provided solely for an interagency transfer to the  
10 Washington State University extension energy program to establish and  
11 administer a technical assistance and education program for public  
12 agencies on the use of alternative fuel vehicles. The Washington  
13 State University extension energy program shall prepare a report  
14 regarding the utilization of the program and provide this report to  
15 the transportation committees of the legislature by November 15,  
16 2021.

17 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION—**  
18 **MARINE—PROGRAM X**

19	Puget Sound Ferry Operations Account—State	
20	Appropriation . . . . .	\$421,103,000
21	Puget Sound Ferry Operations Account—Federal	
22	Appropriation . . . . .	\$124,000,000
23	Puget Sound Ferry Operations Account—Private/Local	
24	Appropriation . . . . .	\$121,000
25	TOTAL APPROPRIATION. . . . .	\$545,224,000

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

28 (1) The office of financial management budget instructions  
29 require agencies to recast enacted budgets into activities. The  
30 Washington state ferries shall include a greater level of detail in  
31 its 2021-2023 supplemental and 2023-2025 omnibus transportation  
32 appropriations act requests, as determined jointly by the office of  
33 financial management, the Washington state ferries, and the  
34 transportation committees of the legislature. This level of detail  
35 must include the administrative functions in the operating as well as  
36 capital programs. The data in the tables in the report must be  
37 supplied in a digital file format.

1 (2) For the 2021-2023 fiscal biennium, the department may enter  
2 into a distributor controlled fuel hedging program and other methods  
3 of hedging approved by the fuel hedging committee, which must include  
4 a representative of the department of enterprise services.

5 (3) \$70,794,000 of the Puget Sound ferry operations account—state  
6 appropriation is provided solely for auto ferry vessel operating fuel  
7 in the 2021-2023 fiscal biennium, which reflect cost savings from a  
8 reduced biodiesel fuel requirement and, therefore, is contingent upon  
9 the enactment of section 703 of this act. The amount provided in this  
10 subsection represents the fuel budget for the purposes of calculating  
11 any ferry fare fuel surcharge. The department shall review future use  
12 of alternative fuels and dual fuel configurations, including  
13 hydrogen.

14 (4) \$500,000 of the Puget Sound ferry operations account—state  
15 appropriation is provided solely for operating costs related to  
16 moving vessels for emergency capital repairs. Funds may only be spent  
17 after approval by the office of financial management.

18 (5) \$336,000 of the Puget Sound ferry operations account—state  
19 appropriation is provided solely for evacuation slide training.

20 (6) \$336,000 of the Puget Sound ferry operations account—state  
21 appropriation is provided solely for fall restraint labor and  
22 industries inspections.

23 (7) \$2,400,000 of the Puget Sound ferry operations account—state  
24 appropriation is provided solely for overtime expenses incurred by  
25 engine and deck crew members.

26 (8) \$735,000 of the Puget Sound ferry operations account—state  
27 appropriation is provided solely for familiarization for new  
28 assignments of engine crew and terminal staff.

29 (9) \$160,000 of the Puget Sound ferry operations account—state  
30 appropriation is provided solely for electronic navigation training.

31 (10) \$200,000 of the Puget Sound ferry operations account—state  
32 appropriation is provided solely for a cost benefit study of a second  
33 shift at the Eagle Harbor maintenance facility.

34 (11) \$688,000 of the Puget Sound ferry operations account—state  
35 appropriation is provided solely for new employee training.

36 (12) \$1,978,000 of the Puget Sound ferry operations account—state  
37 appropriation is provided solely for restoration of service to  
38 reflect increased ridership, availability of crewing, and available  
39 revenues. Expenditures may be made to resume service to Sidney

1 British Columbia, including any service to the San Juans; to provide  
2 Saturday service on the Fauntleroy-Vashon-Southworth route; and to  
3 resume late night service on other routes in the system.

4 (13) The department must request reimbursement from the federal  
5 transit administration for the maximum amount of ferry operating  
6 expenses eligible for reimbursement under federal law.

7 NEW SECTION. **Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION—**  
8 **RAIL—PROGRAM Y—OPERATING**

9	Multimodal Transportation Account—State	
10	Appropriation . . . . .	\$80,307,000
11	Multimodal Transportation Account—Private/Local	
12	Appropriation . . . . .	\$46,000
13	Multimodal Transportation Account—Federal	
14	Appropriation . . . . .	\$500,000
15	TOTAL APPROPRIATION. . . . .	\$80,853,000

16 The appropriations in this section are subject to the following  
17 conditions and limitations: The department is directed to continue to  
18 pursue efforts to reduce costs, increase ridership, and review Amtrak  
19 Cascades fares and fare schedules. Within thirty days of each annual  
20 cost/revenue reconciliation under the Amtrak service contract, the  
21 department shall report annual credits to the office of financial  
22 management and the legislative transportation committees. Annual  
23 credits from Amtrak to the department including, but not limited to,  
24 credits due to higher ridership, reduced level of service, and fare  
25 or fare schedule adjustments, must be used to offset corresponding  
26 amounts of the multimodal transportation account—state appropriation,  
27 which must be placed in reserve.

28 NEW SECTION. **Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION—**  
29 **LOCAL PROGRAMS—PROGRAM Z—OPERATING**

30	Motor Vehicle Account—State Appropriation . . . . .	\$12,465,000
31	Motor Vehicle Account—Federal Appropriation . . . . .	\$2,567,000
32	Multiuse Roadway Safety Account—State Appropriation . . . . .	\$450,000
33	TOTAL APPROPRIATION. . . . .	\$15,482,000

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

1 (1) \$1,448,000 of the motor vehicle account—state appropriation  
2 from amounts set aside out of statewide fuel taxes distributed to  
3 counties according to RCW 46.68.120(3) and \$350,000 of the motor  
4 vehicle account—state appropriation are provided solely for the  
5 department to contract with the Washington state association of  
6 counties to:

7 (a) In coordination with stakeholders, identify county-owned fish  
8 passage barriers, and assess which barriers share the same stream  
9 system as state-owned fish passage barriers.

10 (b) Streamline and update the county road administration board's  
11 data dashboard, county reporting systems, and program management  
12 software to provide a more detailed, more transparent, and user-  
13 friendly platform for data management, reporting, and research by the  
14 public and other interested parties.

15 (c) A study of the use of county road right-of-way as a potential  
16 source of revenue for county road operating and maintenance needs  
17 with recommendations on their feasibility statewide.

18 (2) The entire multiuse roadway safety account—state  
19 appropriation is provided solely for grants under RCW 46.09.540,  
20 subject to the following limitations:

21 (a) Twenty-five percent of the amounts provided are reserved for  
22 counties that each have a population of fifteen thousand persons or  
23 less;

24 (b)(i) Seventy-five percent of the amounts provided are reserved  
25 for counties that each have a population exceeding fifteen thousand  
26 persons; and

27 (ii) No county that receives a grant or grants under (b) of this  
28 subsection may receive more than sixty thousand dollars in total  
29 grants.

30 (3)(a) By October 1, 2021, the department must report to the  
31 office of financial management and the transportation committees with  
32 recommendations regarding:

33 (i) Modifications to the agreement with Wahkiakum county  
34 regarding future state reimbursement for the Wahkiakum ferry  
35 operating and maintenance deficit; and

36 (ii) Cost-sharing models for operating and maintenance costs,  
37 which recognize the benefit of the ferry route to both Washington and  
38 Oregon.



1 (b) The reimbursement recommendations must reflect a mutual  
2 agreement with Wahkiakum county, which considers future county ferry  
3 operating loss projections. The report may address the importance of  
4 the ferry route to the state highway system and whether there is a  
5 need for an increased role for the state department of transportation  
6 in the finance or operation of the ferry route.

7 **TRANSPORTATION AGENCIES—CAPITAL**

8 **NEW SECTION. Sec. 301. FOR THE FREIGHT MOBILITY STRATEGIC**  
9 **INVESTMENT BOARD**

10 Freight Mobility Investment Account—State  
11 Appropriation . . . . . \$16,577,000  
12 Freight Mobility Multimodal Account—State  
13 Appropriation . . . . . \$15,195,000  
14 TOTAL APPROPRIATION. . . . . \$31,772,000

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

17 (1) Except as otherwise provided in this section, the entire  
18 appropriations in this section are provided solely for the projects  
19 by amount, as listed in the LEAP Transportation Document 2021-3 as  
20 developed March 22, 2021, Conference FMSIB Project List.

21 (2) Until directed by the legislature, the board may not initiate  
22 a new call for projects.

23 (3) (a) For the 2021-2023 project appropriations, unless otherwise  
24 provided in this act, the director of the office of financial  
25 management may authorize a transfer of appropriation authority  
26 between projects as listed in the LEAP transportation document 2021-2  
27 ALL PROJECTS as developed March 22, 2021, Program - FMSIB project  
28 list in order for the board to manage project spending and support  
29 the efficient and timely delivery of all projects in the program. The  
30 office of financial management may authorize a transfer of  
31 appropriation authority between projects under the following  
32 conditions and limitations:

33 (i) Transfers from a project may not be made as a result of the  
34 reduction of the scope of a project or be made to support increases  
35 in the scope of a project;

36 (ii) Each transfer between projects may only occur if the  
37 director of the office of financial management finds that any

1 resulting change will not hinder the completion of the projects on  
2 the FMSIB LEAP list;

3 (iii) Transfers between projects may be made by the board without  
4 the formal written approval provided under this subsection (3)(a),  
5 provided that the transfer amount does not exceed \$250,000 or 10  
6 percent of the total project, whichever is less. These transfers must  
7 be reported to the director of the office of financial management and  
8 the chairs of the house of representatives and senate transportation  
9 committees; and

10 (iv) Transfers may only be made in fiscal year 2023.

11 (b) At the time the board submits a request to transfer funds  
12 under this section, a copy of the request must be submitted to the  
13 chairs and ranking members of the transportation committees of the  
14 legislature.

15 (c) Before approval, the office of financial management shall  
16 work with legislative staff of the house of representatives and  
17 senate transportation committees to review the requested transfers in  
18 a timely manner and consider any concerns raised by the chairs and  
19 ranking members of the transportation committees.

20 (d) No fewer than 10 days after the receipt of a project transfer  
21 request, the director of the office of financial management must  
22 provide written notification to the board of any decision regarding  
23 project transfers, with copies submitted to the transportation  
24 committees of the legislature.

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

26 State Patrol Highway Account—State Appropriation . . . . \$4,196,000

27 (1) \$695,000 of the state patrol highway account—state  
28 appropriation is provided solely for roof replacement.

29 (2) \$3,501,000 of the state patrol highway account—state  
30 appropriation is provided solely for the following projects:

31 (a) \$250,000 for emergency repairs;

32 (b) \$350,000 for fuel tank decommissioning;

33 (c) \$750,000 for generator and electrical replacement;

34 (d) \$195,000 for the exterior envelope of the Yakima office;

35 (e) \$466,000 for the snow cat shelter;

36 (f) \$325,000 for the weatherization of the Bow Hill inspection  
37 station;

1 (g) \$325,000 for the weatherization of the Sea-Tac north  
2 inspection station;

3 (h) \$200,000 for roof replacements originally authorized in the  
4 2019-2021 biennium; and

5 (i) \$640,000 for the Marysville water and fire suppression  
6 project originally authorized in the 2019-2021 biennium.

7 The Washington state patrol may transfer funds between projects  
8 specified in this subsection to address cash flow requirements. If a  
9 project specified in this subsection is completed for less than the  
10 amount provided, the remainder may be transferred to another project  
11 specified in this subsection not to exceed the total appropriation  
12 provided in this subsection.

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

14 Rural Arterial Trust Account—State Appropriation . . . . .	\$55,028,000
15 Motor Vehicle Account—State Appropriation . . . . .	\$1,456,000
16 County Arterial Preservation Account—State	
17 Appropriation . . . . .	\$37,379,000
18 TOTAL APPROPRIATION. . . . .	\$93,863,000

19 NEW SECTION. **Sec. 304. FOR THE TRANSPORTATION IMPROVEMENT BOARD**

20 Small City Pavement and Sidewalk Account—State	
21 Appropriation . . . . .	\$4,100,000
22 Transportation Improvement Account—State	
23 Appropriation . . . . .	\$201,000,000
24 Complete Streets Grant Program Account—State	
25 Appropriation . . . . .	\$14,670,000
26 TOTAL APPROPRIATION. . . . .	\$219,770,000

27 The appropriations in this section are subject to the following  
28 conditions and limitations: \$7,500,000 of the transportation  
29 improvement account—state appropriation is provided solely for the  
30 Relight Washington Program. Of this amount, \$5,000,000 is for cities  
31 with an assessed value of over \$2,000,000,000 that can demonstrate a  
32 sustainable return on investment when converting to energy efficient  
33 LED streetlights.

34 NEW SECTION. **Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION—**  
35 **FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—**  
36 **CAPITAL**

1	Motor Vehicle Account—State Appropriation . . . . .	\$10,852,000
2	Connecting Washington Account—State Appropriation . . . . .	\$2,000,000
3	TOTAL APPROPRIATION. . . . .	\$12,852,000

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

6 (1) \$2,000,000 of the connecting Washington account—state  
7 appropriation is provided solely for a new Olympic region maintenance  
8 and administration facility to be located on the department-owned  
9 site at the intersection of Marvin Road and 32nd Avenue in Lacey,  
10 Washington.

11 (2) (a) \$4,325,000 of the motor vehicle account—state  
12 appropriation is provided solely for payments of a financing contract  
13 for the department facility located at 15700 Dayton Ave N in  
14 Shoreline.

15 (b) Payments from the department of ecology pursuant to the  
16 agreement with the department to pay a share of the financing  
17 contract in (a) of this subsection must be deposited into the motor  
18 vehicle account.

19 NEW SECTION. **Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION—**  
20 **IMPROVEMENTS—PROGRAM I**

21	Transportation Partnership Account—State	
22	Appropriation . . . . .	\$128,053,000
23	Motor Vehicle Account—State Appropriation . . . . .	\$91,517,000
24	Motor Vehicle Account—Federal Appropriation . . . . .	\$269,338,000
25	Motor Vehicle Account—Private/Local Appropriation. . . . .	\$57,092,000
26	State Route Number 520 Corridor Account—State	
27	Appropriation. . . . .	\$15,940,000
28	Connecting Washington Account—State	
29	Appropriation . . . . .	\$2,658,654,000
30	Special Category C Account—State Appropriation . . . . .	\$105,363,000
31	Multimodal Transportation Account—State	
32	Appropriation . . . . .	\$3,284,000
33	Transportation 2003 Account (Nickel Account)—State	
34	Appropriation . . . . .	\$149,000
35	Interstate 405 and State Route Number 167 Express	
36	Toll Lanes Account—State Appropriation. . . . .	\$30,308,000
37	Coronavirus State Fiscal Recovery Fund—Federal	

1 Appropriation . . . . . \$340,000,000  
2 TOTAL APPROPRIATION. . . . . \$3,699,698,000

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

5 (1) Except as provided otherwise in this section, the entire  
6 connecting Washington account—state appropriation and the entire  
7 transportation partnership account—state appropriation are provided  
8 solely for the projects and activities as listed by fund, project,  
9 and amount in LEAP Transportation Document 2021-1 as developed March  
10 22, 2021, Program - Highway Improvements Program (I). However,  
11 limited transfers of specific line-item project appropriations may  
12 occur between projects for those amounts listed subject to the  
13 conditions and limitations in section 601 of this act.

14 (2) Except as provided otherwise in this section, the entire  
15 motor vehicle account—state appropriation and motor vehicle account—  
16 federal appropriation are provided solely for the projects and  
17 activities listed in LEAP Transportation Document 2021-2 ALL PROJECTS  
18 as developed March 22, 2021, Program - Highway Improvements Program  
19 (I). Any federal funds gained through efficiencies, adjustments to  
20 the federal funds forecast, additional congressional action not  
21 related to a specific project or purpose, or the federal funds  
22 redistribution process must then be applied to highway and bridge  
23 preservation activities or fish passage barrier corrections  
24 (0BI4001).

25 (3) Within the motor vehicle account—state appropriation and  
26 motor vehicle account—federal appropriation, the department may  
27 transfer funds between programs I and P, except for funds that are  
28 otherwise restricted in this act. Ten days prior to any transfer, the  
29 department must submit its request to the office of financial  
30 management and the transportation committees of the legislature and  
31 consider any concerns raised. The department shall submit a report on  
32 fiscal year funds transferred in the prior fiscal year using this  
33 subsection as part of the department's annual budget submittal.

34 (4) The connecting Washington account—state appropriation  
35 includes up to \$2,375,216,000 in proceeds from the sale of bonds  
36 authorized in RCW 47.10.889.

37 (5) The special category C account—state appropriation includes  
38 up to \$87,659,000 in proceeds from the sale of bonds authorized in  
39 RCW 47.10.812.

1 (6) The transportation partnership account—state appropriation  
2 includes up to \$47,226,000 in proceeds from the sale of bonds  
3 authorized in RCW 47.10.873.

4 (7) \$69,450,000 of the transportation partnership account—state  
5 appropriation, \$2,258,000 of the motor vehicle account—private/local  
6 appropriation, and \$984,000 of the multimodal transportation account—  
7 state appropriation are provided solely for the SR 99/Alaskan Way  
8 Viaduct Replacement project (809936Z). It is the intent of the  
9 legislature that any legal damages paid to the state as a result of a  
10 lawsuit related to contractual provisions for construction and  
11 delivery of the Alaskan Way viaduct replacement project be used to  
12 repay project cost increases paid from the transportation partnership  
13 account—state funds.

14 (8) \$193,699,000 of the connecting Washington account—state  
15 appropriation is provided solely for the US 395 North Spokane  
16 Corridor project (M00800R).

17 (9) \$14,827,000 of the Interstate 405 and state route number 167  
18 express toll lanes account—state appropriation is provided solely for  
19 the I-405/SR 522 to I-5 Capacity Improvements project (L2000234) for  
20 activities related to adding capacity on Interstate 405 between state  
21 route number 522 and Interstate 5, with the goals of increasing  
22 vehicle throughput and aligning project completion with the  
23 implementation of bus rapid transit in the vicinity of the project.

24 (10) (a) \$492,349,000 of the connecting Washington account—state  
25 appropriation and \$355,000 of the motor vehicle account—private/local  
26 appropriation are provided solely for the SR 520 Seattle Corridor  
27 Improvements - West End project (M00400R).

28 (b) Upon completion of the Montlake Phase of the West End project  
29 (current anticipated contract completion of 2023), WSDOT shall sell  
30 that portion of the property not used for permanent transportation  
31 improvements and initiate a process to convey that surplus property  
32 to a subsequent owner.

33 (11) \$359,522,000 of the connecting Washington account—state  
34 appropriation, \$105,523,000 of the motor vehicle account—federal  
35 appropriation, \$15,369,000 of the motor vehicle account—private/local  
36 appropriation, \$2,300,000 of the multimodal transportation account—  
37 state appropriation, and \$2,500,000 of the motor vehicle account—  
38 state appropriation are provided solely for the SR 167/SR 509 Puget  
39 Sound Gateway project (M00600R).

1 (a) Any savings on the project must stay on the Puget Sound  
2 Gateway corridor until the project is complete.

3 (b) In making budget allocations to the Puget Sound Gateway  
4 project, the department shall implement the project's construction as  
5 a single corridor investment. The department shall develop a  
6 coordinated corridor construction and implementation plan for state  
7 route number 167 and state route number 509 in collaboration with  
8 affected stakeholders. Specific funding allocations must be based on  
9 where and when specific project segments are ready for construction  
10 to move forward and investments can be best optimized for timely  
11 project completion. Emphasis must be placed on avoiding gaps in fund  
12 expenditures for either project.

13 (c) It is the legislature's intent that the department shall  
14 construct a full single-point urban interchange at the junction of  
15 state route number 161 (Meridian avenue) and state route number 167  
16 and a full single-point urban interchange at the junction of state  
17 route number 509 and 188th Street. If the department receives  
18 additional funds from an outside source for this project after the  
19 base project is fully funded, the funds must first be applied toward  
20 the completion of these two full single-point urban interchanges.

21 (d) Of the amounts provided in this subsection, \$2,300,000 of the  
22 multimodal transportation account—state appropriation is provided  
23 solely for the design phase of the Puyallup to Tacoma multiuse trail  
24 along the SR 167 right-of-way acquired for the project to connect a  
25 network of new and existing trails from Mount Rainier to Point  
26 Defiance Park.

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

33 (13) Any advisory group that the department convenes during the  
34 2021-2023 fiscal biennium must consider the interests of the entire  
35 state of Washington.

36 (14) The legislature continues to prioritize the replacement of  
37 the state's aging infrastructure and recognizes the importance of  
38 reusing and recycling construction aggregate and recycled concrete  
39 materials in our transportation system. To accomplish Washington  
40 state's sustainability goals in transportation and in accordance with

1 RCW 70.95.805, the legislature reaffirms its determination that  
2 recycled concrete aggregate and other transportation building  
3 materials are natural resource construction materials that are too  
4 valuable to be wasted and landfilled, and are a commodity as defined  
5 in WAC 173-350-100.

6 Further, the legislature determines construction aggregate and  
7 recycled concrete materials substantially meet widely recognized  
8 international, national, and local standards and specifications  
9 referenced in American society for testing and materials, American  
10 concrete institute, Washington state department of transportation,  
11 Seattle department of transportation, American public works  
12 association, federal aviation administration, and federal highway  
13 administration specifications, and are described as necessary and  
14 desirable products for recycling and reuse by state and federal  
15 agencies.

16 As these recyclable materials have well established markets, are  
17 substantially a primary or secondary product of necessary  
18 construction processes and production, and are managed as an item of  
19 commercial value, construction aggregate and recycled concrete  
20 materials are exempt from chapter 173-350 WAC.

21 (15) (a) \$26,928,000 of the motor vehicle account—state  
22 appropriation and \$1,671,000 of the motor vehicle account—private/  
23 local appropriation are provided solely for supporting a project  
24 office and the continued work towards replacement of the Interstate 5  
25 bridge across the Columbia river (G2000088).

26 (b) The work of this project office includes, but is not limited  
27 to, the reevaluation of the purpose and need identified for the  
28 project previously known as the Columbia river crossing, the  
29 reevaluation of permits and development of a finance plan, the  
30 reengagement of key stakeholders and the public, and the reevaluation  
31 of scope, schedule, and budget for a reinvigorated bistate effort for  
32 replacement of the Interstate 5 Columbia river bridge. When  
33 reevaluating the finance plan for the project, the department shall  
34 assume that some costs of the new facility may be covered by tolls.  
35 The project office must also study the possible different governance  
36 structures for a bridge authority that would provide for the joint  
37 administration of the bridges over the Columbia river between Oregon  
38 and Washington. As part of this study, the project office must  
39 examine the feasibility and necessity of an interstate compact in  
40 conjunction with the national center for interstate compacts.



1 (c) During the 2021-2023 biennium the department shall have as a  
2 goal to:

3 (i) Conduct all work necessary to prepare and publish a draft  
4 SEIS;

5 (ii) Coordinate with regulatory agencies to begin the process of  
6 obtaining environmental approvals and permits;

7 (iii) Identify a locally preferred alternative; and

8 (iv) Begin preparing a final SEIS.

9 The department shall aim to provide progress reports on these  
10 activities to the governor and the transportation committees of the  
11 legislature by December 1, 2021, June 1, 2022, and December 1, 2022.

12 (16) \$1,000,000 of the connecting Washington account—state  
13 appropriation is provided solely for the North Lewis County  
14 transportation study. The study shall examine new, alternate routes  
15 for vehicular and truck traffic at the Harrison interchange (Exit 82)  
16 in North Centralia and shall allow for a site and configuration to be  
17 selected and feasibility to be conducted for final design, permitting  
18 and construction of the I-5/North Lewis county Interchange project  
19 (L2000204).

20 (17) (a) \$332,500,000 of the connecting Washington account—state  
21 appropriation, \$52,036,000 of the motor vehicle account—federal  
22 appropriation, and \$1,849,000 of the motor vehicle account—state  
23 appropriation are provided solely for the Fish Passage Barrier  
24 Removal project (0BI4001) with the intent of fully complying with the  
25 federal *U.S. v. Washington* court injunction by 2030.

26 (b) The department shall coordinate with the Brian Abbott fish  
27 passage barrier removal board to use a watershed approach to maximize  
28 habitat gain by replacing both state and local culverts. The  
29 department shall deliver high habitat value fish passage barrier  
30 corrections that it has identified, guided by the following factors:  
31 Opportunity to bundle projects, ability to leverage investments by  
32 others, presence of other barriers, project readiness, other  
33 transportation projects in the area, and transportation impacts.

34 (c) The department must keep track of, for each barrier removed:

35 (i) The location; (ii) the amount of fish habitat gain; and (iii) the  
36 amount spent to comply with the injunction.

37 (18) \$340,000,000 of the Coronavirus State Fiscal Recovery  
38 Account—federal appropriation is provided solely for water  
39 infrastructure projects that remove fish passage barriers that are

1 impeding state streams, rivers, and other waterways (OBI4001), as  
2 permitted under the federal American rescue plan act of 2021. Once  
3 available, these amounts must be applied prior to other amounts  
4 provided for this purpose (OBI4001). These water infrastructure  
5 projects are intended to meet compliance requirements with the  
6 federal *U.S. v. Washington* court injunction by 2030.

7 (19)(a) The Washington state department of transportation is  
8 directed to pursue compliance with the *U.S. v. Washington* permanent  
9 injunction by delivering culvert corrections within the injunction  
10 area guided by the principle of providing the greatest fisheries  
11 habitat gain at the earliest time and considering the following  
12 factors: Opportunity to bundle projects, tribal priorities, ability  
13 to leverage investments by others, presence of other barriers,  
14 project readiness, culvert condition, other transportation projects  
15 in the area, and transportation impacts.

16 (b) The department and Brian Abbott fish barrier removal board  
17 must provide updates on the implementation of the statewide culvert  
18 remediation plan to the legislature by November 1, 2021, and June 1,  
19 2022.

20 (20) \$14,669,000 of the connecting Washington account—state  
21 appropriation and \$3,037,000 of the motor vehicle account—private/  
22 local appropriation are provided solely for the I-90/Barker to  
23 Harvard - Improve Interchanges & Local Roads project (L2000122). The  
24 connecting Washington account appropriation for the improvements that  
25 fall within the city of Liberty Lake may only be expended if the city  
26 of Liberty Lake agrees to cover any project costs within the city of  
27 Liberty Lake above the \$20,900,000 of state appropriation provided  
28 for the total project in LEAP Transportation Document 2021-1 as  
29 developed March 22, 2021, Program - Highway Improvements (I).

30 (21) \$15,189,000 of the motor vehicle account—federal  
31 appropriation, \$259,000 of the motor vehicle account—state  
32 appropriation, and \$15,481,000 of the Interstate 405 and state route  
33 number 167 express toll lanes account—state appropriation are  
34 provided solely for the SR 167/SR 410 to SR 18 - Congestion  
35 Management project (316706C).

36 (22) \$18,914,000 of the Special Category C account—state  
37 appropriation is provided solely for the SR 18 Widening - Issaquah/  
38 Hobart Rd to Raging River project (L1000199) for improving and

1 widening state route number 18 to four lanes from Issaquah-Hobart  
2 Road to Raging River.

3 (23) \$1,090,000 of the motor vehicle account—state appropriation  
4 is provided solely for the US 101/East Sequim Corridor Improvements  
5 project (L2000343).

6 (24) \$12,139,000 of the motor vehicle account—state appropriation  
7 and \$9,104,000 of the connecting Washington account—state  
8 appropriation are provided solely for the SR 522/Paradise Lk Rd  
9 Interchange & Widening on SR 522 (Design/Engineering) project  
10 (NPARADI).

11 (25) \$1,378,000 of the motor vehicle account—federal  
12 appropriation is provided solely for the US 101/Morse Creek Safety  
13 Barrier project (L1000247).

14 (26) \$915,000 of the motor vehicle account—state appropriation is  
15 provided solely for the SR 162/410 Interchange Design and Right of  
16 Way project (L1000276).

17 (27) (a) \$6,581,000 of the connecting Washington account--state  
18 appropriation is provided solely for the US Hwy 2 Safety project  
19 (N00200R).

20 (b) Of the amounts provided in this subsection, \$2,000,000 of the  
21 connecting Washington account--state appropriation is for the  
22 department to conduct a Highway 2 Safety-Capacity study.

23 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION—**  
24 **PRESERVATION—PROGRAM P**

25	Recreational Vehicle Account—State Appropriation . . . . .	\$1,520,000
26	Transportation Partnership Account—State	
27	Appropriation . . . . .	\$16,394,000
28	Motor Vehicle Account—State Appropriation . . . . .	\$85,444,000
29	Motor Vehicle Account—Federal Appropriation . . . . .	\$465,871,000
30	Motor Vehicle Account—Private/Local	
31	Appropriation . . . . .	\$10,792,000
32	State Route Number 520 Corridor Account—State	
33	Appropriation . . . . .	\$1,891,000
34	Connecting Washington Account—State Appropriation . . . . .	\$182,780,000
35	Tacoma Narrows Toll Bridge Account—State	
36	Appropriation . . . . .	\$9,730,000
37	Alaskan Way Viaduct Replacement Project Account—State	
38	Appropriation. . . . .	\$314,000

1	Interstate 405 and State Route Number 167 Express	
2	Toll Lanes Account—State Appropriation. . . . .	\$26,039,000
3	Transportation 2003 Account (Nickel Account)—State	
4	Appropriation . . . . .	\$49,105,000
5	TOTAL APPROPRIATION. . . . .	\$849,880,000

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

8 (1) Except as provided otherwise in this section, the entire  
9 connecting Washington account—state appropriation and the entire  
10 transportation partnership account—state appropriation are provided  
11 solely for the projects and activities as listed by fund, project,  
12 and amount in LEAP Transportation Document 2021-1 as developed March  
13 22, 2021, Program - Highway Preservation Program (P). However,  
14 limited transfers of specific line-item project appropriations may  
15 occur between projects for those amounts listed subject to the  
16 conditions and limitations in section 601 of this act. The department  
17 may not convene a Washington freight advisory committee. When  
18 submitting its 2021-2023 supplemental and 2023-2025 biennial budget  
19 requests, the department shall provide a prioritized freight project  
20 list for the national highway freight program funds that first  
21 addresses shortfalls in funding for connecting Washington act  
22 projects. The freight project list must describe how the estimated  
23 funding allocation for the national highway freight program for  
24 federal fiscal years 2022-2025 could be invested and matched.

25 (2) Except as provided otherwise in this section, the entire  
26 motor vehicle account—state appropriation and motor vehicle account—  
27 federal appropriation are provided solely for the projects and  
28 activities listed in LEAP Transportation Document 2021-2 ALL PROJECTS  
29 as developed March 22, 2021, Program - Highway Preservation Program  
30 (P). Any federal funds gained through efficiencies, adjustments to  
31 the federal funds forecast, additional congressional action not  
32 related to a specific project or purpose, or the federal funds  
33 redistribution process must then be applied to highway and bridge  
34 preservation activities or fish passage barrier corrections  
35 (OBI4001).

36 (3) Within the motor vehicle account—state appropriation and  
37 motor vehicle account—federal appropriation, the department may  
38 transfer funds between programs I and P, except for funds that are  
39 otherwise restricted in this act. Ten days prior to any transfer, the

1 department must submit its request to the office of financial  
2 management and the transportation committees of the legislature and  
3 consider any concerns raised. The department shall submit a report on  
4 fiscal year funds transferred in the prior fiscal year using this  
5 subsection as part of the department's annual budget submittal.

6 (4) \$5,166,000 of the connecting Washington account—state  
7 appropriation is provided solely for the land mobile radio upgrade  
8 (G2000055) and is subject to the conditions, limitations, and review  
9 provided in section 701 of this act. The land mobile radio project is  
10 subject to technical oversight by the office of the chief information  
11 officer. The department, in collaboration with the office of the  
12 chief information officer, shall identify where existing or proposed  
13 mobile radio technology investments should be consolidated, identify  
14 when existing or proposed mobile radio technology investments can be  
15 reused or leveraged to meet multiagency needs, increase mobile radio  
16 interoperability between agencies, and identify how redundant  
17 investments can be reduced over time. The department shall also  
18 provide quarterly reports to the technology services board on project  
19 progress.

20 (5) \$5,000,000 of the motor vehicle account—state appropriation  
21 is provided solely for extraordinary costs incurred from litigation  
22 awards, settlements, or dispute mitigation activities not eligible  
23 for funding from the self-insurance fund. The amount provided in this  
24 subsection must be held in unallotted status until the department  
25 submits a request to the office of financial management that includes  
26 documentation detailing litigation-related expenses. The office of  
27 financial management may release the funds only when it determines  
28 that all other funds designated for litigation awards, settlements,  
29 and dispute mitigation activities have been exhausted. No funds  
30 provided in this subsection may be expended on any legal fees related  
31 to the SR 99/Alaskan Way viaduct replacement project (809936Z).

32 (6) The appropriation in this section includes funding for  
33 starting planning, engineering, and construction of the Elwha River  
34 bridge replacement. To the greatest extent practicable, the  
35 department shall maintain public access on the existing route.

36 (7) The department must consult with the Washington state patrol  
37 and the office of financial management during the design phase of any  
38 improvement or preservation project that could impact Washington  
39 state patrol weigh station operations. During the design phase of any  
40 such project, the department must estimate the cost of designing

1 around the affected weigh station's current operations, as well as  
2 the cost of moving the affected weigh station.

3 (8) Within the connecting Washington account—state appropriation,  
4 the department may transfer funds from Highway System Preservation  
5 (L1100071) to other preservation projects listed in the LEAP  
6 transportation document identified in subsection (1) of this section,  
7 if it is determined necessary for completion of these high priority  
8 preservation projects. The department's next budget submittal after  
9 using this subsection must appropriately reflect the transfer.

10 NEW SECTION. **Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION—**  
11 **TRAFFIC OPERATIONS—PROGRAM Q—CAPITAL**

12	Motor Vehicle Account—State Appropriation . . . . .	\$8,273,000
13	Motor Vehicle Account—Federal Appropriation . . . . .	\$5,289,000
14	Motor Vehicle Account—Private/Local Appropriation . . . . .	\$500,000
15	Interstate 405 and State Route Number 167 Express	
16	Toll Lanes Account—State Appropriation. . . . .	\$900,000
17	TOTAL APPROPRIATION. . . . .	\$14,962,000

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

20 (1) \$579,000 of the motor vehicle account—state appropriation is  
21 provided solely for the SR 99 Aurora Bridge ITS project (L2000338).

22 (2) \$1,000,000 of the motor vehicle account—state appropriation  
23 is provided solely for the Challenge Seattle project (000009Q). The  
24 department shall provide a progress report on this project to the  
25 transportation committees of the legislature by January 15, 2022.

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

28	Puget Sound Capital Construction Account—State	
29	Appropriation . . . . .	\$128,759,000
30	Puget Sound Capital Construction Account—Federal	
31	Appropriation . . . . .	\$139,188,000
32	Puget Sound Capital Construction Account—Private/Local	
33	Appropriation . . . . .	\$312,000
34	Transportation Partnership Account—State	
35	Appropriation . . . . .	\$8,410,000
36	Connecting Washington Account—State Appropriation . . . . .	\$75,640,000

1	Capital Vessel Replacement Account—State	
2	Appropriation. . . . .	\$152,453,000
3	TOTAL APPROPRIATION. . . . .	\$504,762,000

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

6       (1) Except as provided otherwise in this section, the entire  
7 appropriations in this section are provided solely for the projects  
8 and activities as listed in LEAP Transportation Document 2021-2 ALL  
9 PROJECTS as developed March 22, 2021, Program - Washington State  
10 Ferries Capital Program (W).

11       (2) No additional funding may be allocated or expended for  
12 terminal electrification purposes.

13       (3) \$28,097,000 of the Puget Sound capital construction account—  
14 federal appropriation, \$71,293,000 of the connecting Washington  
15 account—state appropriation, and \$809,000 of the Puget Sound capital  
16 construction account—state appropriation are provided solely for the  
17 Seattle Terminal Replacement project (900010L).

18       (4) \$5,000,000 of the Puget Sound capital construction account—  
19 state appropriation is provided solely for emergency capital repair  
20 costs (999910K). Funds may only be spent after approval by the office  
21 of financial management.

22       (5) \$1,277,000 of the Puget Sound capital construction account—  
23 state appropriation is provided solely for the ORCA card next  
24 generation project (L2000300). The ferry system shall work with  
25 Washington technology solutions and the tolling division on the  
26 development of a new, interoperable ticketing system.

27       (6) \$4,200,000 of the connecting Washington account—state  
28 appropriation and \$2,200,000 of the Puget Sound operating account—  
29 federal appropriation are provided solely for ferry vessel and  
30 terminal preservation (L2000110). The funds provided in this  
31 subsection must be used for unplanned preservation needs before  
32 shifting funding from other preservation projects.

33       (7) \$24,750,000 of the Puget Sound capital construction account—  
34 state appropriation is provided solely for the conversion of up to  
35 two Jumbo Mark II vessels to electric hybrid propulsion (G2000084).  
36 The department shall seek additional funds for the purposes of this  
37 subsection. The department may spend from the Puget Sound capital  
38 construction account—state appropriation in this section only as much

1 as the department receives in Volkswagen settlement funds for the  
2 purposes of this subsection.

3 (8) \$152,453,000 of the capital vessel replacement account—state  
4 appropriation is provided solely for the acquisition of a 144-car  
5 hybrid-electric vessel. The commencement of construction of new  
6 vessels for the ferry system is important not only for safety  
7 reasons, but also to keep skilled marine construction jobs in the  
8 Puget Sound region and to sustain the capacity of the region to meet  
9 the ongoing construction and preservation needs of the ferry system  
10 fleet of vessels. The legislature has determined that the current  
11 vessel procurement process must move forward with all due speed,  
12 balancing the interests of both the taxpayers and shipyards. To  
13 accomplish construction of vessels in accordance with RCW 47.60.810,  
14 the prevailing shipbuilder, for vessels initially funded after July  
15 1, 2020, is encouraged to follow the historical practice of  
16 subcontracting the construction of ferry superstructures to a  
17 separate nonaffiliated contractor located within the Puget Sound  
18 region, that is qualified in accordance with RCW 47.60.690.

19 (9) The capital vessel replacement account—state appropriation  
20 includes up to \$152,453,000 in proceeds from the sale of bonds  
21 authorized in RCW 47.10.873.

22 (10) For the 2021-2023 biennium, the marine division shall  
23 provide to the office of financial management and the legislative  
24 transportation committees the following reports on ferry capital  
25 projects:

26 (a) On a semiannual basis the report must include a status update  
27 on projects with funding provided in (a)(i) through (iii) of this  
28 subsection including, but not limited to, the following:

- 29 (i) Anticipated cost increases and cost savings;  
30 (ii) Anticipated cash flow and schedule changes; and  
31 (iii) Explanations for the changes.

32 (b) On an annual basis the report must include a status update on  
33 vessel and terminal preservation and improvement plans including, but  
34 not limited to, the following:

- 35 (i) What work has been done;  
36 (ii) How have schedules shifted; and  
37 (iii) Associated changes in funding among projects, accompanied  
38 by explanations for the changes.

39 (c) On an annual basis the report must include an update on the  
40 implementation of the maintenance management system with



1 recommendations for using the system to improve the efficiency of  
2 project reporting under this subsection.

3 NEW SECTION. **Sec. 310. FOR THE DEPARTMENT OF TRANSPORTATION—**  
4 **RAIL—PROGRAM Y—CAPITAL**

5	Essential Rail Assistance Account—State Appropriation . . .	\$550,000
6	Transportation Infrastructure Account—State	
7	Appropriation . . . . .	\$5,456,000
8	Multimodal Transportation Account—State	
9	Appropriation . . . . .	\$79,754,000
10	Multimodal Transportation Account—Federal	
11	Appropriation . . . . .	\$41,219,000
12	TOTAL APPROPRIATION. . . . .	\$126,979,000

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

15 (1) Except as provided otherwise in this section, the entire  
16 appropriations in this section are provided solely for the projects  
17 and activities as listed by project and amount in LEAP Transportation  
18 Document 2021-2 ALL PROJECTS as developed March 22, 2021, Program -  
19 Rail Program (Y).

20 (2) \$5,089,000 of the transportation infrastructure account—state  
21 appropriation is provided solely for new low-interest loans approved  
22 by the department through the freight rail investment bank (FRIB)  
23 program. The department shall issue FRIB program loans with a  
24 repayment period of no more than ten years, and charge only so much  
25 interest as is necessary to recoup the department's costs to  
26 administer the loans. The department shall report annually to the  
27 transportation committees of the legislature and the office of  
28 financial management on all FRIB loans issued.

29 (3) \$7,040,000 of the multimodal transportation account—state  
30 appropriation is provided solely for new statewide emergent freight  
31 rail assistance projects identified in the LEAP transportation  
32 document referenced in subsection (1) of this section.

33 (4) \$367,000 of the transportation infrastructure account—state  
34 appropriation and \$1,100,000 of the multimodal transportation account  
35 —state appropriation are provided solely to reimburse Highline Grain,  
36 LLC for approved work completed on Palouse River and Coulee City  
37 (PCC) railroad track in Spokane county between the BNSF Railway  
38 Interchange at Cheney and Geiger Junction and must be administered in

1 a manner consistent with freight rail assistance program projects.  
2 The value of the public benefit of this project is expected to meet  
3 or exceed the cost of this project in: Shipper savings on  
4 transportation costs; jobs saved in rail-dependent industries; and/or  
5 reduced future costs to repair wear and tear on state and local  
6 highways due to fewer annual truck trips (reduced vehicle miles  
7 traveled). The amounts provided in this subsection are not a  
8 commitment for future legislatures, but it is the legislature's  
9 intent that future legislatures will work to approve biennial  
10 appropriations until the full \$7,337,000 cost of this project is  
11 reimbursed.

12 (5) (a) \$550,000 of the essential rail assistance account—state  
13 appropriation is provided solely for the purpose of the  
14 rehabilitation and maintenance of the Palouse river and Coulee City  
15 railroad line (F01111B).

16 (b) Expenditures from the essential rail assistance account—state  
17 in this subsection may not exceed the combined total of:

18 (i) Revenues and transfers deposited into the essential rail  
19 assistance account from leases and sale of property relating to the  
20 Palouse river and Coulee City railroad;

21 (ii) Revenues from trackage rights agreement fees paid by  
22 shippers; and

23 (iii) Revenues and transfers transferred from the miscellaneous  
24 program account to the essential rail assistance account, pursuant to  
25 RCW 47.76.360, for the purpose of sustaining the grain train program  
26 by maintaining the Palouse river and Coulee City railroad.

27 (6) The department shall issue a call for projects for the  
28 freight rail assistance program, and shall evaluate the applications  
29 in a manner consistent with past practices as specified in section  
30 309, chapter 367, Laws of 2011. By November 15, 2022, the department  
31 shall submit a prioritized list of recommended projects to the office  
32 of financial management and the transportation committees of the  
33 legislature.

34 (7) \$12,077,000 of the multimodal transportation account—state  
35 appropriation is provided solely as expenditure authority for any  
36 insurance proceeds received by the state for Passenger Rail Equipment  
37 Replacement (project 700010C.) The department must use this  
38 expenditure authority only to purchase replacement equipment that has

1 been competitively procured and for service recovery needs and  
2 corrective actions related to the December 2017 derailment.

3 (8) It is the intent of the legislature to encourage the  
4 department to pursue federal grant opportunities leveraging up to  
5 \$6,696,000 in connecting Washington programmed funds to be used as a  
6 state match to improve the state-owned Palouse river and Coulee City  
7 system. The amount listed in this subsection is not a commitment for  
8 future legislatures, but is the legislature's intent that future  
9 legislatures will work to approve biennial appropriations up to a  
10 state match share not to exceed \$6,696,000 of a grant award.

11 NEW SECTION. **Sec. 311. FOR THE DEPARTMENT OF TRANSPORTATION—**  
12 **LOCAL PROGRAMS—PROGRAM Z—CAPITAL**

13	Highway Infrastructure Account—State Appropriation . . . . .	\$793,000
14	Highway Infrastructure Account—Federal Appropriation . . . . .	\$1,600,000
15	Transportation Partnership Account—State	
16	Appropriation . . . . .	\$750,000
17	Motor Vehicle Account—State Appropriation . . . . .	\$17,564,000
18	Motor Vehicle Account—Federal Appropriation . . . . .	\$43,698,000
19	Motor Vehicle Account—Private/Local Appropriation . . . . .	\$6,600,000
20	Connecting Washington Account—State Appropriation . . . . .	\$116,792,000
21	Multimodal Transportation Account—State	
22	Appropriation . . . . .	\$88,145,000
23	TOTAL APPROPRIATION. . . . .	\$275,942,000

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

26 (1) Except as provided otherwise in this section, the entire  
27 appropriations in this section are provided solely for the projects  
28 and activities as listed by project and amount in LEAP Transportation  
29 Document 2021-2 ALL PROJECTS as developed March 22, 2021, Program -  
30 Local Programs Program (Z).

31 (2) The amounts identified in the LEAP transportation document  
32 referenced under subsection (1) of this section for pedestrian  
33 safety/safe routes to school are as follows:

34 (a) \$36,760,000 of the multimodal transportation account—state  
35 appropriation is provided solely for newly selected pedestrian and  
36 bicycle safety program projects. \$9,233,000 of the multimodal  
37 transportation account—state appropriation is reappropriated for

1 pedestrian and bicycle safety program projects selected in the  
2 previous biennia (L2000188).

3 (b) \$11,400,000 of the motor vehicle account—federal  
4 appropriation and \$26,900,000 of the multimodal transportation  
5 account—state appropriation are provided solely for newly selected  
6 safe routes to school projects. \$7,944,000 of the motor vehicle  
7 account—federal appropriation and \$4,647,000 of the multimodal  
8 transportation account—state appropriation are reappropriated for  
9 safe routes to school projects selected in the previous biennia  
10 (L2000189). The department may consider the special situations facing  
11 high-need areas, as defined by schools or project areas in which the  
12 percentage of the children eligible to receive free and reduced-price  
13 meals under the national school lunch program is equal to, or greater  
14 than, the state average as determined by the department, when  
15 evaluating project proposals against established funding criteria  
16 while ensuring continued compliance with federal eligibility  
17 requirements.

18 (3) The department shall submit a report to the transportation  
19 committees of the legislature by December 1, 2021, and December 1,  
20 2022, on the status of projects funded as part of the pedestrian  
21 safety/safe routes to school grant program. The report must include,  
22 but is not limited to, a list of projects selected and a brief  
23 description of each project's status. In its December 1, 2021, report  
24 the department must also include recommended changes to the  
25 pedestrian safety/safe routes to school grant program application and  
26 selection processes to increase utilization by a greater diversity of  
27 jurisdictions.

28 (4) \$6,561,000 of the multimodal transportation account—state  
29 appropriation is provided solely for bicycle and pedestrian projects  
30 listed in the LEAP transportation document referenced in subsection  
31 (1) of this section.

32 (5) \$10,097,000 of the connecting Washington account—state  
33 appropriation is provided solely for the Covington Connector  
34 (L2000104).

35 (6) (a) \$12,500,000 of the motor vehicle account—federal  
36 appropriation is provided solely for national highway freight network  
37 projects identified on the project list submitted in accordance with  
38 section 218(4) (b), chapter 14, Laws of 2016 on October 31, 2016.

1 (b) \$11,679,000 of the motor vehicle account—federal  
2 appropriation is for acceleration of local preservation projects that  
3 ensure the reliable movement of freight on the national highway  
4 freight system (G2000100). The department will identify projects  
5 through its current national highway system asset management call for  
6 projects with applications due in February 2021. The department shall  
7 give priority to those projects that can be obligated by September  
8 30, 2021.

9 NEW SECTION. **Sec. 312. ANNUAL REPORTING REQUIREMENTS FOR**  
10 **CAPITAL PROGRAM**

11 (1) As part of its annual budget submittal, the department of  
12 transportation shall provide an update to the report provided to the  
13 legislature in the prior fiscal year that: (a) Compares the original  
14 project cost estimates approved in the 2003, 2005, and 2015 revenue  
15 package project lists to the completed cost of the project, or the  
16 most recent legislatively approved budget and total project costs for  
17 projects not yet completed; (b) identifies highway projects that may  
18 be reduced in scope and still achieve a functional benefit; (c)  
19 identifies highway projects that have experienced scope increases and  
20 that can be reduced in scope; (d) identifies highway projects that  
21 have lost significant local or regional contributions that were  
22 essential to completing the project; (e) identifies risk reserves and  
23 contingency amounts allocated to projects; and (f) lists the nickel,  
24 TPA, and connecting Washington projects charging to the  
25 Nickel/TPA/CWA Environmental Mitigation Reserve (OBI4ENV) and the  
26 Nickel/TPA Projects Completed with Minor Ongoing Expenditures project  
27 (OBI100B), and the amount each project is charging.

28 (2) As part of its annual budget submittal, the department of  
29 transportation shall provide: (a) An annual report on the number of  
30 toll credits the department has accumulated and how the department  
31 has used the toll credits, and (b) a status report on the projects  
32 funded using federal national highway freight program funds.

33 NEW SECTION. **Sec. 313. QUARTERLY REPORTING REQUIREMENTS FOR**  
34 **CAPITAL PROGRAM**

35 On a quarterly basis, the department of transportation shall  
36 provide to the office of financial management and the legislative  
37 transportation committees a report for all capital projects, except  
38 for ferry projects subject to the reporting requirements established

1 elsewhere in this act, that must include: (1) A TEIS version  
2 containing actual capital expenditures for all projects consistent  
3 with the structure of the most recently enacted budget; (2)  
4 anticipated cost savings, cost increases, reappropriations, and  
5 schedule adjustments for all projects consistent with the structure  
6 of the most recently enacted budget; (3) the award amount, the  
7 engineer's estimate, and the number of bidders for all active  
8 projects consistent with the structure of the most recently enacted  
9 budget; (4) risk reserves and contingency amounts for all projects  
10 consistent with the structure of the most recently enacted budget.

11 NEW SECTION. **Sec. 314. FEDERAL FUNDS RECEIVED FOR CAPITAL**  
12 **PROJECT EXPENDITURES**

13 To the greatest extent practicable, the department of  
14 transportation shall expend federal funds received for capital  
15 project expenditures before state funds.

16 NEW SECTION. **Sec. 315. NOTIFICATION REQUIREMENTS FOR PAUSES AND**  
17 **CANCELLATIONS**

18 (1) The department shall notify the transportation committees of  
19 the legislature when it intends to pause for a significant length of  
20 time or not proceed with operating items or capital projects included  
21 as budget provisos or on project lists. When feasible, this  
22 notification shall be provided prior to the pause or cancellation and  
23 at least seven days in advance of any public announcement related to  
24 such a pause or cancellation.

25 (2) At the time of notification, the department shall provide an  
26 explanation for the reason or reasons for the pause or cancellation  
27 for each operating budget item and capital project. The explanation  
28 shall include specific reasons for each pause or cancellation, in  
29 addition to a statement of the broad rationale for the pause or  
30 cancellation.

31 (3) When feasible, the department shall make best efforts to keep  
32 the transportation committees of the legislature informed of an  
33 evaluation process underway for selecting operating budget items and  
34 capital projects to be paused or cancelled, providing updates as its  
35 selection efforts proceed.

36 (4) When exigent circumstances prevent prior notice of a pause or  
37 cancellation from being provided to the transportation committees of  
38 the legislature, the department shall provide the information

1 required under this section to the transportation committees of the  
2 legislature as soon as is practicable.

3 **TRANSFERS AND DISTRIBUTIONS**

4 NEW SECTION. **Sec. 401. FOR THE STATE TREASURER—BOND RETIREMENT**  
5 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**  
6 **BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND**  
7 **TRANSPORTATION FUND REVENUE**

8	Transportation Partnership Account—State Appropriation. . .	\$743,000
9	Connecting Washington Account—State Appropriation. . . .	\$10,548,000
10	Special Category C Account—State Appropriation. . . . .	\$438,000
11	Highway Bond Retirement Account—State	
12	Appropriation. . . . .	\$1,462,779,000
13	Ferry Bond Retirement Account—State Appropriation. . . .	\$17,150,000
14	Transportation Improvement Board Bond Retirement	
15	Account—State Appropriation. . . . .	\$11,770,000
16	Nondebt-Limit Reimbursable Bond Retirement	
17	Account—State Appropriation. . . . .	\$29,323,000
18	Toll Facility Bond Retirement Account—State	
19	Appropriation. . . . .	\$76,376,000
20	TOTAL APPROPRIATION. . . . .	\$1,609,127,000

21 NEW SECTION. **Sec. 402. FOR THE STATE TREASURER—BOND RETIREMENT**  
22 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**  
23 **BOND SALE EXPENSES AND FISCAL AGENT CHARGES**

24	Transportation Partnership Account—State	
25	Appropriation. . . . .	\$149,000
26	Connecting Washington Account—State Appropriation. . . . .	\$2,110,000
27	Special Category C Account—State Appropriation. . . . .	\$88,000
28	TOTAL APPROPRIATION. . . . .	\$2,347,000

29 NEW SECTION. **Sec. 403. FOR THE STATE TREASURER—STATE REVENUES**  
30 **FOR DISTRIBUTION**

31	Motor Vehicle Account—State Appropriation:	
32	For motor vehicle fuel tax distributions to	
33	cities and counties. . . . .	\$467,390,000

1        NEW SECTION.    **Sec. 404.    FOR THE STATE TREASURER—TRANSFERS**

2    Motor Vehicle Account—State Appropriation:

3        For motor vehicle fuel tax refunds and  
4        statutory transfers. . . . . \$1,974,599,000

5        NEW SECTION.    **Sec. 405.    FOR THE STATE TREASURER—STATUTORY**  
6    **TRANSFERS**

7    Waste Tire Removal Account—State Appropriation:

8        For transfer to the Motor Vehicle Account—State. . . . \$8,771,000

9        NEW SECTION.    **Sec. 406.    FOR THE DEPARTMENT OF LICENSING—**  
10 **TRANSFERS**

11   Motor Vehicle Account—State Appropriation:

12        For motor vehicle fuel tax refunds and  
13        transfers. . . . . \$235,675,000

14        NEW SECTION.    **Sec. 407.    FOR THE STATE TREASURER—ADMINISTRATIVE**  
15 **TRANSFERS**

16        (1) Highway Safety Account—State Appropriation:

17        For transfer to the State Patrol Highway  
18        Account—State. . . . . \$27,000,000

19        (2) (a) Transportation Partnership Account—State  
20        Appropriation: For transfer to the Capital Vessel

21        Replacement Account—State. . . . . \$152,453,000

22        (b) The amount transferred in this subsection represents proceeds  
23        from the sale of bonds authorized in RCW 47.10.873.

24        (3) (a) Transportation Partnership Account—State  
25        Appropriation: For transfer to the Tacoma Narrows Toll Bridge Account  
26        —State. . . . . \$46,000,000

27        (b) It is the intent of the legislature that this transfer is  
28        temporary, for the purpose of minimizing the impact of toll  
29        increases, and an equivalent reimbursing transfer is to occur after  
30        the debt service and deferred sales tax on the Tacoma Narrows bridge  
31        construction costs are fully repaid in accordance with chapter 195,  
32        Laws of 2018.

33        (4) Motor Vehicle Account—State Appropriation:  
34        For transfer to the Alaskan Way Viaduct Replacement  
35        Project Account—State. . . . . \$6,269,000

36        (5) Motor Vehicle Account—State Appropriation:



1 For transfer to the County Arterial Preservation  
2 Account—State. . . . . \$7,666,000  
3 (6) Motor Vehicle Account—State Appropriation:  
4 For transfer to the Freight Mobility Investment  
5 Account—State. . . . . \$5,511,000  
6 (7) Motor Vehicle Account—State Appropriation:  
7 For transfer to the Rural Arterial Trust Account—State. . \$9,331,000  
8 (8) Motor Vehicle Account—State Appropriation:  
9 For transfer to the Transportation Improvement  
10 Account—State. . . . . \$18,688,000  
11 (9) Motor Vehicle Account—State Appropriation:  
12 For transfer to the Transportation 2003 Account  
13 (Nickel Account)—State. . . . . \$20,000,000  
14 (10) Motor Vehicle Account—State Appropriation:  
15 For transfer to the County Road Administration Board  
16 Emergency Loan Account—State. . . . . \$5,000,000  
17 (11) Rural Mobility Grant Program Account—State  
18 Appropriation: For transfer to the Multimodal  
19 Transportation Account—State. . . . . \$3,000,000  
20 (12) State Route Number 520 Civil Penalties  
21 Account—State Appropriation: For transfer to the  
22 State Route Number 520 Corridor Account—State. . . . . \$1,532,000  
23 (13) Capital Vessel Replacement Account—State  
24 Appropriation: For transfer to the Connecting  
25 Washington Account—State. . . . . \$35,000,000  
26 (14) Multimodal Transportation Account—State  
27 Appropriation: For transfer to the Aeronautics  
28 Account—State. . . . . \$550,000  
29 (15) Capital Vessel Replacement Account—State  
30 Appropriation: For transfer to the Transportation  
31 Partnership Account—State. . . . . \$9,138,000  
32 (16) Multimodal Transportation Account—State  
33 Appropriation: For transfer to the Complete Streets  
34 Grant Program Account—State. . . . . \$14,670,000  
35 (17) Multimodal Transportation Account—State  
36 Appropriation: For transfer to the Freight Mobility  
37 Multimodal Account—State. . . . . \$4,011,000  
38 (18) Multimodal Transportation Account—State

1 Appropriation: For transfer to the Pilotage  
 2 Account—State. . . . . \$1,500,000  
 3 (19) Multimodal Transportation Account—State  
 4 Appropriation: For transfer to the Puget Sound  
 5 Capital Construction Account—State. . . . . \$50,000,000  
 6 (20) Multimodal Transportation Account—State  
 7 Appropriation: For transfer to the Regional Mobility  
 8 Grant Program Account—State. . . . . \$27,679,000  
 9 (21) Multimodal Transportation Account—State  
 10 Appropriation: For transfer to the Rural Mobility  
 11 Grant Program Account—State. . . . . \$15,223,000  
 12 (22) (a) Alaskan Way Viaduct Replacement Project  
 13 Account—State Appropriation: For transfer to the  
 14 Transportation Partnership Account—State. . . . . \$28,660,000  
 15 (b) The amount transferred in this subsection represents  
 16 repayment of debt service incurred for the construction of the SR 99/  
 17 Alaskan Way Viaduct Replacement project (809936Z).  
 18 (23) Tacoma Narrows Toll Bridge Account—State  
 19 Appropriation: For transfer to the Motor Vehicle  
 20 Account—State. . . . . \$950,000  
 21 (24) Puget Sound Ferry Operations Account—State  
 22 Appropriation: For transfer to the Puget Sound  
 23 Capital Construction Account—State. . . . . \$35,000,000  
 24 (25) Connecting Washington Account—State  
 25 Appropriation: For transfer to the Motor Vehicle  
 26 Account—State. . . . . \$100,000,000  
 27 (26) (a) General Fund Account—State  
 28 Appropriation: For transfer to the State Patrol  
 29 Highway Account—State. . . . . \$625,000  
 30 (b) The state treasurer shall transfer the funds only after  
 31 receiving notification from the Washington state patrol under section  
 32 207(2) of this act.

33 NEW SECTION. **Sec. 408. FOR THE STATE TREASURER—STATE REVENUES**  
 34 **FOR DISTRIBUTION**

35 Multimodal Transportation Account—State  
 36 Appropriation: For distribution to cities and  
 37 counties. . . . . \$26,786,000  
 38 Motor Vehicle Account—State Appropriation: For

1 distribution to cities and counties. . . . . \$23,438,000  
2 TOTAL APPROPRIATION. . . . . \$50,224,000

3 NEW SECTION. **Sec. 409. FOR THE STATE TREASURER—BOND RETIREMENT**  
4 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**  
5 **DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE**

6 Toll Facility Bond Retirement Account—Federal  
7 Appropriation . . . . . \$199,129,000  
8 Toll Facility Bond Retirement Account—State  
9 Appropriation . . . . . \$25,372,000  
10 TOTAL APPROPRIATION. . . . . \$224,501,000

11 NEW SECTION. **Sec. 410. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**  
12 **AMERICAN RESCUE PLAN ACT REVENUE LOSS DEPOSITS**

13 Coronavirus State Fiscal Recovery Fund—Federal  
14 Appropriation . . . . . \$144,134,000

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

17 (1) The appropriation is provided solely for expenditure into  
18 accounts in the amounts specified in subsection (2) of this section.  
19 These amounts reflect projected revenue losses to state  
20 transportation accounts in state fiscal year 2021 relative to  
21 revenues collected in state fiscal year 2019 and shall be used to  
22 maintain government services pursuant to the federal American rescue  
23 plan act of 2021.

24 (2) The appropriation must be distributed to the following  
25 accounts in the amounts designated:

26 Aeronautics Account—State. . . . . \$448,000  
27 Puget Sound Capital Construction Account—State. . . . \$2,101,000  
28 Transportation Partnership Account—State. . . . . \$23,016,000  
29 Puget Sound Ferry Operations Account—State. . . . . \$55,224,000  
30 Connecting Washington Account—State. . . . . \$45,828,000  
31 Special Category C Account—State. . . . . \$2,380,000  
32 Transportation 2003 Account (Nickel Account)—State . \$15,137,000

33 **COMPENSATION**

34 NEW SECTION. **Sec. 501. COLLECTIVE BARGAINING AGREEMENTS NOT**  
35 **IMPAIRED**

1 Nothing in this act prohibits the expenditure of any funds by an  
2 agency or institution of the state for benefits guaranteed by any  
3 collective bargaining agreement in effect on the effective date of  
4 this section.

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

6 Sections 503 through 520 of this act represent the results of the  
7 2021-2023 collective bargaining process required under chapters  
8 41.80, 47.64, and 41.56 RCW. Provisions of the collective bargaining  
9 agreements contained in sections 503 through 520 of this act are  
10 described in general terms. Only major economic terms are included in  
11 the descriptions. These descriptions do not contain the complete  
12 contents of the agreements. The collective bargaining agreements  
13 contained in sections 503 through 520 of this act may also be funded  
14 by expenditures from nonappropriated accounts. If positions are  
15 funded with lidded grants or dedicated fund sources with insufficient  
16 revenue, additional funding from other sources is not provided.

17 NEW SECTION. **Sec. 503. DEPARTMENT OF TRANSPORTATION MARINE**  
18 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—OPEIU**

19 An agreement has been reached between the governor and the office  
20 and professional employees international union local eight (OPEIU)  
21 pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium.  
22 Funding is provided to fund the agreement, which does not include  
23 wage increases but does include furloughs. The agreement provides  
24 that positions designated by the employer as not requiring backfill  
25 take 24 furlough days during the biennium. In addition, the following  
26 positions are not subject to the furlough requirement: Bid  
27 administrator, dispatch, dispatch coordinator, and relief positions.

28 NEW SECTION. **Sec. 504. DEPARTMENT OF TRANSPORTATION MARINE**  
29 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—FASPAA**

30 An agreement has been reached between the governor and the ferry  
31 agents, supervisors, and project administrators association pursuant  
32 to chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is  
33 provided to fund the agreement, which does not include wage increases  
34 but does include furloughs. The agreement provides that positions  
35 designated by the employer as not requiring backfill take 24 furlough  
36 days during the biennium.

1        NEW SECTION.        **Sec. 505.        DEPARTMENT OF TRANSPORTATION MARINE**  
2 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—SEIU LOCAL 6**

3        An agreement has been reached between the governor and the  
4 service employees international union local 6 pursuant to chapter  
5 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to  
6 fund the agreement, which does not include wage increases but does  
7 include furloughs. The agreement provides that positions designated  
8 by the employer as not requiring backfill take 24 furlough days  
9 during the biennium.

10        NEW SECTION.        **Sec. 506.        DEPARTMENT OF TRANSPORTATION MARINE**  
11 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—CARPENTERS**

12        An agreement has been reached between the governor and the  
13 Pacific Northwest regional council of carpenters pursuant to chapter  
14 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to  
15 fund the agreement, which does not include wage increases but does  
16 include furloughs. The agreement provides that positions designated  
17 by the employer as not requiring backfill take 24 furlough days  
18 during the biennium.

19        NEW SECTION.        **Sec. 507.        DEPARTMENT OF TRANSPORTATION MARINE**  
20 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—METAL TRADES**

21        An agreement has been reached between the governor and the Puget  
22 Sound metal trades council through an interest arbitration award  
23 pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium. The  
24 arbitration award imposed and funding is provided to implement a 1.9%  
25 general wage decrease from July 1, 2021, through June 30, 2022, and  
26 exempted these employees from the furlough requirement.

27        NEW SECTION.        **Sec. 508.        DEPARTMENT OF TRANSPORTATION MARINE**  
28 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—MEBA-UL**

29        An agreement has been reached between the governor and the marine  
30 engineers' beneficial association unlicensed engine room employees  
31 pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium.  
32 Funding is provided to fund the agreement, which does not include  
33 either wage increases or the furlough requirement.

34        NEW SECTION.        **Sec. 509.        DEPARTMENT OF TRANSPORTATION MARINE**  
35 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—MEBA-L**

1 An agreement has been reached between the governor and the marine  
2 engineers' beneficial association licensed engineer officers pursuant  
3 to chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is  
4 provided to fund the agreement, which does not include either wage  
5 increases or the furlough requirement.

6 NEW SECTION. **Sec. 510. DEPARTMENT OF TRANSPORTATION MARINE**  
7 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—~~MEBA~~—PORT ENGINEERS**

8 An agreement has been reached between the governor and the marine  
9 engineers' beneficial association port engineers pursuant to chapter  
10 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to  
11 fund the agreement, which does not include wage increases but does  
12 include furloughs. The agreement provides that positions designated  
13 by the employer as not requiring backfill take 24 furlough days  
14 during the biennium.

15 NEW SECTION. **Sec. 511. DEPARTMENT OF TRANSPORTATION MARINE**  
16 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—MM&P MATES**

17 An agreement has been reached between the governor and the  
18 masters, mates, and pilots - mates pursuant to chapter 47.64 RCW for  
19 the 2021-2023 fiscal biennium. Funding is provided to fund the  
20 agreement, which does not include either wage increases or the  
21 furlough requirement.

22 NEW SECTION. **Sec. 512. DEPARTMENT OF TRANSPORTATION MARINE**  
23 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—MM&P MASTERS**

24 An agreement has been reached between the governor and the  
25 masters, mates, and pilots - masters pursuant to chapter 47.64 RCW  
26 for the 2021-2023 fiscal biennium. Funding is provided to fund the  
27 agreement, which does not include either wage increases or the  
28 furlough requirement.

29 NEW SECTION. **Sec. 513. DEPARTMENT OF TRANSPORTATION MARINE**  
30 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—MM&P WATCH CENTER**  
31 **SUPERVISORS**

32 An agreement has been reached between the governor and the  
33 masters, mates, and pilots - watch center supervisors pursuant to  
34 chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is  
35 provided to fund the agreement, which does not include wage increases

1 but does include furloughs only for the following positions: Fleet  
2 facility security officers and workforce development leads.

3 NEW SECTION. **Sec. 514. DEPARTMENT OF TRANSPORTATION MARINE**  
4 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—IBU**

5 An agreement has been reached between the governor and the  
6 inlandboatmen's union of the Pacific pursuant to chapter 47.64 RCW  
7 through an interest arbitration award for the 2021-2023 fiscal  
8 biennium. Funding is provided to fund the agreement, which does not  
9 include either wage increases or the furlough requirement.

10 NEW SECTION. **Sec. 515. COLLECTIVE BARGAINING AGREEMENT—WFSE**

11 An agreement has been reached between the governor and the  
12 Washington federation of state employees under the provisions of  
13 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is  
14 provided to fund the agreement, which does not include wage  
15 increases, but does include 24 furlough days for employees in  
16 position that do not require the position to be backfilled.

17 NEW SECTION. **Sec. 516. COLLECTIVE BARGAINING AGREEMENT—PTE**  
18 **LOCAL 17**

19 An agreement has been reached between the governor and the  
20 professional and technical employees local 17 under the provisions of  
21 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is  
22 provided to fund the agreement, which does not include wage  
23 increases, but does include 24 furlough days for employees in  
24 position that do not require the position to be backfilled.

25 NEW SECTION. **Sec. 517. COLLECTIVE BARGAINING AGREEMENT—WPEA**

26 An agreement has not been reached between the governor and the  
27 Washington public employees association under the provisions of  
28 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Pursuant to RCW  
29 41.80.010(6), funding is provided for fiscal year 2022 to fund the  
30 terms of the 2019-2021 agreement and for fiscal year 2023 to fund the  
31 terms according to law.

32 NEW SECTION. **Sec. 518. COLLECTIVE BARGAINING AGREEMENT—**  
33 **COALITION OF UNIONS**

1 An agreement has been reached for the 2019-2021 biennium between  
2 the governor and the coalition of unions under the provisions of  
3 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is  
4 provided to fund the agreement, which includes 24 furlough days for  
5 employees in position that do not require the position to be  
6 backfilled. The agreement includes and funding is provided for a 2.5  
7 percent wage increase for fiscal year 2022 and a 2.5 percent wage  
8 increase for fiscal year 2023 for the department of corrections  
9 marine vessel operators.

10 NEW SECTION. **Sec. 519. COLLECTIVE BARGAINING AGREEMENT—WSP**  
11 **TROOPERS ASSOCIATION**

12 An agreement has been reached between the governor and the  
13 Washington state patrol troopers association under the provisions of  
14 chapter 41.56 RCW for the 2021-2023 fiscal biennium. Funding is  
15 provided to fund the agreement, which does not include general wages  
16 increases but does provide the ability to request to reopen the  
17 compensation article for the purpose of bargaining base rate of pay  
18 for fiscal year 2023.

19 NEW SECTION. **Sec. 520. COLLECTIVE BARGAINING AGREEMENT—WSP**  
20 **LIEUTENANTS AND CAPTAINS ASSOCIATION**

21 An agreement has been reached between the governor and the  
22 Washington state patrol lieutenants and captains association under  
23 the provisions of chapter 41.56 RCW for the 2021-2023 fiscal  
24 biennium. Funding is provided to fund the agreement, which does not  
25 include general wages increases but does provide the ability to  
26 request to reopen the compensation article for the purpose of  
27 bargaining base rate of pay for fiscal year 2023.

28 NEW SECTION. **Sec. 521. COMPENSATION—REPRESENTED EMPLOYEES—**  
29 **HEALTH CARE—COALITION—INSURANCE BENEFITS**

30 An agreement was reached for the 2021-2023 biennium between the  
31 governor and the health care coalition under the provisions of  
32 chapter 41.80 RCW. Appropriations in this act for state agencies,  
33 including institutions of higher education, are sufficient to  
34 implement the provisions of the 2021-2023 collective bargaining  
35 agreement, which maintains the provisions of the 2019-2021 agreement,  
36 and are subject to the following conditions and limitations:



1 The monthly employer funding rate for insurance benefit premiums,  
2 public employees' benefits board administration, and the uniform  
3 medical plan, shall not exceed \$988 per eligible employee for fiscal  
4 year 2022. For fiscal year 2023, the monthly employer funding rate  
5 shall not exceed \$1018 per eligible employee.

6 The board shall collect a \$25 per month surcharge payment from  
7 members who use tobacco products and a surcharge payment of not less  
8 than \$50 per month from members who cover a spouse or domestic  
9 partner where the spouse or domestic partner has chosen not to enroll  
10 in another employer-based group health insurance that has benefits  
11 and premiums with an actuarial value of not less than 95 percent of  
12 the actuarial value of the public employees' benefits board plan with  
13 the largest enrollment. The surcharge payments shall be collected in  
14 addition to the member premium payment if directed by the  
15 legislature.

16 NEW SECTION. **Sec. 522. COMPENSATION—REPRESENTED EMPLOYEES**  
17 **OUTSIDE HEALTH CARE COALITION—INSURANCE BENEFITS**

18 Appropriations for state agencies in this act are sufficient for  
19 represented employees outside the coalition for health benefits, and  
20 are subject to the following conditions and limitations: The monthly  
21 employer funding rate for insurance benefit premiums, public  
22 employees' benefits board administration, and the uniform medical  
23 plan, may not exceed \$988 per eligible employee for fiscal year 2022.  
24 For fiscal year 2023, the monthly employer funding rate may not  
25 exceed \$1018 per eligible employee.

26 NEW SECTION. **Sec. 523. COMPENSATION—NONREPRESENTED EMPLOYEES—**  
27 **INSURANCE BENEFITS**

28 Appropriations for state agencies in this act are sufficient for  
29 nonrepresented state employee health benefits for state agencies,  
30 including institutions of higher education, and are subject to the  
31 following conditions and limitations: The employer monthly funding  
32 rate for insurance benefit premiums, public employees' benefits board  
33 administration, and the uniform medical plan, shall not exceed \$988  
34 per eligible employee for fiscal year 2022. For fiscal year 2023, the  
35 monthly employer funding rate shall not exceed \$1018 per eligible  
36 employee.

1        NEW SECTION.    **Sec. 524.    COMPENSATION—REVISE PENSION CONTRIBUTION**  
2 **RATES**

3        The appropriations in this act for school districts and state  
4 agencies, including institutions of higher education, are subject to  
5 the following conditions and limitations: Appropriations are adjusted  
6 to reflect changes to agency appropriations to reflect pension  
7 contribution rates adopted by the pension funding council and the law  
8 enforcement officers' and firefighters' retirement system plan 2  
9 board.

10        NEW SECTION.    **Sec. 525.    JUNETEENTH HOLIDAY**

11        Funding is provided within the amounts appropriated for the cost  
12 to agencies of additional staff necessary to provide coverage in  
13 positions that require continual presence, as a result of  
14 implementing chapter . . . (House Bill No. 1016), Laws of 2021  
15 (making Juneteenth a legal holiday). If chapter . . . (House Bill No.  
16 1016), Laws of 2021 is not enacted by June 30, 2021, this section  
17 does not take effect.

18        NEW SECTION.    **Sec. 526.    COLLECTIVE BARGAINING AGREEMENTS—**  
19 **ELIMINATING FURLOUGH DAYS**

20        Appropriations in this act provide sufficient funding to  
21 eliminate the furlough days required in the following collective  
22 bargaining agreements for the 2021-2023 biennium:

- 23        (1) Office and professional employees international union local  
24 8;
- 25        (2) Ferry agents, supervisors, and project administrators  
26 association;
- 27        (3) Service employees international union local 6;
- 28        (4) Pacific Northwest regional council of carpenters;
- 29        (5) Marine engineers' beneficial association port engineers;
- 30        (6) Masters, mates, and pilots - watch center supervisors;
- 31        (7) Inlandboatmen's union of the Pacific;
- 32        (8) Washington public employees association general government;
- 33        (9) Washington federation of state employees;
- 34        (10) Professional and technical employees local 17; and
- 35        (11) The coalition of unions.

36        Expenditure of the amounts provided for this purpose is  
37 contingent upon execution of an appropriate memorandum of  
38 understanding between the governor or the governor's designee and the

1 exclusive bargaining representative, consistent with the terms of  
2 this section.

3 NEW SECTION. **Sec. 527. COLLECTIVE BARGAINING AGREEMENTS—**  
4 **ELIMINATING GENERAL WAGE DECREASE**

5 Appropriations in this act provide sufficient funding solely for  
6 the purpose of eliminating the 1.9 percent wage reduction from July  
7 1, 2021, to June 30, 2022, provided in the arbitration award for the  
8 Puget Sound metal trades council. Expenditure of the amounts provided  
9 for this purpose is contingent upon execution of an appropriate  
10 modification of the agreement between the governor or the governor's  
11 designee and the exclusive bargaining representative, consistent with  
12 the terms of this section.

13 NEW SECTION. **Sec. 528. FORGONE GENERAL WAGE INCREASES**

14 Appropriations in this act for state agencies, including  
15 institutions of higher education, are sufficient to provide a three  
16 percent or two percent general wage increase, effective July 1, 2021,  
17 for employees that were scheduled to receive a general wage increase  
18 of either of those amounts on July 1, 2020, that was forgone due to  
19 COVID-19 emergency.

20 **IMPLEMENTING PROVISIONS**

21 NEW SECTION. **Sec. 601. FUND TRANSFERS**

22 (1) The 2005 transportation partnership projects or improvements  
23 and 2015 connecting Washington projects or improvements are listed in  
24 the LEAP Transportation Document 2021-1 as developed March 22, 2021,  
25 which consists of a list of specific projects by fund source and  
26 amount over a sixteen-year period. Current fiscal biennium funding  
27 for each project is a line-item appropriation, while the outer year  
28 funding allocations represent a sixteen-year plan. The department of  
29 transportation is expected to use the flexibility provided in this  
30 section to assist in the delivery and completion of all  
31 transportation partnership account and connecting Washington account  
32 projects on the LEAP transportation document referenced in this  
33 subsection. For the 2019-2021 project appropriations, unless  
34 otherwise provided in this act, the director of the office of  
35 financial management may provide written authorization for a transfer  
36 of appropriation authority between projects funded with

1 transportation partnership account appropriations or connecting  
2 Washington account appropriations to manage project spending and  
3 efficiently deliver all projects in the respective program under the  
4 following conditions and limitations:

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

7 (b) Transfers from a project may not be made as a result of the  
8 reduction of the scope of a project or be made to support increases  
9 in the scope of a project;

10 (c) Transfers from a project may be made if the funds  
11 appropriated to the project are in excess of the amount needed in the  
12 current fiscal biennium;

13 (d) Transfers may not occur for projects not identified on the  
14 applicable project list;

15 (e) Transfers to a project may not occur if that project is a  
16 programmatic funding item described in broad general terms on the  
17 applicable project list without referencing a specific state route  
18 number;

19 (f) Transfers may not be made while the legislature is in  
20 session;

21 (g) Transfers to a project may not be made with funds designated  
22 as attributable to practical design savings as described in RCW  
23 47.01.480;

24 (h) Each transfer between projects may only occur if the director  
25 of the office of financial management finds that any resulting change  
26 will not hinder the completion of the projects as approved by the  
27 legislature;

28 (i) Transfers between projects may be made by the department of  
29 transportation without the formal written approval provided under  
30 this subsection (1), provided that the transfer amount to a single  
31 project does not exceed two hundred fifty thousand dollars or ten  
32 percent of the total project per biennium, whichever is less. These  
33 transfers must be reported quarterly to the director of the office of  
34 financial management and the chairs of the house of representatives  
35 and senate transportation committees;

36 (j) Transfers may only be made in fiscal year 2023;

37 (k) The total amount of transfers to projects in fiscal year 2023  
38 may not exceed \$50,000,000; and

39 (l) The total amount transferred to a single project may not  
40 exceed \$20,000,000.

1 (2) The department of transportation must submit quarterly all  
2 transfers authorized under this section in the transportation  
3 executive information system. The office of financial management must  
4 maintain a legislative baseline project list identified in the LEAP  
5 transportation documents referenced in this act, and update that  
6 project list with all authorized transfers under this section,  
7 including any effects to the total project budgets and schedules  
8 beyond the current biennium.

9 (3) At the time the department submits a request to transfer  
10 funds under this section, a copy of the request must be submitted to  
11 the chairs and ranking members of the transportation committees of  
12 the legislature.

13 (4) Before approval, the office of financial management shall  
14 work with legislative staff of the house of representatives and  
15 senate transportation committees to review the requested transfers in  
16 a timely manner and address any concerns raised by the chairs and  
17 ranking members of the transportation committees.

18 (5) No fewer than ten days after the receipt of a project  
19 transfer request, the director of the office of financial management  
20 must provide written notification to the department of any decision  
21 regarding project transfers, with copies submitted to the  
22 transportation committees of the legislature.

23 (6) The department must submit annually as part of its budget  
24 submittal a report detailing all transfers made pursuant to this  
25 section, including any effects to the total project budgets and  
26 schedules beyond the current biennium.

27 NEW SECTION. **Sec. 602. BOND REIMBURSEMENT**

28 To the extent that any appropriation authorizes expenditures of  
29 state funds from the motor vehicle account, special category C  
30 account, Tacoma Narrows toll bridge account, transportation 2003  
31 account (nickel account), transportation partnership account,  
32 transportation improvement account, Puget Sound capital construction  
33 account, multimodal transportation account, state route number 520  
34 corridor account, connecting Washington account, or other  
35 transportation capital project account in the state treasury for a  
36 state transportation program that is specified to be funded with  
37 proceeds from the sale of bonds authorized in chapter 47.10 RCW, the  
38 legislature declares that any such expenditures made before the issue  
39 date of the applicable transportation bonds for that state

1 transportation program are intended to be reimbursed from proceeds of  
2 those transportation bonds in a maximum amount equal to the amount of  
3 such appropriation.

4 NEW SECTION. **Sec. 603. BELATED CLAIMS**

5 The agencies and institutions of the state may expend moneys  
6 appropriated in this act, upon approval of the office of financial  
7 management, for the payment of supplies and services furnished to the  
8 agency or institution in prior fiscal biennia.

9 NEW SECTION. **Sec. 604. REAPPROPRIATIONS REPORTING**

10 (1) As part of its 2020 supplemental budget submittal, the  
11 department of transportation shall provide a report to the  
12 legislature and the office of financial management that:

13 (a) Identifies, by capital project, the amount of state funding  
14 that has been reappropriated from the 2017-2019 fiscal biennium into  
15 the 2019-2021 fiscal biennium; and

16 (b) Identifies, for each project, the amount of cost savings or  
17 increases in funding that have been identified as compared to the  
18 2017 enacted omnibus transportation appropriations act.

19 (2) As part of the agency request for capital programs, the  
20 department shall load reappropriations separately from funds that  
21 were assumed to be required for the 2019-2021 fiscal biennium into  
22 budgeting systems.

23 NEW SECTION. **Sec. 605. WEB SITE REPORTING REQUIREMENTS**

24 (1) The department of transportation shall post on its web site  
25 every report that is due from the department to the legislature  
26 during the 2019-2021 fiscal biennium on one web page. The department  
27 must post both completed reports and planned reports on a single web  
28 page.

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

32 NEW SECTION. **Sec. 606. TRANSIT, BICYCLE, AND PEDESTRIAN**  
33 **ELEMENTS REPORTING**

34 (1) By November 15th of each year, the department of  
35 transportation must report on amounts expended to benefit transit,  
36 bicycle, or pedestrian elements within all connecting Washington

1 projects in programs I, P, and Z identified in LEAP Transportation  
2 Document 2021-2 ALL PROJECTS as developed March 22, 2021. The report  
3 must address each modal category separately and identify if  
4 eighteenth amendment protected funds have been used and, if not, the  
5 source of funding.

6 (2) To facilitate the report in subsection (1) of this section,  
7 the department of transportation must require that all bids on  
8 connecting Washington projects include an estimate on the cost to  
9 implement any transit, bicycle, or pedestrian project elements.

10 NEW SECTION. **Sec. 607. PROJECT SCOPE CHANGES**

11 (1) During the 2019-2021 fiscal biennium, while the legislature  
12 is not in session, the director of the office of financial management  
13 may approve project scope change requests to connecting Washington  
14 projects in the highway improvements program, provided that the  
15 requests meet the criteria outlined in RCW 47.01.480 and are subject  
16 to the limitations in this section.

17 (2) At the time the department of transportation submits a  
18 request for a project scope change under this section, a copy of the  
19 request must be submitted to the transportation committees of the  
20 legislature.

21 (3) Before approval, the office of financial management shall  
22 work with legislative staff of the house of representatives and  
23 senate transportation committees to review the requested project  
24 scope changes.

25 (4) No fewer than ten days after the receipt of a scope change  
26 request, the director of the office of financial management must  
27 provide written notification to the department of any decision  
28 regarding project scope changes, with copies submitted to the  
29 transportation committees of the legislature.

30 (5) As part of its annual budget submittal, the department of  
31 transportation must report on all approved scope change requests from  
32 the prior year, including a comparison of the scope before and after  
33 the requested change.

34 NEW SECTION. **Sec. 608. TOLL CREDITS**

35 The department of transportation may provide up to three million  
36 dollars in toll credits to Kitsap transit for its role in passenger-  
37 only ferry service and ferry corridor-related projects. The number of  
38 toll credits provided must be equal to, but no more than, the number

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

4 **MISCELLANEOUS 2021-2023 FISCAL BIENNIUM**

5 **NEW SECTION. Sec. 701. INFORMATION TECHNOLOGY OVERSIGHT**

6 (1) Agencies must apply to the office of financial management and  
7 the office of the state chief information officer for approval before  
8 beginning a project or proceeding with each discrete stage of a  
9 project subject to this section. At each stage, the office of the  
10 state chief information officer must certify that the project has an  
11 approved technology budget and investment plan, complies with state  
12 information technology and security requirements, and other policies  
13 defined by the office of the state chief information officer. The  
14 office of financial management must notify the fiscal committees of  
15 the legislature of the receipt of each application and may not  
16 approve a funding request for ten business days from the date of  
17 notification.

18 (2) (a) Each project must have a technology budget. The technology  
19 budget must have the detail by fiscal month for the 2021-2023 fiscal  
20 biennium. The technology budget must use a method similar to the  
21 state capital budget, identifying project costs, each fund source,  
22 and anticipated deliverables through each stage of the entire project  
23 investment and across fiscal periods and biennia from project onset  
24 through implementation and close out, as well as at least five years  
25 of maintenance and operations costs.

26 (b) As part of the development of a technology budget and at each  
27 request for funding, the agency shall submit an updated technology  
28 budget, if changes occurred, to include detailed financial  
29 information to the office of financial management and the office of  
30 the chief information officer. The technology budget must describe  
31 the total cost of the project by fiscal month to include and  
32 identify:

33 (i) Fund sources;

34 (ii) Full-time equivalent staffing level to include job  
35 classification assumptions;

36 (iii) Discrete financial budget codes to include at least the  
37 appropriation index and program index;

38 (iv) Object and subobject codes of expenditures;



- 1 (v) Anticipated deliverables;
- 2 (vi) Historical budget and expenditure detail by fiscal year; and
- 3 (vii) Maintenance and operations costs by fiscal year for at
- 4 least five years as a separate worksheet
- 5 (c) If a project technology budget changes and a revised
- 6 technology budget is completed, a comparison of the revised
- 7 technology budget to the last approved technology budget must be
- 8 posted to the dashboard, to include a narrative rationale on what
- 9 changed, why, and how that impacts the project in scope, budget, and
- 10 schedule.
- 11 (3) (a) Each project must have an investment plan that includes:
- 12 (i) An organizational chart of the project management team that
- 13 identifies team members and their roles and responsibilities;
- 14 (ii) The office of the chief information officer staff assigned
- 15 to the project;
- 16 (iii) An implementation schedule covering activities, critical
- 17 milestones, and deliverables at each stage of the project for the
- 18 life of the project at each agency affected by the project;
- 19 (iv) Performance measures used to determine that the project is
- 20 on time, within budget, and meeting expectations for quality of work
- 21 product;
- 22 (v) Ongoing maintenance and operations cost of the project post
- 23 implementation and close out delineated by agency staffing,
- 24 contracted staffing, and service level agreements; and
- 25 (vi) Financial budget coding to include at least discrete
- 26 financial coding for the project.
- 27 (4) Projects with estimated costs greater than one hundred
- 28 million dollars from initiation to completion and implementation may
- 29 be divided into discrete subprojects as determined by the office of
- 30 the chief information officer. Each subproject must have a technology
- 31 budget and investment plan as provided in this section.
- 32 (5) (a) The office of the state chief information officer shall
- 33 maintain an information technology project dashboard that provides
- 34 updated information each fiscal month on projects subject to this
- 35 section. This includes, at least:
- 36 (i) Project changes each fiscal month;
- 37 (ii) Noting if the project has a completed market requirements
- 38 document, and when it was completed;
- 39 (iii) Financial status of information technology projects under
- 40 oversight;

- 1 (iv) Coordination with agencies;
- 2 (v) Monthly quality assurance reports, if applicable;
- 3 (vi) Monthly office of the chief information officer status  
4 reports;
- 5 (vii) Historical project budget and expenditures through fiscal  
6 year 2021;
- 7 (viii) Budget and expenditures each fiscal month;
- 8 (ix) Estimated annual maintenance and operations costs by fiscal  
9 year; and
- 10 (x) Posting monthly project status assessments on scope,  
11 schedule, budget, and overall by the:
- 12 (A) Office of the chief information officer;
- 13 (B) Agency project team; and
- 14 (C) Quality assurance vendor, if applicable to the project.
- 15 (b) The dashboard must retain a roll up of the entire project  
16 cost, including all subprojects, that can display subproject detail.  
17 This includes coalition projects that are active.
- 18 (6) If the project affects more than one agency:
- 19 (a) A separate technology budget and investment plan must be  
20 prepared for each agency; and
- 21 (b) The dashboard must contain a statewide project technology  
22 budget roll up that includes each affected agency at the subproject  
23 level.
- 24 (7) For any project that exceeds two million dollars in total  
25 funds to complete, requires more than one biennium to complete, or is  
26 financed through financial contracts, bonds, or other indebtedness:
- 27 (a) Quality assurance for the project must report independently  
28 to the office of the chief information officer;
- 29 (b) The office of the chief information officer must review, and,  
30 if necessary, revise the proposed project to ensure it is flexible  
31 and adaptable to advances in technology;
- 32 (c) The technology budget must specifically identify the uses of  
33 any financing proceeds. No more than thirty percent of the financing  
34 proceeds may be used for payroll-related costs for state employees  
35 assigned to project management, installation, testing, or training;
- 36 (d) The agency must consult with the office of the state  
37 treasurer during the competitive procurement process to evaluate  
38 early in the process whether products and services to be solicited  
39 and the responsive bids from a solicitation may be financed; and

1 (e) The agency must consult with the contracting division of the  
2 department of enterprise services for a review of all contracts and  
3 agreements related to the project's information technology  
4 procurements.

5 (8) The office of the chief information officer must evaluate the  
6 project at each stage and certify whether the project is planned,  
7 managed, and meeting deliverable targets as defined in the project's  
8 approved technology budget and investment plan.

9 (9) The office of the chief information officer may suspend or  
10 terminate a project at any time if it determines that the project is  
11 not meeting or not expected to meet anticipated performance and  
12 technology outcomes. Once suspension or termination occurs, the  
13 agency shall unallot any unused funding and shall not make any  
14 expenditure for the project without the approval of the office of  
15 financial management. The office of the chief information officer  
16 must report on July 1st and December 1st each calendar year any  
17 suspension or termination of a project in the previous six-month  
18 period to the legislative fiscal committees.

19 (10) The office of the chief information officer, in consultation  
20 with the office of financial management, may identify additional  
21 projects to be subject to this section, including projects that are  
22 not separately identified within an agency budget. The office of the  
23 chief information officer must report on July 1st and December 1st  
24 each calendar year any additional projects to be subjected to this  
25 section that were identified in the previous six-month period to the  
26 legislative fiscal committees.

27 (11) The following transportation projects are subject to the  
28 conditions, limitations, and review provided in this section:

29 (a) For the Washington state patrol: Aerial criminal  
30 investigation tools;

31 (b) For the department of licensing: Website accessibility and  
32 usability; and

33 (c) For the department of transportation: Maintenance management  
34 system, land mobile radio system replacement, new CSC system and  
35 operator, PROPEL - WSDOT support of one Washington, and capital  
36 systems replacement.

37 NEW SECTION. **Sec. 702. ACQUISITION OF PROPERTIES AND FACILITIES**  
38 **THROUGH FINANCIAL CONTRACTS**

1       The department of transportation is authorized, subject to the  
2 conditions in section 305(2) of this act, to enter into a financing  
3 contract pursuant to chapter 39.94 RCW through the state treasurer's  
4 lease-purchase program for the purposes indicated. The department may  
5 use any funds, appropriated or nonappropriated, in not more than the  
6 principal amounts indicated, plus financing expenses and required  
7 reserves, if any. Expenditures made by the department of  
8 transportation for the indicated purposes before the issue date of  
9 the authorized financing contract and any certificates of  
10 participation therein may be reimbursed from proceeds of the  
11 financing contract and any certificates of participation therein to  
12 the extent provided in the agency's financing plan approved by the  
13 state finance committee.

14       **Sec. 703.** RCW 43.19.642 and 2019 c 416 s 703 are each amended to  
15 read as follows:

16       (1) Effective June 1, 2006, for agencies complying with the  
17 ultra-low sulfur diesel mandate of the United States environmental  
18 protection agency for on-highway diesel fuel, agencies shall use  
19 biodiesel as an additive to ultra-low sulfur diesel for lubricity,  
20 provided that the use of a lubricity additive is warranted and that  
21 the use of biodiesel is comparable in performance and cost with other  
22 available lubricity additives. The amount of biodiesel added to the  
23 ultra-low sulfur diesel fuel shall be not less than two percent.

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

29       (3) All state agencies using biodiesel fuel shall, beginning on  
30 July 1, 2016, file annual reports with the department of enterprise  
31 services documenting the use of the fuel and a description of how any  
32 problems encountered were resolved.

33       (4) By December 1, 2009, the department of enterprise services  
34 shall:

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

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

1 (5) During the (~~2017-2019 and~~) 2019-2021 and 2021-2023 fiscal  
2 biennia, the Washington state ferries is required to use a minimum of  
3 (~~five~~) 10 percent biodiesel as compared to total volume of all  
4 diesel purchases made by the Washington state ferries for the  
5 operation of the Washington state ferries diesel-powered vessels, as  
6 long as the price of a (~~B5-0r~~) B10 biodiesel blend does not exceed  
7 the price of conventional diesel fuel by five percent or more.

8 **Sec. 704.** RCW 46.20.745 and 2019 c 416 s 704 are each amended to  
9 read as follows:

10 (1) The ignition interlock device revolving account program is  
11 created within the department to assist in covering the monetary  
12 costs of installing, removing, and leasing an ignition interlock  
13 device, and applicable licensing, for indigent persons who are  
14 required under RCW 46.20.385, 46.20.720, and 46.61.5055 to install an  
15 ignition interlock device in all vehicles owned or operated by the  
16 person. For purposes of this subsection, "indigent" has the same  
17 meaning as in RCW 10.101.010, as determined by the department. During  
18 the (~~2019-2021~~) 2019-2021 and 2021-2023 fiscal (~~biennium~~)  
19 biennia, the ignition interlock device revolving account program also  
20 includes ignition interlock enforcement work conducted by the  
21 Washington state patrol.

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

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

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

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

35 (b) Work to identify those persons who are not complying with  
36 ignition interlock requirements or are repeatedly violating ignition  
37 interlock requirements; and

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

1 (5) As part of monitoring compliance, the Washington traffic  
2 safety commission shall also track recidivism for violations of RCW  
3 46.61.502 and 46.61.504 by persons required to have an ignition  
4 interlock driver's license under RCW 46.20.385 and 46.20.720.

5 **Sec. 705.** RCW 47.66.120 and 2019 c 287 s 18 are each amended to  
6 read as follows:

7 (1)(a) Subject to the availability of amounts appropriated for  
8 this specific purpose through the 2023-2025 biennium, the  
9 department's public transportation division shall establish a green  
10 transportation capital grant program. The purpose of the grant  
11 program is to aid any transit authority in funding cost-effective  
12 capital projects to reduce the carbon intensity of the Washington  
13 transportation system, examples of which include: Electrification of  
14 vehicle fleets, including battery and fuel cell electric vehicles;  
15 modification or replacement of capital facilities in order to  
16 facilitate fleet electrification and/or hydrogen refueling; necessary  
17 upgrades to electrical transmission and distribution systems; and  
18 construction of charging and fueling stations. The department's  
19 public transportation division shall identify projects and shall  
20 submit a prioritized list of all projects requesting funding to the  
21 legislature by December 1st of each even-numbered year.

22 (b) The department's public transportation division shall select  
23 projects based on a competitive process that considers the following  
24 criteria:

25 (i) The cost-effectiveness of the reductions in carbon emissions  
26 provided by the project; and

27 (ii) The benefit provided to transitioning the entire state to a  
28 transportation system with lower carbon intensity.

29 (2) The department's public transportation division must  
30 establish an advisory committee to assist in identifying projects  
31 under subsection (1) of this section. The advisory committee must  
32 include representatives from the department of ecology, the  
33 department of commerce, the utilities and transportation commission,  
34 and at least one transit authority.

35 (3) In order to receive green transportation capital grant  
36 program funding for a project, a transit authority must provide  
37 matching funding for that project that is at least equal to twenty  
38 percent of the total cost of the project.

1 (4) The department's public transportation division must report  
2 annually to the transportation committees of the legislature on the  
3 status of any grant projects funded by the program created under this  
4 section.

5 (5) For purposes of this section, "transit authority" means a  
6 city transit system under RCW 35.58.2721 or chapter 35.95A RCW, a  
7 county public transportation authority under chapter 36.57 RCW, a  
8 metropolitan municipal corporation transit system under chapter 36.56  
9 RCW, a public transportation benefit area under chapter 36.57A RCW,  
10 an unincorporated transportation benefit area under RCW 36.57.100, a  
11 regional transit authority under chapter 81.112 RCW, or any special  
12 purpose district formed to operate a public transportation system.

13 (6) During the 2021-2023 fiscal biennium, the department may  
14 provide green transportation capital grant program funding for zero  
15 emissions capital transition planning projects.

16 **Sec. 706.** RCW 46.68.063 and 2019 c 416 s 712 are each amended to  
17 read as follows:

18 The department of licensing technology improvement and data  
19 management account is created in the highway safety fund. All  
20 receipts from fees collected under RCW 46.12.630(5) must be deposited  
21 into the account. Expenditures from the account may be used only for  
22 investments in technology and data management at the department.  
23 During the 2019-2021 (~~biennium~~) and 2021-2023 biennia, the account  
24 may also be used for responding to public records requests. Moneys in  
25 the account may be spent only after appropriation.

26 **Sec. 707.** RCW 46.68.370 and 2019 c 416 s 713 are each amended to  
27 read as follows:

28 The license plate technology account is created in the state  
29 treasury. All receipts collected under RCW 46.17.015 must be  
30 deposited into this account. Expenditures from this account must  
31 support current and future license plate technology and systems  
32 integration upgrades for both the department and correctional  
33 industries. Moneys in the account may be spent only after  
34 appropriation. Additionally, the moneys in this account may be used  
35 to reimburse the motor vehicle (~~account~~~~—~~~~[fund]~~) fund for any  
36 appropriation made to implement the digital license plate system.  
37 During the 2011-2013 and 2013-2015 fiscal biennia, the legislature  
38 may transfer from the license plate technology account to the highway

1 safety (~~account~~[~~fund~~]) fund such amounts as reflect the excess  
2 fund balance of the license plate technology account. During the  
3 2019-2021 (~~biennium~~) and 2021-2023 biennia, the account may also be  
4 used for the maintenance of recently modernized information  
5 technology systems for vehicle registrations.

6 **Sec. 708.** RCW 46.68.300 and 2019 c 416 s 714 are each amended to  
7 read as follows:

8 The freight mobility investment account is hereby created in the  
9 state treasury. Money in the account may be spent only after  
10 appropriation. Expenditures from the account may be used only for  
11 freight mobility projects that have been approved by the freight  
12 mobility strategic investment board in RCW 47.06A.020 and may include  
13 any principal and interest on bonds authorized for the projects or  
14 improvements. During the (~~2019-2021~~) 2021-2023 fiscal biennium, the  
15 expenditures from the account may also be used for the administrative  
16 expenses of the freight mobility strategic investment board.

17 **Sec. 709.** RCW 82.44.135 and 2020 c 219 s 706 are each amended to  
18 read as follows:

19 (1) Before a local government subject to this chapter may impose  
20 a motor vehicle excise tax, the local government must contract with  
21 the department for the collection of the tax. The department may  
22 charge a reasonable amount, not to exceed one percent of tax  
23 collections, or two and one-half percent during the 2019-2021  
24 (~~biennium~~) and 2021-2023 biennia, for the administration and  
25 collection of the tax.

26 (2) For fiscal year 2021, the department shall charge a minimum  
27 of seven million eight hundred two thousand dollars, and for the  
28 2021-2023 fiscal biennium, the department shall charge a minimum of  
29 \$15,604,000, which (~~is~~) are the reasonable (~~amount~~) amounts aimed  
30 at achieving full cost recovery for the administration and collection  
31 of a motor vehicle excise tax. The amount of the full reimbursement  
32 for the administration and collection of the motor vehicle excise tax  
33 must be deducted before distributing any revenues to a regional  
34 transit authority. Any reimbursement to ensure full cost recovery  
35 beyond the amount specified in this subsection may be negotiated  
36 between the department and the regional transit authority if full  
37 cost recovery has not been achieved, or if based on emergent issues.



1        NEW SECTION.    **Sec. 710.**    (1) The agency financial transaction  
2 account is created in the state treasury. Designated receipts from  
3 cost-recovery charges for credit card and other financial transaction  
4 fees pursuant to this act must be deposited into the account. Moneys  
5 in the account may be spent only after appropriation. Expenditures  
6 from the account may be used only for paying credit card and  
7 financial transaction fees, and other related costs incurred by state  
8 agencies.

9        (2) This section expires June 30, 2023.

10       **Sec. 711.**    RCW 47.12.370 and 2003 c 187 s 1 are each amended to  
11 read as follows:

12        (1) The department may enter into exchange agreements with local,  
13 state, or federal agencies, tribal governments, or private nonprofit  
14 nature conservancy corporations as defined in RCW 64.04.130, to  
15 convey properties under the jurisdiction of the department that serve  
16 as environmental mitigation sites, as full or part consideration for  
17 the grantee assuming all future maintenance and operation obligations  
18 and costs required to maintain and operate the environmental  
19 mitigation site in perpetuity.

20        (2) (~~(Tribal)~~) (a) Except as provided in (b) of this subsection,  
21 tribal governments shall only be eligible to participate in an  
22 exchange agreement if they:

23        (~~(a)~~) (i) Provide the department with a valid waiver of their  
24 tribal sovereign immunity from suit. The waiver must allow the  
25 department to enforce the terms of the exchange agreement or  
26 quitclaim deed in state court; and

27        (~~(b)~~) (ii) Agree that the property shall not be placed into  
28 trust status.

29        (b) During the 2021-2023 fiscal biennium, the restrictions in (a)  
30 of this subsection do not apply to any exchange agreement with a  
31 tribal government for the acquisition of real property required by  
32 the department for the SR 167/SR 509 Puget Sound Gateway project.

33        (3) The conveyances must be by quitclaim deed, or other form of  
34 conveyance, executed by the secretary of transportation, and must  
35 expressly restrict the use of the property to a mitigation site  
36 consistent with preservation of the functions and values of the site,  
37 and must provide for the automatic reversion to the department if the  
38 property is not used as a mitigation site or is not maintained in a

1 manner that complies with applicable permits, laws, and regulations  
2 pertaining to the maintenance and operation of the mitigation site.

3 **Sec. 712.** RCW 47.60.530 and 2017 c 313 s 714 are each amended to  
4 read as follows:

5 (1) The Puget Sound ferry operations account is created in the  
6 motor vehicle fund.

7 (2) The following funds must be deposited into the account:

8 (a) All moneys directed by law;

9 (b) All revenues generated from ferry fares; and

10 (c) All revenues generated from commercial advertising,  
11 concessions, parking, and leases as allowed under RCW 47.60.140.

12 (3) Moneys in the account may be spent only after appropriation.

13 (4) Expenditures from the account may be used only for the  
14 maintenance, administration, and operation of the Washington state  
15 ferry system.

16 (5) During the 2015-2017 fiscal biennium, the legislature may  
17 transfer from the Puget Sound ferry operations account to the  
18 connecting Washington account such amounts as reflect the excess fund  
19 balance of the Puget Sound ferry operations account.

20 (6) During the 2017-2019 fiscal biennium, the legislature may  
21 direct the state treasurer to make transfers of moneys in the Puget  
22 Sound ferry operations account to the connecting Washington account.

23 (7) During the 2021-23 fiscal biennium, the legislature may  
24 transfer from the Puget Sound ferry operations account to the Puget  
25 Sound capital construction account such amounts as reflect the excess  
26 fund balance of the Puget Sound ferry operations account.

27 **Sec. 713.** RCW 47.60.315 and 2019 c 431 s 3 are each amended to  
28 read as follows:

29 (1) The commission shall adopt fares and pricing policies by  
30 rule, under chapter 34.05 RCW, according to the following schedule:

31 (a) Each year the department shall provide the commission a  
32 report of its review of fares and pricing policies, with  
33 recommendations for the revision of fares and pricing policies for  
34 the ensuing year;

35 (b) By September 1st of each year, beginning in 2008, the  
36 commission shall adopt by rule fares and pricing policies for the  
37 ensuing year.

1 (2) The commission may adopt by rule fares that are effective for  
2 more or less than one year for the purposes of transitioning to the  
3 fare schedule in subsection (1) of this section.

4 (3) The commission may increase ferry fares included in the  
5 schedule of charges adopted under this section by a percentage that  
6 exceeds the fiscal growth factor.

7 (4) The chief executive officer of the ferry system may authorize  
8 the use of promotional, discounted, and special event fares to the  
9 general public and commercial enterprises for the purpose of  
10 maximizing capacity use and the revenues collected by the ferry  
11 system. The department shall report to the commission a summary of  
12 the promotional, discounted, and special event fares offered during  
13 each fiscal year and the financial results from these activities.

14 (5) ((Fare)) Except for the 2021-2023 fiscal biennium, fare  
15 revenues and other revenues deposited in the Puget Sound ferry  
16 operations account created in RCW 47.60.530 may not be used to  
17 support the Puget Sound capital construction account created in RCW  
18 47.60.505, unless the support for capital is separately identified in  
19 the fare.

20 (6) The commission may not raise fares until the fare rules  
21 contain pricing policies developed under RCW 47.60.290, or September  
22 1, 2009, whichever is later.

23 (7) The commission shall impose a vessel replacement surcharge of  
24 twenty-five cents on every one-way and round-trip ferry fare sold,  
25 including multiride and monthly pass fares. This surcharge must be  
26 clearly indicated to ferry passengers and drivers and, if possible,  
27 on the fare media itself.

28 (8) Except as provided in subsection (10) of this section,  
29 beginning May 1, 2020, the commission shall impose an additional  
30 vessel replacement surcharge in an amount sufficient to fund twenty-  
31 five year debt service on one 144-auto hybrid vessel taking into  
32 account funds provided in chapter 417, Laws of 2019 or chapter . . .  
33 (SSB 5419), Laws of 2019. The department of transportation shall  
34 provide to the commission vessel and debt service cost estimates.  
35 Information on vessels constructed or purchased with revenue from the  
36 surcharges must be publicly posted including, but not limited to, the  
37 commission web site.

38 (9) The vessel replacement surcharges imposed in this section may  
39 only be used for the construction or purchase of ferry vessels and to

1 pay the principal and interest on bonds authorized for the  
2 construction or purchase of new ferry vessels.

3 (10) The commission shall not impose the additional vessel  
4 replacement surcharge in subsection (8) of this section if doing so  
5 would increase fares by more than ten percent.

6 **Sec. 714.** RCW 34.05.350 and 2011 1st sp.s. c 2 s 1 are each  
7 amended to read as follows:

8 (1) If an agency for good cause finds:

9 (a) That immediate adoption, amendment, or repeal of a rule is  
10 necessary for the preservation of the public health, safety, or  
11 general welfare, and that observing the time requirements of notice  
12 and opportunity to comment upon adoption of a permanent rule would be  
13 contrary to the public interest;

14 (b) That state or federal law or federal rule or a federal  
15 deadline for state receipt of federal funds requires immediate  
16 adoption of a rule; or

17 (c) In order to implement the requirements or reductions in  
18 appropriations enacted in any budget for fiscal year 2009, 2010,  
19 2011, 2012, or 2013, or in an omnibus transportation appropriations  
20 act for the 2021-2023 biennium related to setting toll rates, which  
21 necessitates the need for the immediate adoption, amendment, or  
22 repeal of a rule, and that observing the time requirements of notice  
23 and opportunity to comment upon adoption of a permanent rule would be  
24 contrary to the fiscal needs or requirements of the agency,  
25 the agency may dispense with those requirements and adopt, amend, or  
26 repeal the rule on an emergency basis. The agency's finding and a  
27 concise statement of the reasons for its finding shall be  
28 incorporated in the order for adoption of the emergency rule or  
29 amendment filed with the office of the code reviser under RCW  
30 34.05.380 and with the rules review committee.

31 (2) An emergency rule adopted under this section takes effect  
32 upon filing with the code reviser, unless a later date is specified  
33 in the order of adoption, and may not remain in effect for longer  
34 than one hundred twenty days after filing. Identical or substantially  
35 similar emergency rules may not be adopted in sequence unless  
36 conditions have changed or the agency has filed notice of its intent  
37 to adopt the rule as a permanent rule, and is actively undertaking  
38 the appropriate procedures to adopt the rule as a permanent rule.  
39 This section does not relieve any agency from compliance with any law

1 requiring that its permanent rules be approved by designated persons  
2 or bodies before they become effective.

3 (3) Within seven days after the rule is adopted, any person may  
4 petition the governor requesting the immediate repeal of a rule  
5 adopted on an emergency basis by any department listed in RCW  
6 43.17.010. Within seven days after submission of the petition, the  
7 governor shall either deny the petition in writing, stating his or  
8 her reasons for the denial, or order the immediate repeal of the  
9 rule. In ruling on the petition, the governor shall consider only  
10 whether the conditions in subsection (1) of this section were met  
11 such that adoption of the rule on an emergency basis was necessary.  
12 If the governor orders the repeal of the emergency rule, any sanction  
13 imposed based on that rule is void. This subsection shall not be  
14 construed to prohibit adoption of any rule as a permanent rule.

15 **Sec. 715.** RCW 46.68.060 and 2019 c 416 s 705 are each amended to  
16 read as follows:

17 There is hereby created in the state treasury a fund to be known  
18 as the highway safety fund to the credit of which must be deposited  
19 all moneys directed by law to be deposited therein. This fund must be  
20 used for carrying out the provisions of law relating to driver  
21 licensing, driver improvement, financial responsibility, cost of  
22 furnishing abstracts of driving records and maintaining such case  
23 records, and to carry out the purposes set forth in RCW 43.59.010,  
24 and chapters 46.72 and 46.72A RCW. During the 2013-2015 and 2015-2017  
25 fiscal biennia, the legislature may transfer from the highway safety  
26 fund to the Puget Sound ferry operations account, the motor vehicle  
27 fund, and the multimodal transportation account such amounts as  
28 reflect the excess fund balance of the highway safety fund. During  
29 the ((2017-2019 and the)) 2019-2021 and 2021-2023 fiscal biennia, the  
30 legislature may direct the state treasurer to make transfers of  
31 moneys in the highway safety fund to the multimodal transportation  
32 account.

33 **Sec. 716.** RCW 46.68.325 and 2019 c 416 s 708 are each amended to  
34 read as follows:

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

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

6 (3) During the 2015-2017 fiscal biennium, the legislature may  
7 transfer from the rural mobility grant program account to the  
8 multimodal transportation account such amounts as reflect the excess  
9 fund balance of the rural mobility grant program account.

10 (4) During the (~~(2017-2019 and the)~~) 2019-2021 and 2021-2023  
11 fiscal biennia, the legislature may direct the state treasurer to  
12 make transfers of moneys in the rural mobility grant program account  
13 to the multimodal transportation account.

14 **Sec. 717.** RCW 47.56.876 and 2019 c 416 s 710 are each amended to  
15 read as follows:

16 A special account to be known as the state route number 520 civil  
17 penalties account is created in the state treasury. All state route  
18 number 520 bridge replacement and HOV program civil penalties  
19 generated from the nonpayment of tolls on the state route number 520  
20 corridor must be deposited into the account, as provided under RCW  
21 47.56.870(4)(b)(vii). Moneys in the account may be spent only after  
22 appropriation. Expenditures from the account may be used to fund any  
23 project within the state route number 520 bridge replacement and HOV  
24 program, including mitigation. During the 2013-2015 and 2015-2017  
25 fiscal biennia, the legislature may transfer from the state route  
26 number 520 civil penalties account to the state route number 520  
27 corridor account such amounts as reflect the excess fund balance of  
28 the state route number 520 civil penalties account. Funds transferred  
29 must be used solely for capital expenditures for the state route  
30 number 520 bridge replacement and HOV project. During the (~~(2017-2019~~  
31 ~~and the)~~) 2019-2021 and 2021-2023 fiscal biennia, the legislature may  
32 direct the state treasurer to make transfers of moneys in the state  
33 route number 520 civil penalties account to the state route number  
34 520 corridor account.

35 **Sec. 718.** RCW 47.60.322 and 2019 c 416 s 716 are each amended to  
36 read as follows:

37 (1) The capital vessel replacement account is created in the  
38 motor vehicle fund. All revenues generated from the vessel

1 replacement surcharge under RCW 47.60.315(7) and service fees  
2 collected by the department of licensing or county auditor or other  
3 agent appointed by the director under RCW 46.17.040, 46.17.050, and  
4 46.17.060 must be deposited into the account. Moneys in the account  
5 may be spent only after appropriation. Expenditures from the account  
6 may be used only for the construction or purchase of ferry vessels  
7 and to pay the principal and interest on bonds authorized for the  
8 construction or purchase of ferry vessels. However, expenditures from  
9 the account must first be used to support the construction or  
10 purchase, including any applicable financing costs, of a ferry vessel  
11 with a carrying capacity of at least one hundred forty-four cars.

12 (2) The state treasurer may transfer moneys from the capital  
13 vessel replacement account to the transportation 2003 account (nickel  
14 account) for debt service on bonds issued for the construction of  
15 144-car class ferry vessels.

16 (3) The legislature may transfer from the capital vessel  
17 replacement account to the connecting Washington account created  
18 under RCW 46.68.395 such amounts as reflect the excess fund balance  
19 of the capital vessel replacement account to be used for ferry  
20 terminal construction and preservation.

21 (4) During the 2019-2021 and 2021-2023 fiscal (~~biennium~~)  
22 biennia, the legislature may direct the state treasurer to make  
23 transfers of moneys in the capital vessel replacement account to the  
24 transportation partnership account.

25 **Sec. 719.** RCW 46.68.395 and 2020 c 219 s 707 are each amended to  
26 read as follows:

27 (1) The connecting Washington account is created in the motor  
28 vehicle fund. Moneys in the account may be spent only after  
29 appropriation. Expenditures from the account must be used only for  
30 projects or improvements identified as connecting Washington projects  
31 or improvements in a transportation appropriations act, including any  
32 principal and interest on bonds authorized for the projects or  
33 improvements.

34 (2) Moneys in the connecting Washington account may not be  
35 expended on the state route number 99 Alaskan Way viaduct replacement  
36 project.

37 (3) During the 2019-2021 and 2021-2023 fiscal (~~biennium~~)  
38 biennia, the legislature may direct the state treasurer to make

1 transfers of moneys in the connecting Washington account to the motor  
2 vehicle fund.

3 **2019-2021 FISCAL BIENNIUM**

4 **GENERAL GOVERNMENT AGENCIES—OPERATING**

5 **Sec. 801.** 2019 c 416 s 101 (uncodified) is amended to read as  
6 follows:

7 **FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

8 Motor Vehicle Account—State Appropriation . . . . . (~~(\$545,000)~~)  
9 \$536,000

10 **Sec. 802.** 2020 c 219 s 101 (uncodified) is amended to read as  
11 follows:

12 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

13 Motor Vehicle Account—State Appropriation . . . . . (~~(\$1,419,000)~~)  
14 \$1,388,000

15 Multimodal Transportation Account—State Appropriation. . . . \$300,000

16 Puget Sound Ferry Operations Account—State Appropriation . . \$121,000

17 TOTAL APPROPRIATION. . . . . (~~(\$1,840,000)~~)  
18 \$1,809,000

19 The appropriations in this section are subject to the following  
20 conditions and limitations: \$300,000 of the multimodal transportation  
21 account—state appropriation is provided solely for the office of  
22 financial management, in direct coordination with the office of state  
23 treasurer, to evaluate, coordinate, and assist in efforts by state  
24 agencies in developing cost recovery mechanisms for credit card and  
25 other financial transaction fees currently paid from state funds.  
26 This may include disbursing interagency reimbursements for the  
27 implementation costs incurred by the affected agencies. As part of  
28 the first phase of this effort, the office of financial management,  
29 with the assistance of relevant agencies, must develop implementation  
30 plans and take all necessary steps to ensure that the actual cost-  
31 recovery mechanisms will be in place by January 1, 2020, for the  
32 vehicles and drivers programs of the department of licensing. By  
33 November 1, 2019, the office of financial management must provide a  
34 report to the joint transportation committee on the phase 1  
35 implementation plan and options to expand similar cost recovery



1 mechanisms to other state agencies and programs, including the  
2 ferries division.

3 **Sec. 803.** 2019 c 416 s 106 (uncodified) is amended to read as  
4 follows:

5 **FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**  
6 Motor Vehicle Account—State Appropriation . . . . . (~~(\$652,000)~~)  
7 \$647,000

8 **TRANSPORTATION AGENCIES—OPERATING**

9 **Sec. 901.** 2020 c 219 s 201 (uncodified) is amended to read as  
10 follows:

11 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**  
12 Highway Safety Account—State Appropriation . . . . . (~~(\$4,675,000)~~)  
13 \$4,647,000  
14 Highway Safety Account—Federal Appropriation . . . . . (~~(\$27,051,000)~~)  
15 \$26,943,000  
16 Highway Safety Account—Private/Local Appropriation . . . . . \$118,000  
17 School Zone Safety Account—State Appropriation . . . . . \$850,000  
18 TOTAL APPROPRIATION. . . . . (~~(\$32,694,000)~~)  
19 \$32,558,000

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

22 (1) \$150,000 of the highway safety account—state appropriation is  
23 provided solely for the implementation of chapter 54, Laws of 2019  
24 (Cooper Jones Active Transportation Safety Council). If chapter 54,  
25 Laws of 2019 is not enacted by June 30, 2019, the amount provided in  
26 this subsection lapses.

27 (2) The Washington traffic safety commission may oversee a pilot  
28 program in up to three cities implementing the use of automated  
29 vehicle noise enforcement cameras in zones that have been designated  
30 by ordinance as "Stay Out of Areas of Racing."

31 (a) Any programs authorized by the commission must be authorized  
32 by December 31, (~~2020~~) 2022.

33 (b) If a city has established an authorized automated vehicle  
34 noise enforcement camera pilot program under this section, the  
35 compensation paid to the manufacturer or vendor of the equipment used

1 must be based upon the value of the equipment and services provided  
2 or rendered in support of the system.

3 (c) Any city administering a pilot program overseen by the  
4 traffic safety commission shall use the following guidelines to  
5 administer the program:

6 (i) Automated vehicle noise enforcement camera may record  
7 photographs or audio of the vehicle and vehicle license plate only  
8 while a violation is occurring. The picture must not reveal the face  
9 of the driver or of passengers in the vehicle;

10 (ii) The law enforcement agency of the city or county government  
11 shall install two signs facing opposite directions within two hundred  
12 feet, or otherwise consistent with the uniform manual on traffic  
13 control devices, where the automated vehicle noise enforcement camera  
14 is used that state "Street Racing Noise Pilot Program in Progress";

15 (iii) Cities testing the use of automated vehicle noise  
16 enforcement cameras must post information on the city web site and  
17 notify local media outlets indicating the zones in which the  
18 automated vehicle noise enforcement cameras will be used;

19 (iv) A city may only issue a warning notice with no penalty for a  
20 violation detected by automated vehicle noise enforcement cameras in  
21 a Stay Out of Areas of Racing zone. Warning notices must be mailed to  
22 the registered owner of a vehicle within fourteen days of the  
23 detected violation;

24 (v) A violation detected through the use of automated vehicle  
25 noise enforcement cameras is not part of the registered owner's  
26 driving record under RCW 46.52.101 and 46.52.120;

27 (vi) Notwithstanding any other provision of law, all photographs,  
28 videos, microphotographs, audio recordings, or electronic images  
29 prepared under this section are for the exclusive use of law  
30 enforcement in the discharge of duties under this section and are not  
31 open to the public and may not be used in a court in a pending action  
32 or proceeding. No photograph, microphotograph, audio recording, or  
33 electronic image may be used for any purpose other than the issuance  
34 of warnings for violations under this section or retained longer than  
35 necessary to issue a warning notice as required under this subsection  
36 (2); and

37 (vii) By June 30, 2021, the participating cities shall provide a  
38 report to the commission and appropriate committees of the  
39 legislature regarding the use, public acceptance, outcomes, warnings  
40 issued, data retention and use, and other relevant issues regarding

1 automated vehicle noise enforcement cameras demonstrated by the pilot  
2 projects.

3 (3) The Washington traffic safety commission may oversee a  
4 demonstration project in one county, coordinating with a public  
5 transportation benefit area (PTBA) and the department of  
6 transportation, to test the feasibility and accuracy of the use of  
7 automated enforcement technology for high occupancy vehicle (HOV)  
8 lane passenger compliance. All costs associated with the  
9 demonstration project must be borne by the participating public  
10 transportation benefit area. Any photograph, microphotograph, or  
11 electronic images of a driver or passengers are for the exclusive use  
12 of the PTBA in the determination of whether an HOV passenger  
13 violation has occurred to test the feasibility and accuracy of  
14 automated enforcement under this subsection and are not open to the  
15 public and may not be used in a court in a pending action or  
16 proceeding. All photographs, microphotographs, and electronic images  
17 must be destroyed after determining a passenger count and no later  
18 than the completion of the demonstration project. No warnings or  
19 notices of infraction may be issued under the demonstration project.

20 For purposes of the demonstration project, an automated  
21 enforcement technology device may record an image of a driver and  
22 passenger of a motor vehicle. The county and PTBA must erect signs  
23 marking the locations where the automated enforcement for HOV  
24 passenger requirements is occurring.

25 The PTBA, in consultation with the Washington traffic safety  
26 commission, must provide a report to the transportation committees of  
27 the legislature with the number of violations detected during the  
28 demonstration project, whether the technology used was accurate and  
29 any recommendations for future use of automated enforcement  
30 technology for HOV lane enforcement by June 30, 2021.

31 (4) (a) The Washington traffic safety commission shall coordinate  
32 with each city that implements a pilot program as authorized in  
33 chapter 224, Laws of 2020 (automated traffic safety cameras) or  
34 chapter . . . (Substitute Senate Bill No. 5789), Laws of 2020  
35 (automated traffic safety cameras) to provide the transportation  
36 committees of the legislature with the following information by June  
37 30, 2021:

38 (i) The number of warnings and infractions issued to first-time  
39 violators under the pilot program;

1 (ii) The number of warnings and infractions issued to the  
2 registered owners of vehicles that are not registered with an address  
3 located in the city conducting the pilot program; and

4 (iii) The frequency with which warnings and infractions are  
5 issued on weekdays versus weekend days.

6 (b) If neither chapter 224, Laws of 2020 nor chapter . . .  
7 (Substitute Senate Bill No. 5789), Laws of 2020 is enacted by June  
8 30, 2020, the conditions of this subsection (4) have no force and  
9 effect.

10 **Sec. 902.** 2020 c 219 s 202 (uncodified) is amended to read as  
11 follows:

12 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

13 Rural Arterial Trust Account—State Appropriation . . . . .	\$1,137,000
14 Motor Vehicle Account—State Appropriation . . . . .	<del>(\$2,920,000)</del>
15	<u>\$3,042,000</u>
16 County Arterial Preservation Account—State	
17 Appropriation . . . . .	\$1,677,000
18 TOTAL APPROPRIATION. . . . .	<del>(\$5,734,000)</del>
19	<u>\$5,856,000</u>

20 The appropriations in this section are subject to the following  
21 conditions and limitations: \$58,000 of the motor vehicle account—  
22 state appropriation is provided solely for succession planning and  
23 training.

24 **Sec. 903.** 2020 c 219 s 204 (uncodified) is amended to read as  
25 follows:

26 **FOR THE JOINT TRANSPORTATION COMMITTEE**

27 Motor Vehicle Account—State Appropriation . . . . .	<del>(\$2,187,000)</del>
28	<u>\$2,173,000</u>
29 Multimodal Transportation Account—State Appropriation. . . . .	<del>(\$917,000)</del>
30	<u>\$895,000</u>
31 Highway Safety Account—State Appropriation. . . . .	\$275,000
32 TOTAL APPROPRIATION. . . . .	<del>(\$3,379,000)</del>
33	<u>\$3,343,000</u>

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

36 (1) \$400,000 of the motor vehicle account—state appropriation and  
37 \$50,000 of the multimodal transportation account—state appropriation

1 is for the joint transportation committee to conduct a comprehensive  
2 assessment of statewide transportation needs and priorities, and  
3 existing and potential transportation funding mechanisms to address  
4 those needs and priorities. The assessment must include: (a)  
5 Recommendations on the critical state and local transportation  
6 projects, programs, and services needed to achieve an efficient,  
7 effective, statewide transportation system over the next ten years;  
8 (b) a comprehensive menu of funding options for the legislature to  
9 consider to address the identified transportation system investments;  
10 (c) recommendations on whether a revision to the statewide  
11 transportation policy goals in RCW 47.04.280 is warranted in light of  
12 the recommendations and options identified in (a) and (b) of this  
13 subsection; and (d) an analysis of the economic impacts of a range of  
14 future transportation investments. The assessment must be submitted  
15 to the transportation committees of the legislature by June 30, 2020.  
16 Starting July 1, 2020, and concluding by December 31, 2020, a  
17 committee-appointed commission or panel shall review the assessment  
18 and make final recommendations to the legislature for consideration  
19 during the 2021 legislative session on a realistic, achievable plan  
20 for funding transportation programs, projects, and services over the  
21 next ten years including a timeline for legislative action on funding  
22 the identified transportation system needs shortfall.

23 (2) (a) \$382,000 of the multimodal transportation account—state  
24 appropriation is for the joint transportation committee to conduct an  
25 analysis of the electrification of public fleets in Washington state.  
26 The study must include the following:

27 (i) An inventory of existing public fleets for the state of  
28 Washington, counties, a sampling of cities, and public transit  
29 agencies. The inventory must differentiate among battery and fuel  
30 cell electric vehicles, hybrid vehicles, gasoline powered vehicles,  
31 and any other functional categories. Three cities from each of the  
32 following population ranges must be selected for the analysis:

33 (A) Population up to and including twenty-five thousand;

34 (B) Population greater than twenty-five thousand and up to and  
35 including fifty thousand;

36 (C) Population greater than fifty thousand and up to and  
37 including one hundred thousand;

38 (D) Population greater than one hundred thousand;

39 (ii) A review of currently available battery and fuel cell  
40 electric vehicle alternatives to the vehicle types most commonly used

1 by the state, counties, cities, and public transit agencies. The  
2 review must include:

3 (A) The average vehicle cost differential among the commercially  
4 available fuel options;

5 (B) A cost benefit analysis of the conversion of different  
6 vehicle classes; and

7 (C) Recommendations for the types of vehicles that should be  
8 excluded from consideration due to insufficient alternatives,  
9 unreliable technology, or excessive cost;

10 (iii) The projected costs of achieving substantial conversion to  
11 battery and/or fuel cell electric fleets by 2025, 2030, and 2035 for  
12 the state, counties, cities, and public transit agencies. This cost  
13 estimate must include:

14 (A) Vehicle acquisition costs, charging and refueling  
15 infrastructure costs, and other associated costs;

16 (B) Financial constraints of each type of entity to transition to  
17 an electric vehicle fleet; and

18 (C) Any other identified barriers to transitioning to a battery  
19 and/or fuel cell electric vehicle fleet;

20 (iv) Identification and analysis of financing mechanisms that  
21 could be used to finance the transition of publicly owned vehicles to  
22 battery and fuel cell electric vehicles. These mechanisms include,  
23 but are not limited to: Energy or carbon savings performance  
24 contracting, utility grants and rebates, revolving loan funds, state  
25 grant programs, private third-party financing, fleet management  
26 services, leasing, vehicle use optimization, and vehicle to grid  
27 technology; and

28 (v) The predicted number and location profile of electric vehicle  
29 fueling stations needed statewide to provide fueling for the fleets  
30 of the state, counties, cities, and public transit agencies.

31 (b) In developing and implementing the study, the joint  
32 transportation committee must solicit input from representatives of  
33 the department of enterprise services, the department of  
34 transportation, the department of licensing, the department of  
35 commerce, the Washington state association of counties, the  
36 association of Washington cities, the Washington state transit  
37 association, transit agencies, and others as deemed appropriate.

38 (c) The joint transportation committee must issue a report of its  
39 findings and recommendations to the transportation committees of the  
40 legislature by September 30, 2020.

1 (3) (a) \$250,000 of the multimodal transportation account—state  
2 appropriation is for the joint transportation committee to conduct a  
3 study of the feasibility of an east-west intercity passenger rail  
4 system. The study must include the following elements:

5 (i) Projections of potential ridership;

6 (ii) Review of relevant planning studies;

7 (iii) Establishment of an advisory group and associated meetings;

8 (iv) Development of a Stampede Pass corridor alignment to  
9 maximize ridership, revenue, and rationale, considering service to  
10 population centers: Auburn, Cle Elum, Yakima, Tri-Cities, Ellensburg,  
11 Toppenish, and Spokane;

12 (v) Assessment of current infrastructure conditions, including  
13 station stop locations;

14 (vi) Identification of equipment needs; and

15 (vii) Identification of operator options.

16 (b) A report of the study findings and recommendations is due to  
17 the transportation committees of the legislature by June 30, 2020.

18 (4) (a) \$275,000 of the highway safety fund—state appropriation is  
19 for a study of vehicle subagents in Washington state. The study must  
20 consider and include recommendations, as necessary, on the following:

21 (i) The relevant statutes, rules, and/or regulations authorizing  
22 vehicle subagents and any changes made to the relevant statutes,  
23 rules, and/or regulations;

24 (ii) The current process of selecting and authorizing a vehicle  
25 subagent, including the change of ownership process and the  
26 identification of any barriers to entry into the vehicle subagent  
27 market;

28 (iii) The annual business expenditures borne by each of the  
29 vehicle subagent businesses since fiscal year 2010 and identification  
30 of any materials, including office equipment and supplies, provided  
31 by the department of licensing to each vehicle subagent since fiscal  
32 year 2010. To accomplish this task, each vehicle subagent must  
33 provide expenditure data to the joint transportation committee for  
34 the purposes of this study;

35 (iv) The oversight provided by the county auditors and/or the  
36 department of licensing over the vehicle subagent businesses;

37 (v) The history of service fees, how increases to the service fee  
38 rate are made, and how the requested fee increase is determined;

39 (vi) The online vehicle registration renewal process and any  
40 potential improvements to the online process;

1 (vii) The department of licensing's ability to provide more  
2 vehicle licensing services directly, particularly taking into account  
3 the increase in online vehicle renewal transactions;

4 (viii) The potential expansion of services that can be performed  
5 by vehicle subagents; and

6 (ix) The process by which the geographic locations of vehicle  
7 subagents are determined.

8 (b) In conducting the study, the joint transportation committee  
9 must consult with the department of licensing, a representative of  
10 county auditors, and a representative of vehicle subagents.

11 (c) The joint transportation committee may collect any data from  
12 the department of licensing, county auditors, and vehicle subagents  
13 that is necessary to conduct the study.

14 (d) The joint transportation committee must issue a report of its  
15 findings and recommendations to the transportation committees of the  
16 legislature by September 30, 2020.

17 (5) (a) \$235,000 of the multimodal transportation account—state  
18 appropriation is for the joint transportation committee to oversee a  
19 consultant study on rail safety governance best practices, by class  
20 of rail where applicable, and recommendations for the implementation  
21 of these best practices in Washington state. The study must assess  
22 rail safety governance for passenger and freight rail, including rail  
23 transit services, and must consider recommendations made by the  
24 national transportation safety board in its 2017 Amtrak passenger  
25 train 501 derailment accident report that are relevant to rail safety  
26 governance.

27 (b) The study must include the following components:

28 (i) (A) An assessment of rail safety oversight in Washington state  
29 that includes: (I) The rail safety oversight roles of federal, state,  
30 regional, and local agencies, including the extent to which federal  
31 and state laws govern these roles and the extent to which these roles  
32 would be modified should the suspended federal rules in 49 C.F.R.  
33 Part 270 take effect; (II) federal, state, regional, and local agency  
34 organizational structures and processes utilized to conduct rail  
35 safety oversight; and (III) coordination activities by federal,  
36 state, regional, and local agencies in conducting rail safety  
37 oversight;

38 (B) An examination of rail safety governance best practices by  
39 other states for the items identified in (a) of this subsection; and



1 (C) Recommendations for the implementation of best practices for  
2 rail safety governance in Washington state.

3 (ii) The study must address the extent to which additional safety  
4 oversight of rail project design and construction is used in other  
5 states and would be a recommended best practice for Washington state.

6 (c) The joint transportation committee shall consult with the  
7 Washington state department of transportation, the Washington state  
8 utilities and transportation commission, sound transit, the national  
9 transportation safety board, Amtrak, the federal railroad  
10 administration, BNSF railway company, one or more representatives of  
11 short line railroads, one or more representatives of labor, and other  
12 entities with rail safety expertise as necessary.

13 (d) The joint transportation committee must issue a report of its  
14 findings and recommendations on rail safety governance to the  
15 transportation committees of the legislature by January 6, 2021.

16 (6) (a) \$250,000 of the motor vehicle account—state appropriation  
17 is for the joint transportation committee to conduct a study of the  
18 feasibility of a private auto ferry between the state of Washington  
19 and British Columbia, Canada. The study must include the following  
20 elements:

21 (i) Expected impacts to ridership, revenue, and expenditures for  
22 Washington state ferries;

23 (ii) Expected impacts to ferry service provided to the San Juan  
24 Islands;

25 (iii) Possible terminal locations on Fidalgo Island;

26 (iv) Economic impacts to the Anacortes area if ferry service  
27 between the area and Vancouver Island ceases;

28 (v) Economic impacts to the San Juan Islands if ferry service or  
29 ferry tourism is reduced;

30 (vi) Expected impacts to family wage jobs in the marine industry  
31 for Washingtonians;

32 (vii) Expected impacts to ferry fares between the state of  
33 Washington and British Columbia, Canada;

34 (viii) Legal analysis of all state, federal, or Canadian laws or  
35 rules, including the Jones act and rules of the board of pilotage  
36 commissioners, that may apply to initiation of private service or  
37 cessation of state service; and

38 (ix) Options for encouraging private auto ferry service between  
39 the state of Washington and Vancouver Island, Canada.

1 (b) In conducting the study, the joint transportation committee  
2 must consult with the department of transportation, a representative  
3 of San Juan county, a representative of the city of Anacortes, a  
4 representative of the inland boatman's union, a representative of  
5 Puget Sound pilots, a representative of the port of Anacortes, a  
6 representative of the economic development alliance of Skagit county,  
7 and interested private ferry operators in Washington state.

8 (c) A report of the study findings and options is due to the  
9 transportation committees of the legislature by February 15, 2021.

10 **Sec. 904.** 2020 c 219 s 205 (uncodified) is amended to read as  
11 follows:

12 **FOR THE TRANSPORTATION COMMISSION**

13	Motor Vehicle Account—State Appropriation . . . . .	(( <del>\$2,324,000</del> ))
14		<u>\$1,861,000</u>
15	Interstate 405 and <u>State</u> Route Number 167 Express Toll Lanes	
16	Account—State Appropriation. . . . .	(( <del>\$410,000</del> ))
17		<u>\$406,000</u>
18	State Route Number 520 Corridor Account—State	
19	Appropriation. . . . .	(( <del>\$271,000</del> ))
20		<u>\$262,000</u>
21	Tacoma Narrows Toll Bridge Account—State	
22	Appropriation. . . . .	(( <del>\$158,000</del> ))
23		<u>\$152,000</u>
24	Alaskan Way Viaduct Replacement Project	
25	Account—State Appropriation. . . . .	(( <del>\$136,000</del> ))
26		<u>\$132,000</u>
27	TOTAL APPROPRIATION. . . . .	(( <del>\$3,299,000</del> ))
28		<u>\$2,813,000</u>

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

31 (1)(a) The commission shall reconvene the road usage charge  
32 steering committee, with the same membership described in chapter  
33 297, Laws of 2018, and shall report at least once every three months  
34 to the steering committee with updates on report development for the  
35 completed road usage charge pilot project until the final report is  
36 submitted. The commission shall also report to the steering committee  
37 on any other activities undertaken in accordance with this subsection  
38 (1) as necessary to keep it apprised of new developments and to

1 obtain input on its efforts. The final report on the road usage  
2 charge pilot project is due to the transportation committees of the  
3 legislature by January 1, 2020, and should include recommendations  
4 for necessary next steps to consider impacts to communities of color,  
5 low-income households, vulnerable populations, and displaced  
6 communities. Any legislative vacancies on the steering committee must  
7 be appointed by the speaker of the house of representatives for a  
8 house of representatives member vacancy, and by the president of the  
9 senate for a senate member vacancy.

10 (b) (i) The commission shall coordinate with the department of  
11 transportation to jointly seek federal funds available through the  
12 federal surface transportation system funding alternatives grant  
13 program, applying toll credits for meeting match requirements. One or  
14 more grant applications shall be developed that propose to:

15 (A) Create a framework for modeling the effects of a road usage  
16 charge on passenger and light-duty vehicles including, but not  
17 limited to, plug-in electric vehicles, autonomous vehicles, state  
18 fleets, and transportation network companies on a road usage charge  
19 system;

20 (B) Identify and measure potential disparate impacts of a road  
21 usage charge on designated populations, including communities of  
22 color, low-income households, vulnerable populations, and displaced  
23 communities;

24 (C) Incorporate emerging approaches to mileage reporting, such as  
25 in-vehicle telematics, improved smartphone apps, and use of private  
26 businesses to provide odometer verification and mileage reporting  
27 services, into a road usage charge system;

28 (D) Conduct a series of facilitated work sessions with other  
29 states and private sector firms to identify opportunities to reduce  
30 the cost of collections for a road usage charge;

31 (E) Develop a road usage charge phase-in plan that incorporates  
32 findings from (b) (i) (A) through (D) of this subsection;

33 (F) Carry out a limited scale demonstration to test new mileage  
34 reporting methods; equity policies; cost reduction techniques; and  
35 collecting a road usage charge from passenger and light-duty vehicles  
36 including, but not limited to, plug-in electric vehicles, autonomous  
37 vehicles, state fleets, transportation network companies, and other  
38 new mobility services; and

39 (G) Produce a final report with recommendations and a recommended  
40 roadmap that details how a road usage charge could be appropriately

1 scaled to fit state circumstances and that includes a framework for  
2 evaluating policy choices related to the use of road usage charge  
3 revenue.

4 (ii) A year-end report on the status of any federally-funded  
5 project for which federal funding is secured must be provided to the  
6 governor's office and the transportation committees of the  
7 legislature by January 1, 2020, and by January 1, 2021.

8 (c) \$150,000 of the motor vehicle account—state appropriation is  
9 provided solely for analysis of potential impacts of a road usage  
10 charge on communities of color, low-income households, vulnerable  
11 populations, and displaced communities. The analysis must include an  
12 assessment of potential mitigation measures to address these  
13 potential impacts. These funds must be held in unallotted status  
14 during the 2019-2021 fiscal biennium, and may only be used after the  
15 commission has provided notice to the office of financial management  
16 that it has exhausted all efforts to secure federal funds from the  
17 federal surface transportation system funding alternatives grant  
18 program under (b) of this subsection without successfully securing  
19 federal funding for the further study of a road usage charge. A year-  
20 end update on the status of this effort, if undertaken prior to the  
21 end of calendar year 2020, must be provided to the governor's office  
22 and the transportation committees of the legislature by January 1,  
23 2021.

24 (2) (a) \$250,000 of the Interstate 405 and state route number 167  
25 express toll lanes account—state appropriation is provided solely for  
26 the transportation commission to conduct a study, applicable to the  
27 Interstate 405 express toll lanes, of discounted tolls and other  
28 similar programs for low-income drivers that are provided by other  
29 states, countries, or other entities and how such a program could be  
30 implemented in the state of Washington. The transportation commission  
31 may contract with a consultant to conduct all or a portion of this  
32 study.

33 (b) In conducting this study, the transportation commission shall  
34 consult with both the department of transportation and the department  
35 of social and health services.

36 (c) The transportation commission shall, at a minimum, consider  
37 the following issues when conducting the study of discounted tolls  
38 and other similar programs for low-income drivers:

39 (i) The benefits, requirements, and any potential detriments to  
40 the users of a program;

1 (ii) The most cost-effective way to implement a program given  
2 existing financial commitments, shared cost requirements across  
3 facilities, and technical requirements to execute and maintain a  
4 program;

5 (iii) The implications of a program for tolling policies,  
6 revenues, costs, operations, and enforcement; and

7 (iv) Any implications to tolled facilities based on the type of  
8 tolling implemented on a particular facility.

9 (d) The transportation commission shall provide a report  
10 detailing the findings of this study and recommendations for  
11 implementing a discounted toll or other appropriate program in the  
12 state of Washington to the transportation committees of the  
13 legislature by June 30, 2021.

14 (3) \$160,000 of the Interstate 405 and state route number 167  
15 express toll lanes account—state appropriation, \$271,000 of the state  
16 route number 520 corridor account—state appropriation, \$158,000 of  
17 the Tacoma Narrows toll bridge account—state appropriation, and  
18 \$136,000 of the Alaskan Way viaduct replacement project account—state  
19 appropriation are provided solely for the transportation commission's  
20 proportional share of time spent supporting tolling operations for  
21 the respective tolling facilities.

22 (4) The legislature requests that the commission commence  
23 proceedings to name state route number 165 as The Glacier Highway to  
24 commemorate the significance of glaciers to the state of Washington.

25 **Sec. 905.** 2020 c 219 s 207 (uncodified) is amended to read as  
26 follows:

27 **FOR THE WASHINGTON STATE PATROL**

28 State Patrol Highway Account—State Appropriation . . . . .	<del>(\$501,294,000)</del>
	<u>\$498,197,000</u>
30 State Patrol Highway Account—Federal Appropriation . . . . .	<del>(\$16,081,000)</del>
	<u>\$16,079,000</u>
32 State Patrol Highway Account—Private/Local	
33 Appropriation . . . . .	\$4,258,000
34 Highway Safety Account—State Appropriation . . . . .	\$1,188,000
35 Ignition Interlock Device Revolving Account—State	
36 Appropriation . . . . .	\$7,010,000
37 Multimodal Transportation Account—State	
38 Appropriation . . . . .	\$286,000



1 number of toxicology cases from impaired driving and death  
2 investigations.

3 (7) \$580,000 of the state patrol highway account—state  
4 appropriation is provided solely for the operation of and  
5 administrative support to the license investigation unit to enforce  
6 vehicle registration laws in southwestern Washington. The Washington  
7 state patrol, in consultation with the department of revenue, shall  
8 maintain a running estimate of the additional vehicle registration  
9 fees, sales and use taxes, and local vehicle fees remitted to the  
10 state pursuant to activity conducted by the license investigation  
11 unit. Beginning October 1, 2019, and quarterly thereafter, the  
12 Washington state patrol shall submit a report detailing the  
13 additional revenue amounts generated since July 1, 2017, to the  
14 director of the office of financial management and the transportation  
15 committees of the legislature. At the end of the calendar quarter in  
16 which it is estimated that more than \$625,000 in state sales and use  
17 taxes have been remitted to the state since July 1, 2017, the  
18 Washington state patrol shall notify the state treasurer and the  
19 state treasurer shall transfer funds pursuant to section 406, chapter  
20 416, Laws of 2019.

21 (8) \$18,000 of the state patrol highway account—state  
22 appropriation is provided solely for the license investigation unit  
23 to procure an additional license plate reader and related costs.

24 (9) The Washington state patrol and the office of financial  
25 management must be consulted by the department of transportation  
26 during the design phase of any improvement or preservation project  
27 that could impact Washington state patrol weigh station operations.  
28 During the design phase of any such project, the department of  
29 transportation must estimate the cost of designing around the  
30 affected weigh station's current operations, as well as the cost of  
31 moving the affected weigh station.

32 (10) \$4,210,000 of the state patrol highway account—state  
33 appropriation is provided solely for a third arming and a third  
34 trooper basic training class. The cadet class is expected to graduate  
35 in June 2021.

36 (11) \$65,000 of the state patrol highway account—state  
37 appropriation is provided solely for the implementation of chapter  
38 440, Laws of 2019 (immigrants in the workplace). If chapter 440, Laws

1 of 2019 is not enacted by June 30, 2019, the amount provided in this  
2 subsection lapses.

3 (12)(a) The Washington state patrol must report quarterly to the  
4 house and senate transportation committees on the status of  
5 recruitment and retention activities as follows:

6 (i) A summary of recruitment and retention strategies;

7 (ii) The number of transportation funded staff vacancies by major  
8 category;

9 (iii) The number of applicants for each of the positions by these  
10 categories;

11 (iv) The composition of workforce; and

12 (v) Other relevant outcome measures with comparative information  
13 with recent comparable months in prior years.

14 (b) By January 1, 2020, the Washington state patrol must submit  
15 to the transportation committees of the legislature and the governor  
16 a workforce diversity plan. The plan must identify ongoing, and both  
17 short-term and long-term, specific comprehensive outreach and  
18 recruitment strategies to increase populations underrepresented  
19 within both commissioned and noncommissioned employee groups.

20 (13) \$1,182,000 of the Interstate 405 and state route number 167  
21 express toll lanes account—state appropriation, \$1,988,000 of the  
22 state route number 520 corridor account—state appropriation,  
23 \$1,158,000 of the Tacoma Narrows toll bridge account—state  
24 appropriation, and \$996,000 of the Alaskan Way viaduct replacement  
25 project account—state appropriation are provided solely for the  
26 Washington state patrol's proportional share of time spent supporting  
27 tolling operations and enforcement for the respective tolling  
28 facilities.

29 (14) \$100,000 of the state patrol highway account—state  
30 appropriation is provided solely for the implementation of (~~Senate~~  
31 ~~Bill No. 6218~~) chapter 97, Laws of 2020 (Washington state patrol  
32 retirement definition of salary), which reflects an increase in the  
33 Washington state patrol retirement system pension contribution rate  
34 of 0.15 percent for changes to the definition of salary. If (~~Senate~~  
35 ~~Bill No. 6218~~) chapter 97, Laws of 2020 is not enacted by June 30,  
36 2020, the amount provided in this subsection lapses.

37 (~~(16)~~) (15) \$975,000 of the state patrol highway account—state  
38 appropriation is provided solely for communications officers at the  
39 King county public safety answering point.



1 ((~~17~~)) (16) \$830,000 of the state patrol highway account—state  
2 appropriation is provided solely for information technology security  
3 enhancements.

4 ((~~18~~)) (17) \$150,000 of the state patrol highway account is  
5 provided solely for the Washington state patrol to work with the  
6 department of enterprise services and office of minority and women's  
7 business enterprises to contract for a workforce diversity strategic  
8 action plan. The successful consultant must have demonstrated  
9 expertise in workforce diversity research and an established record  
10 of assisting organizations in implementing diversity initiatives. The  
11 plan must include:

12 (a) Current and past employment data on the composition of the  
13 state patrol workforce generally and of its protective service  
14 workers;

15 (b) Research into the reasons for underrepresentation of  
16 minorities and women in the state patrol workforce;

17 (c) Research on best practices for recruiting across the state  
18 and from communities historically underrepresented in the Washington  
19 state patrol workforce;

20 (d) Case studies of law enforcement and other agencies that have  
21 successfully diversified their workforce; and

22 (e) A strategic plan with recommendations that will address  
23 disparities in the Washington state patrol employment ranks in both  
24 commissioned and noncommissioned personnel, with a focus on  
25 executive, command, and supervisory employees.

26 **Sec. 906.** 2020 c 219 s 208 (uncodified) is amended to read as  
27 follows:

28 **FOR THE DEPARTMENT OF LICENSING**

29	Marine Fuel Tax Refund Account—State Appropriation . . . . .	\$34,000
30	Motorcycle Safety Education Account—State	
31	Appropriation . . . . .	<del>(\$5,052,000)</del>
32		<u>\$5,023,000</u>
33	State Wildlife Account—State Appropriation . . . . .	<del>(\$511,000)</del>
34		<u>\$510,000</u>
35	Highway Safety Account—State Appropriation . . . . .	<del>(\$242,965,000)</del>
36		<u>\$221,941,000</u>
37	Highway Safety Account—Federal Appropriation . . . . .	\$1,294,000
38	Motor Vehicle Account—State Appropriation . . . . .	<del>(\$71,447,000)</del>

1		<u>\$65,416,000</u>
2	Motor Vehicle Account—Federal Appropriation. . . . .	\$186,000
3	Motor Vehicle Account—Private/Local Appropriation . . . . .	\$10,008,000
4	Ignition Interlock Device Revolving Account—State	
5	Appropriation . . . . .	(( <del>\$5,779,000</del> ))
6		<u>\$4,687,000</u>
7	Department of Licensing Services Account—State	
8	Appropriation . . . . .	(( <del>\$7,696,000</del> ))
9		<u>\$7,685,000</u>
10	License Plate Technology Account—State	
11	Appropriation . . . . .	\$4,250,000
12	Abandoned Recreational Vehicle Account—State	
13	Appropriation. . . . .	\$2,925,000
14	Limousine Carriers Account—State Appropriation. . . . .	\$113,000
15	Electric Vehicle Account—State Appropriation. . . . .	\$264,000
16	DOL Technology Improvement & Data Management	
17	Account—State Appropriation. . . . .	\$2,250,000
18	Agency Financial Transaction Account—State	
19	Appropriation. . . . .	\$11,903,000
20	TOTAL APPROPRIATION. . . . .	(( <del>\$366,677,000</del> ))
21		<u>\$338,489,000</u>

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

24       (1) \$139,000 of the motorcycle safety education account—state  
25 appropriation is provided solely for the implementation of chapter  
26 65, Laws of 2019 (motorcycle safety). If chapter 65, Laws of 2019 is  
27 not enacted by June 30, 2019, the amount provided in this subsection  
28 lapses.

29       (2) \$25,000 of the motorcycle safety education account—state  
30 appropriation, \$4,000 of the state wildlife account—state  
31 appropriation, \$1,708,000 of the highway safety account—state  
32 appropriation, \$576,000 of the motor vehicle account—state  
33 appropriation, \$22,000 of the ignition interlock device revolving  
34 account—state appropriation, and \$28,000 of the department of  
35 licensing services account—state appropriation are provided solely  
36 for the department to fund the appropriate staff and necessary  
37 equipment and software for data management, data analytics, and data  
38 compliance activities. The department must, in consultation with the

1 office of the chief information officer, construct a framework with  
2 goals for providing better data stewardship and a plan to achieve  
3 those goals. The department must provide the framework and plan to  
4 the transportation committees of the legislature by December 31,  
5 2019, and an update by May 1, 2020.

6 (3) Appropriations provided for the cloud continuity of  
7 operations project in this section are subject to the conditions,  
8 limitations, and review provided in section 701 (~~of this act~~),  
9 chapter 219, Laws of 2020.

10 (4) \$24,028,000 of the highway safety account—state appropriation  
11 is provided solely for costs necessary to accommodate increased  
12 demand for enhanced drivers' licenses and enhanced identicards. The  
13 department shall report on a quarterly basis on the use of these  
14 funds, associated workload, and information with comparative  
15 information with recent comparable months in prior years. The report  
16 must include detailed statewide and by licensing service office  
17 information on staffing levels, average monthly wait times, the  
18 number of enhanced drivers' licenses and enhanced identicards issued/  
19 renewed, and the number of primary drivers' licenses and identicards  
20 issued/renewed. Within the amounts provided in this subsection, the  
21 department shall implement efficiency measures to reduce the time for  
22 licensing transactions and wait times including, but not limited to,  
23 the installation of additional cameras at licensing service offices  
24 that reduce bottlenecks and align with the "keep your customer"  
25 initiative.

26 (5) \$507,000 of the motor vehicle account—state appropriation is  
27 provided solely for the implementation of chapter . . . (Substitute  
28 Senate Bill No. 5419), Laws of 2019 (vehicle service fees) or chapter  
29 417, Laws of 2019 (vehicle service fees). If neither chapter . . .  
30 (Substitute Senate Bill No. 5419), Laws of 2019 or chapter 417, Laws  
31 of 2019 are enacted by June 30, 2019, the amount provided in this  
32 subsection lapses.

33 (6) \$25,000 of the motor vehicle account—state appropriation is  
34 provided solely for the implementation of chapter 177, Laws of 2019  
35 (San Juan Islands license plate). If chapter 177, Laws of 2019 is not  
36 enacted by June 30, 2019, the amount provided in this subsection  
37 lapses.

38 (7) \$24,000 of the motor vehicle account—state appropriation is  
39 provided solely for the implementation of chapter 384, Laws of 2019

1 (Seattle Storm license plate). If chapter 384, Laws of 2019 is not  
2 enacted by June 30, 2019, the amount provided in this subsection  
3 lapses.

4 (8) \$65,000 of the highway safety account—state appropriation is  
5 provided solely for the implementation of chapter 440, Laws of 2019  
6 (immigrants in the workplace). If chapter 440, Laws of 2019 is not  
7 enacted by June 30, 2019, the amount provided in this subsection  
8 lapses.

9 (9) The appropriations in this section assume implementation of  
10 additional cost recovery mechanisms to recoup at least \$11,903,000 in  
11 credit card and other financial transaction costs as part of charges  
12 imposed for driver and vehicle fee transactions beginning January 1,  
13 2020. At the direction of the office of financial management, the  
14 department must develop a method of tracking the additional amount of  
15 credit card and other financial cost-recovery revenues. In  
16 consultation with the office of financial management, the department  
17 must notify the state treasurer of these amounts and the state  
18 treasurer must deposit these revenues in the agency financial  
19 transaction account created in section 717, chapter 416, Laws of 2019  
20 on a quarterly basis.

21 (10) \$1,281,000 of the department of licensing service account—  
22 state appropriation is provided solely for savings from the  
23 implementation of chapter 417, Laws of 2019 (vehicle service fees).  
24 If chapter 417, Laws of 2019 is enacted by June 30, 2019, the amount  
25 provided in this subsection lapses.

26 (11) \$2,650,000 of the abandoned recreational vehicle disposal  
27 account—state appropriation is provided solely for providing  
28 reimbursements in accordance with the department's abandoned  
29 recreational vehicle disposal reimbursement program. It is the intent  
30 of the legislature that the department prioritize this funding for  
31 allowable and approved reimbursements and not to build a reserve of  
32 funds within the account.

33 (12) \$20,000 of the motor vehicle account—state appropriation is  
34 provided solely for the implementation of chapter 210, Laws of 2019  
35 (Gold Star license plate). If chapter 210, Laws of 2019 is not  
36 enacted by June 30, 2019, the amount provided in this subsection  
37 lapses.

38 (13) \$31,000 of the motor vehicle account—state appropriation is  
39 provided solely for the implementation of chapter 262, Laws of 2019

1 (snow bikes). If chapter 262, Laws of 2019 is not enacted by June 30,  
2 2019, the amount provided in this subsection lapses.

3 (14) \$24,000 of the motor vehicle account—state appropriation is  
4 provided solely for the implementation of chapter 139, Laws of 2019  
5 (Purple Heart license plate). If chapter 139, Laws of 2019 is not  
6 enacted by June 30, 2019, the amount provided in this subsection  
7 lapses.

8 (15) \$24,000 of the motor vehicle account—state appropriation is  
9 provided solely for the implementation of chapter 278, Laws of 2019  
10 (vehicle and vessel owner information). If chapter 278, Laws of 2019  
11 is not enacted by June 30, 2019, the amount provided in this  
12 subsection lapses.

13 (16) \$600,000 of the highway safety account—state appropriation  
14 is provided solely for the department to provide an interagency  
15 transfer to the department of social and health services, children's  
16 administration division for the purpose of providing driver's license  
17 support to a larger population of foster youth than is already served  
18 within existing resources. Support services include reimbursement of  
19 driver's license issuance costs, fees for driver training education,  
20 and motor vehicle liability insurance costs.

21 (17) The department must place personal and company data elements  
22 in separate data fields to allow the department to select discrete  
23 data elements when providing information or data to persons or  
24 entities outside the department. Pursuant to the restrictions in  
25 federal and state law, a person's photo, social security number, or  
26 medical information must not be made available through public  
27 disclosure or data being provided under RCW 46.12.630 or 46.12.635.

28 (18) \$91,000 of the highway safety account—state appropriation is  
29 provided solely for the department's costs related to the one  
30 Washington project.

31 (19) (~~(\$1,674,000)~~) \$1,174,000 of the highway safety account—  
32 state appropriation is provided solely for communication and outreach  
33 activities necessary to inform the public of federally acceptable  
34 identification options including, but not limited to, enhanced  
35 drivers' licenses and enhanced identicards. The department shall  
36 continue the outreach plan that includes informational material that  
37 can be effectively communicated to all communities and populations in  
38 Washington. To accomplish this work, the department shall contract  
39 with an external vendor with demonstrated experience and expertise in

1 outreach and marketing to underrepresented communities in a  
2 culturally-responsive fashion.

3 (20) Due to the passage of chapter 1 (Initiative Measure No.  
4 976), Laws of 2020, the department, working with the office of  
5 financial management, shall provide a monthly report on the number of  
6 registrations involved and differences between actual collections and  
7 collections if the initiative was not subject to a temporary  
8 injunction as of December 5, 2019.

9 (21) The appropriations in this section assume full cost recovery  
10 for the administration and collection of a motor vehicle excise tax  
11 on behalf of any regional transit authority pursuant to section 706  
12 (~~(of this act)~~), chapter 219, Laws of 2020.

13 (~~((26))~~) (22) \$107,000 of the highway safety account—state  
14 appropriation is provided solely for the implementation of chapter  
15 78, Laws of 2020 (military veterans commercial driver's license  
16 waivers) or chapter . . . (Second Substitute Senate Bill No. 5544),  
17 Laws of 2020 (military veterans commercial driver's license waivers).  
18 If neither chapter 78, Laws of 2020 nor chapter . . . (Second  
19 Substitute Senate Bill No. 5544), Laws of 2020 is enacted by June 30,  
20 2020, the amount provided in this subsection lapses.

21 (~~((28))~~) (23) \$114,000 of the highway safety account—state  
22 appropriation is provided solely for the implementation of chapter  
23 124, Laws of 2020 (homeless youth identicards) or chapter . . .  
24 (Senate Bill No. 6304), Laws of 2020 (homeless youth identicards). If  
25 neither chapter 124, Laws of 2020 nor chapter . . . (Senate Bill No.  
26 6304), Laws of 2020 is enacted by June 30, 2020, the amount provided  
27 in this subsection lapses.

28 (~~((29))~~) (24) \$24,000 of the motor vehicle account—state  
29 appropriation is provided solely for the implementation of chapter  
30 129, Laws of 2020 (Seattle national hockey league special license  
31 plate) or chapter . . . (Senate Bill No. 6562), Laws of 2020 (Seattle  
32 national hockey league special license plate). If neither chapter  
33 129, Laws of 2020 nor chapter . . . (Senate Bill No. 6562), Laws of  
34 2020 is enacted by June 30, 2020, the amount provided in this  
35 subsection lapses.

36 (~~((30))~~) (25) \$14,000 of the motor vehicle account—state  
37 appropriation is provided solely for the implementation of  
38 chapter . . . (Engrossed Substitute House Bill No. 2723), Laws of  
39 2020 (off-road vehicle enforcement) or chapter . . . (Senate Bill No.

1 6115), Laws of 2020 (off-road vehicle enforcement). If neither  
2 chapter . . . (Engrossed Substitute House Bill No. 2723), Laws of  
3 2020 nor chapter . . . (Senate Bill No. 6115), Laws of 2020 is  
4 enacted by June 30, 2020, the amount provided in this subsection  
5 lapses.

6 ~~((31))~~ (26) \$105,000 of the motor vehicle account—state  
7 appropriation is provided solely for the implementation of chapter  
8 118, Laws of 2020 (tribal vehicles compact) or chapter . . . (Senate  
9 Bill No. 6251), Laws of 2020 (tribal vehicles compact). If neither  
10 chapter 118, Laws of 2020 nor chapter . . . (Senate Bill No. 6251),  
11 Laws of 2020 (tribal vehicles compact) is enacted by June 30, 2020,  
12 the amount provided in this subsection lapses.

13 ~~((32))~~ (27) \$57,000 of the state wildlife account—state  
14 appropriation is provided solely for the implementation of chapter  
15 148, Laws of 2020 (state wildlife account). If chapter 148, Laws of  
16 2020 is not enacted by June 30, 2020, the amount provided in this  
17 subsection lapses.

18 ~~((33))~~ (28) \$19,000 of the motor vehicle account—state  
19 appropriation is provided solely for the implementation of chapter  
20 93, Laws of 2020 (apples special license plate). If chapter 93, Laws  
21 of 2020 is not enacted by June 30, 2020, the amount provided in this  
22 subsection lapses.

23 ~~((34))~~ (29) \$19,000 of the motor vehicle account—state  
24 appropriation is provided solely for the implementation of chapter  
25 239, Laws of 2020 (stolen vehicle check). If chapter 239, Laws of  
26 2020 is not enacted by June 30, 2020, the amount provided in this  
27 subsection lapses.

28 ~~((36))~~ (30) \$40,000 of the department of licensing services  
29 account—state appropriation is provided solely for the department to  
30 report to the governor and chairs of the transportation committees of  
31 the legislature by December 1, 2020, with a proposed plan to allow  
32 the registered owner of a vehicle, or the registered owner's  
33 authorized representative, to voluntarily enter into either a  
34 quarterly or monthly payment plan with the department to pay vehicle  
35 fees or taxes due at the time of application for renewal vehicle  
36 registration. The plan must include: (a) An analysis of the  
37 administrative costs associated with allowing the payment plans; (b)  
38 the estimated revenue impact by fund or account, including impacts to

1 local governments; and (c) the recommended method to achieve the  
2 greatest level of customer payment compliance.

3 ((37)) (31) (a) Within available resources, and in collaboration  
4 with the department of revenue, the department of licensing shall  
5 evaluate the effectiveness of chapter 218, Laws of 2017, in improving  
6 compliance with state laws relating to the registration of off-road  
7 vehicles, including the payment of retail sales and use tax. The  
8 department of licensing shall recommend any statutory,  
9 administrative, or other changes needed to optimize and further  
10 strengthen the compliance, including an implementation timeline and  
11 corresponding resource requirements. Among its recommendations, the  
12 department of licensing must address potential changes to the process  
13 under RCW 46.93.210 by which the department notifies persons whose  
14 vehicles may not be properly registered in the state. The department  
15 shall submit a report to the governor and the transportation  
16 committees of the legislature by December 15, 2020.

17 (b) If chapter . . . (Engrossed Substitute House Bill No. 2723),  
18 Laws of 2020 is enacted by June 30, 2020, this subsection has no  
19 force and effect.

20 **Sec. 907.** 2020 c 219 s 209 (uncodified) is amended to read as  
21 follows:

22 **FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE**  
23 **—PROGRAM B**

24	State Route Number 520 Corridor Account—State	
25	Appropriation . . . . .	(( <del>\$59,059,000</del> ))
26		<u>\$36,506,000</u>
27	State Route Number 520 Civil Penalties Account—State	
28	Appropriation . . . . .	(( <del>\$4,145,000</del> ))
29		<u>\$20,231,000</u>
30	Tacoma Narrows Toll Bridge Account—State	
31	Appropriation . . . . .	(( <del>\$33,806,000</del> ))
32		<u>\$34,075,000</u>
33	Alaskan Way Viaduct Replacement Project Account—State	
34	Appropriation. . . . .	(( <del>\$21,616,000</del> ))
35		<u>\$19,858,000</u>
36	Interstate 405 and State Route Number 167 Express	
37	Toll Lanes Account—State Appropriation. . . . .	(( <del>\$27,457,000</del> ))
38		<u>\$23,638,000</u>



1 TOTAL APPROPRIATION. . . . . ((~~\$146,083,000~~))  
2 \$134,308,000

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

5 (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state  
6 appropriation and \$11,034,000 of the state route number 520 corridor  
7 account—state appropriation are provided solely for the purposes of  
8 addressing unforeseen operations and maintenance costs on the Tacoma  
9 Narrows bridge and the state route number 520 bridge, respectively.  
10 The office of financial management shall place the amounts provided  
11 in this subsection, which represent a portion of the required minimum  
12 fund balance under the policy of the state treasurer, in unallotted  
13 status. The office may release the funds only when it determines that  
14 all other funds designated for operations and maintenance purposes  
15 have been exhausted.

16 (2) As long as the facility is tolled, the department must  
17 provide quarterly reports to the transportation committees of the  
18 legislature on the Interstate 405 express toll lane project  
19 performance measures listed in RCW 47.56.880(4). These reports must  
20 include:

21 (a) Information on the travel times and travel time reliability  
22 (at a minimum, average and 90th percentile travel times) maintained  
23 during peak and nonpeak periods in the express toll lanes and general  
24 purpose lanes for both the entire corridor and commonly made trips in  
25 the corridor including, but not limited to, northbound from Bellevue  
26 to Rose Hill, state route number 520 at NE 148th to Interstate 405 at  
27 state route number 522, Bellevue to Bothell (both NE 8th to state  
28 route number 522 and NE 8th to state route number 527), and a trip  
29 internal to the corridor (such as NE 85th to NE 160th) and similar  
30 southbound trips;

31 (b) A month-to-month comparison of travel times and travel time  
32 reliability for the entire corridor and commonly made trips in the  
33 corridor as specified in (a) of this subsection since implementation  
34 of the express toll lanes and, to the extent available, a comparison  
35 to the travel times and travel time reliability prior to  
36 implementation of the express toll lanes;

37 (c) Total express toll lane and total general purpose lane  
38 traffic volumes, as well as per lane traffic volumes for each type of  
39 lane (i) compared to total express toll lane and total general

1 purpose lane traffic volumes, as well as per lane traffic volumes for  
2 each type of lane, on this segment of Interstate 405 prior to  
3 implementation of the express toll lanes and (ii) compared to total  
4 express toll lane and total general purpose lane traffic volumes, as  
5 well as per lane traffic volumes for each type of lane, from month to  
6 month since implementation of the express toll lanes; and

7 (d) Underlying congestion measurements, that is, speeds, that are  
8 being used to generate the summary graphs provided, to be made  
9 available in a digital file format.

10 (3) (a) \$2,114,000 of the Interstate 405 and state route number  
11 167 express toll lanes account—state appropriation, \$4,920,000 of the  
12 state route number 520 corridor account—state appropriation,  
13 \$2,116,000 of the Tacoma Narrows toll bridge account—state  
14 appropriation, and \$2,776,000 of the Alaskan Way viaduct replacement  
15 project account—state appropriation are provided solely for the  
16 department to finish implementing a new tolling customer service toll  
17 collection system, and are subject to the conditions, limitations,  
18 and review provided in section 701 (~~of this act~~), chapter 219, Laws  
19 of 2020.

20 (b) The department shall continue to work with the office of  
21 financial management, office of the chief information officer, and  
22 the transportation committees of the legislature on the project  
23 management plan that includes a provision for independent  
24 verification and validation of contract deliverables from the  
25 successful bidder and a provision for quality assurance that includes  
26 reporting independently to the office of the chief information  
27 officer on an ongoing basis during system implementation.

28 (4) The department shall make detailed quarterly reports to the  
29 transportation committees of the legislature and the public on the  
30 department's web site on the following:

31 (a) The use of consultants in the tolling program, including the  
32 name of the contractor, the scope of work, the type of contract,  
33 timelines, deliverables, any new task orders, and any extensions to  
34 existing consultant contracts;

35 (b) The nonvendor costs of administering toll operations,  
36 including the costs of staffing the division, consultants, and other  
37 personal service contracts required for technical oversight and  
38 management assistance, insurance, payments related to credit card

1 processing, transponder purchases and inventory management, facility  
2 operations and maintenance, and other miscellaneous nonvendor costs;

3 (c) The vendor-related costs of operating tolled facilities,  
4 including the costs of the customer service center, cash collections  
5 on the Tacoma Narrows bridge, electronic payment processing, and toll  
6 collection equipment maintenance, renewal, and replacement;

7 (d) The toll adjudication process, including a summary table for  
8 each toll facility that includes:

9 (i) The number of notices of civil penalty issued;

10 (ii) The number of recipients who pay before the notice becomes a  
11 penalty;

12 (iii) The number of recipients who request a hearing and the  
13 number who do not respond;

14 (iv) Workload costs related to hearings;

15 (v) The cost and effectiveness of debt collection activities; and

16 (vi) Revenues generated from notices of civil penalty; and

17 (e) A summary of toll revenue by facility on all operating toll  
18 facilities and express toll lane systems, and an itemized depiction  
19 of the use of that revenue.

20 (5) \$24,735,000 of the Interstate 405 and state route number 167  
21 express toll lanes account—state appropriation is provided solely for  
22 operational costs related to the express toll lane facility.

23 (6) In calendar year 2021, toll equipment on the Tacoma Narrows  
24 Bridge will have reached the end of its operational life. During the  
25 2019-2021 fiscal biennium, the department plans to issue a request  
26 for proposals as the first stage of a competitive procurement process  
27 that will replace the toll equipment and select a new tolling  
28 operator for the Tacoma Narrows Bridge. The request for proposals and  
29 subsequent competitive procurement must incorporate elements that  
30 prioritize the overall goal of lowering costs per transaction for the  
31 facility, such as incentives for innovative approaches which result  
32 in lower transactional costs, requests for efficiencies on the part  
33 of the bidder that lower operational costs, and incorporation of  
34 technologies such as self-serve credit card machines or other point-  
35 of-payment technologies that lower costs or improve operational  
36 efficiencies.

37 (7) \$18,840,000 of the Alaskan Way viaduct replacement project  
38 account—state appropriation is provided solely for the new state  
39 route number 99 tunnel toll facility's expected share of collecting  
40 toll revenues, operating customer services, and maintaining toll

1 collection systems. The legislature expects to see appropriate  
2 reductions to the other toll facility accounts once tolling on the  
3 new state route number 99 tunnel toll facility commences and any  
4 previously incurred costs for start-up of the new facility are  
5 charged back to the Alaskan Way viaduct replacement project account.  
6 The office of financial management shall closely monitor the  
7 application of the cost allocation model and ensure that the new  
8 state route number 99 tunnel toll facility is adequately sharing  
9 costs and the other toll facility accounts are not being overspent or  
10 subsidizing the new state route number 99 tunnel toll facility.

11 (8) \$608,000 of the Interstate 405 and state route number 167  
12 express toll lanes account—state appropriation are provided solely  
13 for increased levels of service from the Washington state patrol for  
14 enforcement of toll lane violations on the Interstate 405 and state  
15 route number 167 express toll lanes. The department shall compile  
16 monthly data on the number of Washington state patrol enforcement  
17 hours on each facility and the percentage of time during peak hours  
18 that speeds are at or above forty-five miles per hour on each  
19 facility. The department shall provide this data in a report to the  
20 transportation committees of the legislature on at least a calendar  
21 quarterly basis.

22 (9) The department shall develop an ongoing cost allocation  
23 method to assign appropriate costs to each of the toll funds for  
24 services provided by each Washington state department of  
25 transportation program and all relevant transportation agencies,  
26 including the Washington state patrol and the transportation  
27 commission. This method should update the toll cost allocation method  
28 used in the 2020 supplemental transportation appropriations act. By  
29 December 1, 2020, a report with the recommended method and any  
30 changes or potential impacts to toll rates shall be submitted to the  
31 transportation committees of the legislature and the office of  
32 financial management.

33 **Sec. 908.** 2020 c 219 s 210 (uncodified) is amended to read as  
34 follows:

35 **FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM**  
36 **C**

37 Transportation Partnership Account—State Appropriation . . \$1,460,000  
38 Motor Vehicle Account—State Appropriation . . . . . (~~(\$96,331,000)~~)

1		<u>\$93,032,000</u>
2	Puget Sound Ferry Operations Account—State	
3	Appropriation . . . . .	\$263,000
4	Multimodal Transportation Account—State	
5	Appropriation . . . . .	(( <del>\$2,878,000</del> ))
6		<u>\$2,665,000</u>
7	Transportation 2003 Account (Nickel Account)—State	
8	Appropriation . . . . .	\$1,460,000
9	TOTAL APPROPRIATION. . . . .	(( <del>\$102,392,000</del> ))
10		<u>\$98,880,000</u>

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

13       (1) \$8,114,000 of the motor vehicle account—state appropriation  
14 is provided solely for the development of the labor system  
15 replacement project and is subject to the conditions, limitations,  
16 and review provided in section 701 (~~(of this act)~~), chapter 219, Laws  
17 of 2020. It is the intent of the legislature that if any portion of  
18 the labor system replacement project is leveraged in the future for  
19 the time, leave, and labor distribution of any other agencies, the  
20 motor vehicle account will be reimbursed proportionally for the  
21 development of the system since amounts expended from the motor  
22 vehicle account must be used exclusively for highway purposes in  
23 conformance with Article II, section 40 of the state Constitution.  
24 This must be accomplished through a loan arrangement with the current  
25 interest rate under the terms set by the office of the state  
26 treasurer at the time the system is deployed to additional agencies.  
27 If the motor vehicle account is not reimbursed for future use of the  
28 system, it is further the intent of the legislature that reductions  
29 will be made to central service agency charges accordingly. The  
30 department shall provide a report to the transportation committees of  
31 the legislature by December 31, 2019, detailing the project timeline  
32 as of July 1, 2019, an updated project timeline if necessary,  
33 expenditures made to date for the purposes of this project, and  
34 expenditures projected through the remainder of the project timeline.

35       (2) \$1,375,000 of the motor vehicle account—state appropriation  
36 is provided solely for the department's cost related to the one  
37 Washington project.

38       (3) \$21,500,000 of the motor vehicle account—state appropriation  
39 is provided solely for the activities of the information technology

1 program in developing and maintaining information systems that  
 2 support the operations and program delivery of the department,  
 3 ensuring compliance with section 701 (~~of this act~~), chapter 219,  
 4 Laws of 2020, and the requirements of the office of the chief  
 5 information officer under RCW 43.88.092 to evaluate and prioritize  
 6 any new financial and capital systems replacement or modernization  
 7 project and any other information technology project. During the  
 8 2019-2021 fiscal biennium, the department may use the distributed  
 9 direct program support or other cost allocation method to fund a new  
 10 capital systems replacement or modernization project. The department  
 11 shall submit a decision package for implementation of a new capital  
 12 systems replacement project to the governor and the transportation  
 13 committees of the legislature as part of the normal budget process  
 14 for the 2021-2023 biennium.

15 **Sec. 909.** 2020 c 219 s 211 (uncodified) is amended to read as  
 16 follows:

17 **FOR THE DEPARTMENT OF TRANSPORTATION—FACILITY MAINTENANCE,**  
 18 **OPERATIONS, AND CONSTRUCTION—PROGRAM D—OPERATING**

19 Motor Vehicle Account—State Appropriation . . . . .	(( <del>\$34,807,000</del> ))
	<u>\$33,819,000</u>
21 State Route Number 520 Corridor Account—State	
22     Appropriation . . . . .	\$34,000
23     TOTAL APPROPRIATION. . . . .	(( <del>\$34,841,000</del> ))
24	<u>\$33,853,000</u>

25 **Sec. 910.** 2020 c 219 s 212 (uncodified) is amended to read as  
 26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F**

28 Aeronautics Account—State Appropriation . . . . .	(( <del>\$7,743,000</del> ))
29	<u>\$6,773,000</u>
30 Aeronautics Account—Federal Appropriation . . . . .	\$3,043,000
31 Aeronautics Account—Private/Local Appropriation . . . . .	\$60,000
32     TOTAL APPROPRIATION. . . . .	(( <del>\$10,846,000</del> ))
33	<u>\$9,876,000</u>

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

36 (1) \$2,862,000 of the aeronautics account—state appropriation is  
 37 provided solely for the airport aid grant program, which provides

1 competitive grants to public use airports for pavement, safety,  
2 maintenance, planning, and security.

3 (2) \$268,000 of the aeronautics account—state appropriation is  
4 provided solely for one FTE dedicated to planning aviation emergency  
5 services and addressing emerging aeronautics requirements.

6 (3) \$200,000 of the aeronautics account—state appropriation is  
7 provided solely for the department to convene an electric aircraft  
8 work group to study the state of the electrically powered aircraft  
9 industry and assess infrastructure needs related to the deployment of  
10 electric or hybrid-electric aircraft for commercial air travel in  
11 Washington state.

12 (a) The chair of the work group may be a consultant specializing  
13 in aeronautics. The work group must include, but is not limited to,  
14 representation from the electric aircraft industry, the aircraft  
15 manufacturing industry, electric utility districts, the battery  
16 industry, the department of commerce, the department of  
17 transportation aviation division, the airline pilots association, a  
18 primary airport representing an airport association, and the airline  
19 industry.

20 (b) The study must include, but is not limited to:

21 (i) Infrastructure requirements necessary to facilitate electric  
22 aircraft operations at airports;

23 (ii) Potential economic and public benefits including, but not  
24 limited to, the direct and indirect impact on the number of  
25 manufacturing and service jobs and the wages from those jobs in  
26 Washington state;

27 (iii) Potential incentives for industry in the manufacturing and  
28 operation of electric aircraft for regional air travel;

29 (iv) Educational and workforce requirements for manufacturing and  
30 maintaining electric aircraft;

31 (v) Demand and forecast for electric aircraft use to include  
32 expected timeline of the aircraft entering the market given federal  
33 aviation administration certification requirements;

34 (vi) Identification of up to six airports in Washington state  
35 that may benefit from a pilot program once an electrically propelled  
36 aircraft for commercial use becomes available; and

37 (vii) Recommendations to further the advancement of the  
38 electrification of aircraft for regional commercial use within  
39 Washington state, including specific, measurable goals for the years  
40 2030, 2040, and 2050 that reflect progressive and substantial

1 increases in the utilization of electric and hybrid-electric  
2 commercial aircraft.

3 (c) The work group must submit a report and accompanying  
4 recommendations to the transportation committees of the legislature  
5 by November 15, 2020.

6 (4) \$350,000 of the aeronautics account—state appropriation is  
7 provided solely for the implementation of chapter 396, Laws of 2019  
8 (aviation coordinating commission).

9 (5) Within amounts appropriated in this section, the aviation  
10 division of the department shall assist and consult with the  
11 department of revenue in their efforts to update the document titled  
12 "Washington Action Plan - FAA Policy Concerning Airport Revenue" to  
13 reflect changes to Washington tax code regarding hazardous  
14 substances. The department of revenue, in consultation with the  
15 aviation division of the Washington state department of  
16 transportation, is tasked with developing and recommending a  
17 methodology to segregate and track actual amounts collected from the  
18 hazardous substance tax under chapter 82.21 RCW and the petroleum  
19 products tax under chapter 82.23A RCW as imposed on aviation fuel.  
20 The department of revenue is directed to submit a report, including  
21 the recommended methodology, to the fiscal committees of the house of  
22 representatives and the senate by January 11, 2021.

23 **Sec. 911.** 2020 c 219 s 213 (uncodified) is amended to read as  
24 follows:

25 **FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND**  
26 **SUPPORT—PROGRAM H**

27	Motor Vehicle Account—State Appropriation . . . . .	(( <del>\$59,788,000</del> ))
28		<u>\$58,643,000</u>
29	Motor Vehicle Account—Federal Appropriation . . . . .	\$500,000
30	Multimodal Transportation Account—State Appropriation . . .	\$258,000
31	TOTAL APPROPRIATION. . . . .	(( <del>\$60,546,000</del> ))
32		<u>\$59,401,000</u>

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

35 (1) The legislature recognizes that the trail known as the Rocky  
36 Reach Trail, and its extensions, serve to separate motor vehicle  
37 traffic from pedestrians and bicyclists, increasing motor vehicle  
38 safety on state route number 2 and the coincident section of state



1 route number 97. Consistent with chapter 47.30 RCW and pursuant to  
2 RCW 47.12.080, the legislature declares that transferring portions of  
3 WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and  
4 associated buffer areas to the Washington state parks and recreation  
5 commission is consistent with the public interest. The legislature  
6 directs the department to transfer the property to the Washington  
7 state parks and recreation commission.

8 (a) The department must be paid fair market value for any  
9 portions of the transferred real property that is later abandoned,  
10 vacated, or ceases to be publicly maintained for trail purposes.

11 (b) Prior to completing the transfer in this subsection (1), the  
12 department must ensure that provisions are made to accommodate  
13 private and public utilities and any facilities that predate the  
14 department's acquisition of the property, at no cost to those  
15 entities. Prior to completing the transfer, the department shall also  
16 ensure that provisions, by fair market assessment, are made to  
17 accommodate other private and public utilities and any facilities  
18 that have been legally allowed by permit or other instrument.

19 (c) The department may sell any adjoining property that is not  
20 necessary to support the Rocky Reach Trail and adjacent buffer areas  
21 only after the transfer of trail-related property to the Washington  
22 state parks and recreation commission is complete. Adjoining property  
23 owners must be given the first opportunity to acquire such property  
24 that abuts their property, and applicable boundary line or other  
25 adjustments must be made to the legal descriptions for recording  
26 purposes.

27 (2) With respect to Parcel 12 of the real property conveyed by  
28 the state of Washington to the city of Mercer Island under that  
29 certain quitclaim deed, dated April 19, 2000, recorded in King county  
30 under recording no. 20000425001234, the requirement in the deed that  
31 the property be used for road/street purposes only will be deemed  
32 satisfied by the department of transportation so long as commuter  
33 parking, as part of the vertical development of the property, is one  
34 of the significant uses of the property.

35 (3) \$1,600,000 of the motor vehicle account—state appropriation  
36 is provided solely for real estate services activities. Consistent  
37 with RCW 47.12.120 and during the 2019-2021 fiscal biennium, when  
38 initiating, extending, or renewing any rent or lease agreements with  
39 a regional transit authority, consideration of value must be  
40 equivalent to one hundred percent of economic or market rent.

1 (4) (a) \$100,000 of the motor vehicle account—state appropriation  
2 is provided solely for the department to:

3 (i) Determine the real property owned by the state of Washington  
4 and under the jurisdiction of the department in King county that is  
5 surplus property located in an area encompassing south of Dearborn  
6 Street in Seattle, south of Newcastle, west of SR 515, and north of  
7 South 216th to SR 515; and

8 (ii) Use any remaining funds after (a)(i) of this subsection is  
9 completed to identify additional real property across the state owned  
10 by the state of Washington and under the jurisdiction of the  
11 department that is surplus property.

12 (b) The department shall provide a report to the transportation  
13 committees of the legislature describing the properties it has  
14 identified as surplus property under (a) of this subsection by  
15 October 1, 2020.

16 **Sec. 912.** 2020 c 219 s 214 (uncodified) is amended to read as  
17 follows:

18 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—**  
19 **PROGRAM K**

20	Motor Vehicle Account—State Appropriation . . . . .	\$670,000
21	Electric Vehicle Account—State Appropriation. . . . .	<del>(\$2,000,000)</del>
22		<u>\$100,000</u>
23	Multimodal Transportation Account—State Appropriation. <del>(\$1,634,000)</del>	
24		<u>\$350,000</u>
25	TOTAL APPROPRIATION. . . . .	<del>(\$4,304,000)</del>
26		<u>\$1,120,000</u>

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

29 (1) The economic partnerships program must continue to explore  
30 retail partnerships at state-owned park and ride facilities, as  
31 authorized in RCW 47.04.295.

32 (2) \$350,000 of the multimodal transportation account—state  
33 appropriation is provided solely for the department to execute a  
34 transit oriented development pilot project at Kingsgate park and ride  
35 in Kirkland intended to be completed by December 31, 2023. The  
36 purpose of the pilot project is to demonstrate how appropriate  
37 department properties may be used to provide multiple public benefits  
38 such as affordable and market rate housing, commercial development,

1 and institutional facilities in addition to transportation purposes.  
2 To accomplish the pilot project, the department is authorized to  
3 exercise all legal and administrative powers authorized in statute  
4 that may include, but is not limited to, the transfer, lease, or sale  
5 of some or all of the property to another governmental agency, public  
6 development authority, or nonprofit developer approved by the  
7 department and partner agencies. The department may also partner with  
8 sound transit, King county, the city of Kirkland, and any other  
9 federal, regional, or local jurisdiction on any policy changes  
10 necessary from those jurisdictions to facilitate the pilot project.  
11 By December 1, 2019, the department must report to the legislature on  
12 any legislative actions necessary to facilitate the pilot project and  
13 future transit oriented development projects.

14 (3) \$2,000,000 of the electric vehicle account—state  
15 appropriation is provided solely for the clean alternative fuel  
16 vehicle charging and refueling infrastructure program in chapter 287,  
17 Laws of 2019 (advancing green transportation adoption).

18 (4) \$1,200,000 of the multimodal transportation account—state  
19 appropriation is provided solely for the pilot program established  
20 under chapter 287, Laws of 2019 (advancing green transportation  
21 adoption) to provide clean alternative fuel vehicle use opportunities  
22 to underserved communities and low to moderate income members of the  
23 workforce not readily served by transit or located in transportation  
24 corridors with emissions that exceed federal or state emissions  
25 standards.

26 (5) \$84,000 of the multimodal transportation account—state  
27 appropriation is provided solely for an interagency transfer to the  
28 department of commerce for the purpose of conducting a study as  
29 described in chapter 287, Laws of 2019 (advancing green  
30 transportation adoption) to identify opportunities to reduce barriers  
31 to electric vehicle adoption by lower income residents of the state  
32 through the use of vehicle and infrastructure financing assistance.

33 (6) Building on the information and experience gained from the  
34 transit oriented development project at the Kingsgate park and ride,  
35 the department must identify a pilot park and ride with future  
36 public-private partnership development potential in Pierce county and  
37 report back to the transportation committees of the legislature by  
38 June 30, 2021, with a proposal for moving forward with a pilot  
39 project.

1       **Sec. 913.** 2020 c 219 s 215 (uncodified) is amended to read as  
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M**

4	Motor Vehicle Account—State Appropriation . . . . .	(( <del>\$486,514,000</del> ))
5		<u>\$467,544,000</u>
6	Motor Vehicle Account—Federal Appropriation . . . . .	\$7,000,000
7	State Route Number 520 Corridor Account—State	
8	Appropriation . . . . .	\$4,447,000
9	Tacoma Narrows Toll Bridge Account—State	
10	Appropriation . . . . .	\$1,549,000
11	Alaskan Way Viaduct Replacement Project	
12	Account—State Appropriation . . . . .	(( <del>\$9,537,000</del> ))
13		<u>\$8,844,000</u>
14	Interstate 405 and State Route Number 167 Express	
15	Toll Lanes Account—State Appropriation. . . . .	\$4,528,000
16	TOTAL APPROPRIATION. . . . .	(( <del>\$513,575,000</del> ))
17		<u>\$493,912,000</u>

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

20       (1) (a) \$6,170,000 of the motor vehicle account—state  
21 appropriation is provided solely for utility fees assessed by local  
22 governments as authorized under RCW 90.03.525 for the mitigation of  
23 stormwater runoff from state highways. Plan and reporting  
24 requirements as required in chapter 435, Laws of 2019 (Local  
25 Stormwater Charges) shall be consistent with the January 2012  
26 findings of the Joint Transportation Committee Report for Effective  
27 Cost Recovery Structure for WSDOT, Jurisdictions, and Efficiencies in  
28 Stormwater Management.

29       (b) Pursuant to RCW 90.03.525(3), the department and the  
30 utilities imposing charges to the department shall negotiate with the  
31 goal of agreeing to rates such that the total charges to the  
32 department for the 2019-2021 fiscal biennium do not exceed the amount  
33 provided in this subsection. The department shall report to the  
34 transportation committees of the legislature on the amount of funds  
35 requested, the funds granted, and the strategies used to keep costs  
36 down, by January 17, 2021. If chapter 435, Laws of 2019 (local  
37 stormwater charges) is enacted by June 30, 2019, this subsection  
38 (1) (b) does not take effect.

1 (2) \$4,447,000 of the state route number 520 corridor account—  
2 state appropriation is provided solely to maintain the state route  
3 number 520 floating bridge. These funds must be used in accordance  
4 with RCW 47.56.830(3).

5 (3) \$1,549,000 of the Tacoma Narrows toll bridge account—state  
6 appropriation is provided solely to maintain the new Tacoma Narrows  
7 bridge. These funds must be used in accordance with RCW 47.56.830(3).

8 (4) \$2,050,000 of the Interstate 405 and state route number 167  
9 express toll lanes account—state appropriation is provided solely to  
10 maintain the Interstate 405 and state route number 167 express toll  
11 lanes between Lynnwood and Bellevue, and Renton and the southernmost  
12 point of the express toll lanes. These funds must be used in  
13 accordance with RCW 47.56.830(3).

14 (5) \$2,478,000 of the Interstate 405 and state route number 167  
15 express toll lanes account—state appropriation is provided solely for  
16 maintenance for the 2019-2021 fiscal biennium only on the Interstate  
17 405 roadway between Renton and Bellevue.

18 (6) \$5,000,000 of the motor vehicle account—state appropriation  
19 is provided solely for a contingency pool for snow and ice removal.  
20 The department must notify the office of financial management and the  
21 transportation committees of the legislature when they have spent the  
22 base budget for snow and ice removal and will begin using the  
23 contingency pool funding.

24 (7) \$1,025,000 of the motor vehicle account—state appropriation  
25 is provided solely for the department to implement safety  
26 improvements and debris clean up on department-owned rights-of-way in  
27 the city of Seattle at levels above that being implemented as of  
28 January 1, 2019. The department must contract out or hire a crew  
29 dedicated solely to collecting and disposing of garbage, clearing  
30 debris or hazardous material, and implementing safety improvements  
31 where hazards exist to the traveling public, department employees, or  
32 people encamped upon department-owned rights-of-way. The department  
33 may request assistance from the Washington state patrol as necessary  
34 in order for both agencies to provide enhanced safety-related  
35 activities regarding the emergency hazards along state highway  
36 rights-of-way in the Seattle area.

37 (8) \$1,015,000 of the motor vehicle account—state appropriation  
38 is provided solely for a partnership program between the department  
39 and the city of Tacoma. The program shall address the safety and

1 public health problems created by homeless encampments on the  
2 department's property along state highways within the city limits.  
3 \$570,000 is for dedicated department maintenance staff and associated  
4 clean-up costs. The department and the city of Tacoma shall enter  
5 into a reimbursable agreement to cover up to \$445,000 of the city's  
6 expenses for clean-up crews and landfill costs.

7 (9) The department must commence a pilot program for the  
8 2019-2021 fiscal biennium at the four highest demand safety rest  
9 areas to create and maintain an online calendar for volunteer groups  
10 to check availability of weekends for the free coffee program. The  
11 calendar must be updated at least weekly and show dates and times  
12 that are, or are not, available to participate in the free coffee  
13 program. The department must submit a report to the legislature on  
14 the ongoing pilot by December 1, 2020, outlining the costs and  
15 benefits of the online calendar pilot, and including surveys from the  
16 volunteer groups and agency staff to determine its effectiveness.

17 **Sec. 914.** 2020 c 219 s 216 (uncodified) is amended to read as  
18 follows:

19 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**  
20 **OPERATING**

21	Motor Vehicle Account—State Appropriation . . . . .	(( <del>\$76,211,000</del> ))
22		<u>\$73,602,000</u>
23	Motor Vehicle Account—Federal Appropriation . . . . .	\$2,050,000
24	Motor Vehicle Account—Private/Local Appropriation . . . . .	\$250,000
25	State Route Number 520 Corridor Account—State	
26	Appropriation. . . . .	\$53,000
27	Tacoma Narrows Toll Bridge Account—State Appropriation. . . .	\$31,000
28	Alaskan Way Viaduct Replacement Project Account—	
29	State Appropriation. . . . .	\$26,000
30	Interstate 405 and State Route Number 167 Express	
31	Toll Lanes Account—State Appropriation. . . . .	\$32,000
32	TOTAL APPROPRIATION. . . . .	(( <del>\$78,653,000</del> ))
33		<u>\$76,044,000</u>

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

36 (1) \$6,000,000 of the motor vehicle account—state appropriation  
37 is provided solely for low-cost enhancements. The department shall  
38 give priority to low-cost enhancement projects that improve safety or

1 provide congestion relief. By December 15th of each odd-numbered  
2 year, the department shall provide a report to the legislature  
3 listing all low-cost enhancement projects completed in the prior  
4 fiscal biennium.

5 (2) (a) During the 2019-2021 fiscal biennium, the department shall  
6 continue a pilot program that expands private transportation  
7 providers' access to high occupancy vehicle lanes. Under the pilot  
8 program, when the department reserves a portion of a highway based on  
9 the number of passengers in a vehicle, the following vehicles must be  
10 authorized to use the reserved portion of the highway if the vehicle  
11 has the capacity to carry eight or more passengers, regardless of the  
12 number of passengers in the vehicle: (i) Auto transportation company  
13 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter  
14 carrier vehicles regulated under chapter 81.70 RCW, except marked or  
15 unmarked stretch limousines and stretch sport utility vehicles as  
16 defined under department of licensing rules; (iii) private nonprofit  
17 transportation provider vehicles regulated under chapter 81.66 RCW;  
18 and (iv) private employer transportation service vehicles. For  
19 purposes of this subsection, "private employer transportation  
20 service" means regularly scheduled, fixed-route transportation  
21 service that is offered by an employer for the benefit of its  
22 employees. Nothing in this subsection is intended to authorize the  
23 conversion of public infrastructure to private, for-profit purposes  
24 or to otherwise create an entitlement or other claim by private users  
25 to public infrastructure.

26 (b) The department shall expand the high occupancy vehicle lane  
27 access pilot program to vehicles that deliver or collect blood,  
28 tissue, or blood components for a blood-collecting or distributing  
29 establishment regulated under chapter 70.335 RCW. Under the pilot  
30 program, when the department reserves a portion of a highway based on  
31 the number of passengers in a vehicle, blood-collecting or  
32 distributing establishment vehicles that are clearly and identifiably  
33 marked as such on all sides of the vehicle are considered emergency  
34 vehicles and must be authorized to use the reserved portion of the  
35 highway.

36 (c) The department shall expand the high occupancy vehicle lane  
37 access pilot program to organ transport vehicles transporting a time  
38 urgent organ for an organ procurement organization as defined in RCW  
39 68.64.010. Under the pilot program, when the department reserves a  
40 portion of a highway based on the number of passengers in a vehicle,

1 organ transport vehicles that are clearly and identifiably marked as  
2 such on all sides of the vehicle are considered emergency vehicles  
3 and must be authorized to use the reserved portion of the highway.

4 (d) The department shall expand the high occupancy vehicle lane  
5 access pilot program to private, for hire vehicles regulated under  
6 chapter 81.72 RCW that have been specially manufactured, designed, or  
7 modified for the transportation of a person who has a mobility  
8 disability and uses a wheelchair or other assistive device. Under the  
9 pilot program, when the department reserves a portion of a highway  
10 based on the number of passengers in a vehicle, wheelchair-accessible  
11 taxicabs that are clearly and identifiably marked as such on all  
12 sides of the vehicle are considered public transportation vehicles  
13 and must be authorized to use the reserved portion of the highway.

14 (e) Nothing in this subsection (2) is intended to exempt these  
15 vehicles from paying tolls when they do not meet the occupancy  
16 requirements established by the department for express toll lanes.

17 (3) When regional transit authority construction activities are  
18 visible from a state highway, the department shall allow the regional  
19 transit authority to place safe and appropriate signage informing the  
20 public of the purpose of the construction activity.

21 (4) The department must make signage for low-height bridges a  
22 high priority.

23 (5) \$32,000 of the Interstate 405 and state route number 167  
24 express toll lanes account—state appropriation, \$53,000 of the state  
25 route number 520 corridor account—state appropriation, \$31,000 of the  
26 Tacoma Narrows toll bridge account—state appropriation, and \$26,000  
27 of the Alaskan Way viaduct replacement project account—state  
28 appropriation are provided solely for the traffic operations  
29 program's proportional share of time spent supporting tolling  
30 operations for the respective tolling facilities.

31 **Sec. 915.** 2020 c 219 s 217 (uncodified) is amended to read as  
32 follows:

33 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND**  
34 **SUPPORT—PROGRAM S**

35 Motor Vehicle Account—State Appropriation . . . . .	(( <del>\$38,251,000</del> ))
36	<u>\$35,920,000</u>
37 Motor Vehicle Account—Federal Appropriation . . . . .	\$1,380,000
38 Motor Vehicle Account—Private/Local Appropriation . . . . .	\$500,000



1	Multimodal Transportation Account—State	
2	Appropriation . . . . .	\$1,129,000
3	State Route Number 520 Corridor Account—State	
4	Appropriation. . . . .	\$199,000
5	Tacoma Narrows Toll Bridge Account—State Appropriation. . .	\$116,000
6	Alaskan Way Viaduct Replacement Project Account—	
7	State Appropriation. . . . .	\$100,000
8	Interstate 405 and State Route Number 167 Express	
9	Toll Lanes Account—State Appropriation. . . . .	\$119,000
10	TOTAL APPROPRIATION. . . . .	<del>(\$41,794,000)</del>
11		<u>\$39,463,000</u>

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

14       (1) \$2,000,000 of the motor vehicle account—state appropriation  
15 is provided solely for a grant program that makes awards for the  
16 following: (a) Support for nonprofit agencies, churches, and other  
17 entities to help provide outreach to populations underrepresented in  
18 the current apprenticeship programs; (b) preapprenticeship training;  
19 and (c) child care, transportation, and other supports that are  
20 needed to help women, veterans, and minorities enter and succeed in  
21 apprenticeship. The department must report on grants that have been  
22 awarded and the amount of funds disbursed by December 1st each year.  
23 If moneys are provided in the omnibus operating appropriations act  
24 for a career connected learning grant program, defined in  
25 chapter . . . (Substitute House Bill No. 1336), Laws of 2019, or  
26 otherwise, the amount provided in this subsection lapses.

27       (2) \$150,000 of the motor vehicle account—state appropriation is  
28 provided solely for a user-centered and mobile-compatible web site  
29 redesign using estimated web site ad revenues.

30       (3) From the revenues generated by the five dollar per studded  
31 tire fee under RCW 46.37.427, \$250,000 of the motor vehicle account—  
32 state appropriation is provided solely for the department, in  
33 consultation with the appropriate local jurisdictions and relevant  
34 stakeholder groups, to establish a pilot media-based public  
35 information campaign regarding the damage of studded tire use on  
36 state and local roadways in Whatcom county, and to continue the  
37 existing pilot information campaign in Spokane county. The reason for  
38 the geographic selection of Spokane and Whatcom counties is based on  
39 the high utilization of studded tires in these jurisdictions. The

1 public information campaigns must primarily focus on making the  
 2 consumer aware of the safety implications for other drivers, road  
 3 deterioration, financial impact for taxpayers, and, secondarily, the  
 4 alternatives to studded tires. The Whatcom county pilot media-based  
 5 public information campaign must begin by September 1, 2020. By  
 6 January 14, 2021, the department must provide the transportation  
 7 committees of the legislature an update on the Spokane and Whatcom  
 8 county pilot media-based public information campaigns.

9 (4) \$119,000 of the Interstate 405 and state route number 167  
 10 express toll lanes account—state appropriation, \$199,000 of the state  
 11 route number 520 corridor account—state appropriation, \$116,000 of  
 12 the Tacoma Narrows toll bridge account—state appropriation, and  
 13 \$100,000 of the Alaskan Way viaduct replacement project account—state  
 14 appropriation are provided solely for the transportation management  
 15 and support program's proportional share of time spent supporting  
 16 tolling operations for the respective tolling facilities.

17 **Sec. 916.** 2020 c 219 s 218 (uncodified) is amended to read as  
 18 follows:

19 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA,**  
 20 **AND RESEARCH—PROGRAM T**

21	Interstate 405 and State Route Number 167 Express Toll Lanes	
22	Account—State Appropriation . . . . .	(( <del>\$3,123,000</del> ))
23		<u>\$121,000</u>
24	Motor Vehicle Account—State Appropriation . . . . .	(( <del>\$26,587,000</del> ))
25		<u>\$24,097,000</u>
26	Motor Vehicle Account—Federal Appropriation . . . . .	(( <del>\$35,385,000</del> ))
27		<u>\$32,508,000</u>
28	Motor Vehicle Account—Private/Local Appropriation . . . . .	\$1,200,000
29	Multimodal Transportation Account—State Appropriation . . . . .	\$710,000
30	Multimodal Transportation Account—Federal	
31	Appropriation . . . . .	\$2,809,000
32	Multimodal Transportation Account—Private/Local	
33	Appropriation . . . . .	\$100,000
34	State Route Number 520 Corridor Account—State	
35	Appropriation . . . . .	(( <del>\$763,000</del> ))
36		<u>\$150,000</u>
37	<del>((Tacoma Narrows Toll Bridge Account—State Appropriation. . . . .</del>	<del>\$121,000</del>
38	<del>Alaskan Way Viaduct Replacement Project Account—</del>	

1	State Appropriation. . . . .	<del>\$104,000</del> )
2	TOTAL APPROPRIATION. . . . .	( <del>\$70,902,000</del> )
3		<u>\$61,695,000</u>

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

6 (1) \$130,000 of the motor vehicle account—state appropriation is  
7 provided solely for completion of a corridor study to identify  
8 potential improvements between exit 116 and exit 99 of Interstate 5.  
9 The study should further develop mid- and long-term strategies from  
10 the corridor sketch, and identify potential US 101/I-5 interchange  
11 improvements, a strategic plan for the Nisqually River bridges,  
12 regional congestion relief options, and ecosystem benefits to the  
13 Nisqually River estuary for salmon productivity and flood control.

14 (2) The study on state route number 518 referenced in section  
15 218(5), chapter 297, Laws of 2018 must be submitted to the  
16 transportation committees of the legislature by November 30, 2019.

17 (3) \$100,000 of the motor vehicle account—state appropriation is  
18 provided solely to complete the Tacoma mall direct access feasibility  
19 study.

20 (4) (~~\$4,600,000~~) \$672,900 of the motor vehicle account—federal  
21 appropriation is provided solely to complete the road usage charge  
22 pilot project overseen by the transportation commission using the  
23 remaining unspent amount of the federal grant award. The purpose of  
24 the road usage charge pilot project is to explore the viability of a  
25 road usage charge as a possible replacement for the gas tax.

26 (5) \$3,000,000 of the Interstate 405 and state route number 167  
27 express toll lanes account—state appropriation is provided solely for  
28 updating the state route number 167 master plan. If chapter 421, Laws  
29 of 2019 (addressing tolling) is not enacted by June 30, 2019, the  
30 amount provided in this subsection lapses.

31 (6) \$123,000 of the Interstate 405 and state route number 167  
32 express toll lanes account—state appropriation, \$207,000 of the state  
33 route number 520 corridor account—state appropriation, \$121,000 of  
34 the Tacoma Narrows toll bridge account—state appropriation, and  
35 \$104,000 of the Alaskan Way viaduct replacement project account—state  
36 appropriation are provided solely for the transportation planning,  
37 data, and research program's proportional share of time spent  
38 supporting tolling operations for the respective tolling facilities.

1 (7) By December 31, 2020, the department shall provide to the  
2 governor and the transportation committees of the legislature a  
3 report examining the feasibility of doing performance-based  
4 evaluations for projects. The department must incorporate feedback  
5 from stakeholder groups, including traditionally underserved and  
6 historically disadvantaged populations, and the report shall include  
7 the project evaluation procedures that would be used for the  
8 performance-based evaluation.

9 (8) (~~(\$556,000)~~) \$150,000 of the state route number 520 corridor  
10 account—state appropriation is provided solely for the department to  
11 contract with the University of Washington department of mechanical  
12 engineering, to study measures to reduce noise impacts from the state  
13 route number 520 bridge expansion joints. The field testing shall be  
14 scheduled during existing construction, maintenance, or other  
15 scheduled closures to minimize impacts. The testing must also ensure  
16 safety of the traveling public. The study shall examine testing  
17 methodologies and project timelines and costs. A final report must be  
18 submitted to the transportation committees of the legislature and the  
19 governor by (~~December 1, 2021~~) March 1, 2022.

20 (9) \$5,900,000 of the motor vehicle account—federal appropriation  
21 and \$400,000 of the motor vehicle account—private/local appropriation  
22 are provided solely for delivery of the department's state planning  
23 and research work program and pooled fund research projects, provided  
24 that the department may not expend any amounts provided in this  
25 section on a long-range plan or corridor scenario analysis for I-5  
26 from Tumwater to Marysville. This is not intended to reference or  
27 impact: The existing I-5 corridor from Mounts road to Tumwater design  
28 and operations alternatives analysis; design studies related to HOV  
29 lanes or operations; or where it is necessary to continue design and  
30 operations analysis related to projects already under development.

31 (10) \$1,050,000 of the motor vehicle account—federal  
32 appropriation is provided solely for the Forward Drive road usage  
33 charge research project overseen by the transportation commission  
34 using a portion of the amount of the federal grant award. The purpose  
35 of the Forward Drive road usage charge research project is to advance  
36 research in key policy areas related to road usage charge including  
37 assessing impacts of future mobility shifts on road usage charge  
38 revenues, conducting an equity analysis, updating and assessing  
39 emerging mileage reporting methods, determining opportunities to

1 reduce cost of collection, conducting small-scale pilot tests, and  
2 identifying a long-term, detailed phase-in plan.

3 **Sec. 917.** 2020 c 219 s 219 (uncodified) is amended to read as  
4 follows:

5 **FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—**  
6 **PROGRAM U**

7	Motor Vehicle Account—State Appropriation . . . . .	(( <del>\$79,474,000</del> ))
8		<u>\$86,974,000</u>
9	Multimodal Transportation Account—State	
10	Appropriation . . . . .	\$2,833,000
11	Interstate 405 and State Route Number 167 Express	
12	Toll Lanes Account—State Appropriation. . . . .	\$122,000
13	State Route Number 520 Corridor Account—State	
14	Appropriation. . . . .	\$205,000
15	Tacoma Narrows Toll Bridge Account—State	
16	Appropriation. . . . .	\$120,000
17	Alaskan Way Viaduct Replacement Project Account—State	
18	Appropriation. . . . .	\$102,000
19	TOTAL APPROPRIATION. . . . .	(( <del>\$82,856,000</del> ))
20		<u>\$90,356,000</u>

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

23 (1) Consistent with existing protocol and practices, for any  
24 negotiated settlement of a claim against the state for the department  
25 that exceeds five million dollars, the department, in conjunction  
26 with the attorney general and the department of enterprise services,  
27 shall notify the director of the office of financial management and  
28 the transportation committees of the legislature.

29 (2) Beginning October 1, 2019, and quarterly thereafter, the  
30 department, in conjunction with the attorney general and the  
31 department of enterprise services, shall provide a report with  
32 judgments and settlements dealing with the Washington state ferry  
33 system to the director of the office of financial management and the  
34 transportation committees of the legislature. The report must include  
35 information on: (a) The number of claims and settlements by type; (b)  
36 the average claim and settlement by type; (c) defense costs  
37 associated with those claims and settlements; and (d) information on

1 the impacts of moving legal costs associated with the Washington  
2 state ferry system into the statewide self-insurance pool.

3 (3) Beginning October 1, 2019, and quarterly thereafter, the  
4 department, in conjunction with the attorney general and the  
5 department of enterprise services, shall provide a report with  
6 judgments and settlements dealing with the nonferry operations of the  
7 department to the director of the office of financial management and  
8 the transportation committees of the legislature. The report must  
9 include information on: (a) The number of claims and settlements by  
10 type; (b) the average claim and settlement by type; and (c) defense  
11 costs associated with those claims and settlements.

12 (4) \$122,000 of the Interstate 405 and state route number 167  
13 express toll lanes account—state appropriation, \$205,000 of the state  
14 route number 520 corridor account—state appropriation, \$120,000 of  
15 the Tacoma Narrows toll bridge account—state appropriation, and  
16 \$102,000 of the Alaskan Way viaduct replacement project account—state  
17 appropriation are provided solely for the charges from other  
18 agencies' program's proportional share of supporting tolling  
19 operations for the respective tolling facilities.

20 (5) When the department identifies significant legal issues that  
21 have potential transportation budget implications, the department  
22 must initiate a briefing for appropriate legislative members or staff  
23 through the office of the attorney general and its legislative  
24 briefing protocol.

25 **Sec. 918.** 2020 c 219 s 220 (uncodified) is amended to read as  
26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V**

28 State Vehicle Parking Account—State Appropriation . . . . .	\$784,000
29 Regional Mobility Grant Program Account—State	
30 Appropriation . . . . .	<del>(\$88,698,000)</del>
31	<u>\$83,633,000</u>
32 Rural Mobility Grant Program Account—State	
33 Appropriation . . . . .	\$32,223,000
34 Multimodal Transportation Account—State	
35 Appropriation . . . . .	<del>(\$122,355,000)</del>
36	<u>\$122,349,000</u>
37 Multimodal Transportation Account—Federal	
38 Appropriation . . . . .	\$3,574,000

1	Multimodal Transportation Account—Local	
2	Appropriation . . . . .	\$100,000
3	TOTAL APPROPRIATION. . . . .	(( <del>\$247,734,000</del> ))
4		<u>\$242,663,000</u>

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

7 (1) \$62,698,000 of the multimodal transportation account—state  
8 appropriation is provided solely for a grant program for special  
9 needs transportation provided by transit agencies and nonprofit  
10 providers of transportation. Of this amount:

11 (a) \$14,297,000 of the multimodal transportation account—state  
12 appropriation is provided solely for grants to nonprofit providers of  
13 special needs transportation. Grants for nonprofit providers must be  
14 based on need, including the availability of other providers of  
15 service in the area, efforts to coordinate trips among providers and  
16 riders, and the cost effectiveness of trips provided. Fuel type may  
17 not be a factor in the grant selection process.

18 (b) \$48,401,000 of the multimodal transportation account—state  
19 appropriation is provided solely for grants to transit agencies to  
20 transport persons with special transportation needs. To receive a  
21 grant, the transit agency must, to the greatest extent practicable,  
22 have a maintenance of effort for special needs transportation that is  
23 no less than the previous year's maintenance of effort for special  
24 needs transportation. Grants for transit agencies must be prorated  
25 based on the amount expended for demand response service and route  
26 deviated service in calendar year 2017 as reported in the "Summary of  
27 Public Transportation - 2017" published by the department of  
28 transportation. No transit agency may receive more than thirty  
29 percent of these distributions. Fuel type may not be a factor in the  
30 grant selection process.

31 (2) \$32,223,000 of the rural mobility grant program account—state  
32 appropriation is provided solely for grants to aid small cities in  
33 rural areas as prescribed in RCW 47.66.100. Fuel type may not be a  
34 factor in the grant selection process.

35 (3) (a) \$10,539,000 of the multimodal transportation account—state  
36 appropriation is provided solely for a vanpool grant program for: (i)  
37 Public transit agencies to add vanpools or replace vans; and (ii)  
38 incentives for employers to increase employee vanpool use. The grant  
39 program for public transit agencies will cover capital costs only;

1 operating costs for public transit agencies are not eligible for  
2 funding under this grant program. Additional employees may not be  
3 hired from the funds provided in this section for the vanpool grant  
4 program, and supplanting of transit funds currently funding vanpools  
5 is not allowed. The department shall encourage grant applicants and  
6 recipients to leverage funds other than state funds. Fuel type may  
7 not be a factor in the grant selection process.

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

10 (4) \$27,483,000 of the regional mobility grant program account—  
11 state appropriation is reappropriated and provided solely for the  
12 regional mobility grant projects identified in LEAP Transportation  
13 Document ((2020)) 2021-2 ALL PROJECTS as developed March ((11, 2020))  
14 22, 2021, Program - Public Transportation Program (V).

15 (5) (a) ((~~\$61,215,000~~)) \$56,150,000 of the regional mobility grant  
16 program account—state appropriation is provided solely for the  
17 regional mobility grant projects identified in LEAP Transportation  
18 Document ((2020)) 2021-2 ALL PROJECTS as developed March ((11, 2020))  
19 22, 2021, Program - Public Transportation Program (V). The department  
20 shall review all projects receiving grant awards under this program  
21 at least semiannually to determine whether the projects are making  
22 satisfactory progress. Any project that has been awarded funds, but  
23 does not report activity on the project within one year of the grant  
24 award, must be reviewed by the department to determine whether the  
25 grant should be terminated. The department shall promptly close out  
26 grants when projects have been completed, and any remaining funds  
27 must be used only to fund projects identified in the LEAP  
28 transportation document referenced in this subsection. The department  
29 shall provide annual status reports on December 15, 2019, and  
30 December 15, 2020, to the office of financial management and the  
31 transportation committees of the legislature regarding the projects  
32 receiving the grants. It is the intent of the legislature to  
33 appropriate funds through the regional mobility grant program only  
34 for projects that will be completed on schedule. A grantee may not  
35 receive more than twenty-five percent of the amount appropriated in  
36 this subsection. Additionally, when allocating funding for the  
37 2021-2023 biennium, no more than thirty percent of the total grant  
38 program may directly benefit or support one grantee. The department  
39 shall not approve any increases or changes to the scope of a project



1 for the purpose of a grantee expending remaining funds on an awarded  
2 grant. Fuel type may not be a factor in the grant selection process.

3 (b) In order to be eligible to receive a grant under (a) of this  
4 subsection during the 2019-2021 fiscal biennium, a transit agency  
5 must establish a process for private transportation providers to  
6 apply for the use of park and ride facilities. For purposes of this  
7 subsection, (i) "private transportation provider" means: An auto  
8 transportation company regulated under chapter 81.68 RCW; a passenger  
9 charter carrier regulated under chapter 81.70 RCW, except marked or  
10 unmarked stretch limousines and stretch sport utility vehicles as  
11 defined under department of licensing rules; a private nonprofit  
12 transportation provider regulated under chapter 81.66 RCW; or a  
13 private employer transportation service provider; and (ii) "private  
14 employer transportation service" means regularly scheduled, fixed-  
15 route transportation service that is offered by an employer for the  
16 benefit of its employees.

17 (6) Funds provided for the commute trip reduction (CTR) program  
18 may also be used for the growth and transportation efficiency center  
19 program.

20 (7) \$7,670,000 of the multimodal transportation account—state  
21 appropriation and \$784,000 of the state vehicle parking account—state  
22 appropriation are provided solely for CTR grants and activities. Fuel  
23 type may not be a factor in the grant selection process. Of this  
24 amount:

25 (a) \$1,000,000 of the multimodal transportation account—state  
26 appropriation is provided solely for the department to continue a  
27 pilot transit pass incentive program. Businesses and nonprofit  
28 organizations located in a county adjacent to Puget Sound with a  
29 population of more than seven hundred thousand that have never  
30 offered transit subsidies to employees are eligible to apply to the  
31 program for a fifty percent rebate on the cost of employee transit  
32 subsidies provided through the regional ORCA fare collection system.  
33 No single business or nonprofit organization may receive more than  
34 ten thousand dollars from the program.

35 (i) Businesses and nonprofit organizations may apply and be  
36 awarded funds prior to purchasing a transit subsidy, but the  
37 department may not provide reimbursement until proof of purchase or a  
38 contract has been provided to the department.

1 (ii) The department shall update the transportation committees of  
2 the legislature on the impact of the program by January 31, 2020, and  
3 may adopt rules to administer the program.

4 (b) \$30,000 of the state vehicle parking account—state  
5 appropriation is provided solely for the STAR pass program for state  
6 employees residing in Mason and Grays Harbor Counties. Use of the  
7 pass is for public transportation between Mason County and Thurston  
8 County, and Grays Harbor and Thurston County. The pass may also be  
9 used within Grays Harbor County. The STAR pass commute trip reduction  
10 program is open to any state employee who expresses intent to commute  
11 to his or her assigned state worksite using a public transit system  
12 currently participating in the STAR pass program.

13 (c) \$1,000,000 of the multimodal transportation account—state  
14 appropriation is provided solely for a first mile/last mile  
15 connections grant program. Eligible grant recipients include cities,  
16 businesses, nonprofits, and transportation network companies with  
17 first mile/last mile solution proposals. Transit agencies are not  
18 eligible. The commute trip reduction board shall develop grant  
19 parameters, evaluation criteria, and evaluate grant proposals. The  
20 commute trip reduction board shall provide the transportation  
21 committees of the legislature a report on the effectiveness of this  
22 grant program and best practices for continuing the program.

23 (8) Except as provided otherwise in this subsection, \$33,370,000  
24 of the multimodal transportation account—state appropriation is  
25 provided solely for connecting Washington transit projects identified  
26 in LEAP Transportation Document ((2020)) 2021-2 ALL PROJECTS as  
27 developed March ((11, 2020)) 22, 2021. It is the intent of the  
28 legislature that entities identified to receive funding in the LEAP  
29 document referenced in this subsection receive the amounts specified  
30 in the time frame specified in that LEAP document. If an entity has  
31 already completed a project in the LEAP document referenced in this  
32 subsection before the time frame identified, the entity may  
33 substitute another transit project or projects that cost a similar or  
34 lesser amount.

35 (9) \$1,000,000 of the multimodal transportation account—state  
36 appropriation is provided solely for transit coordination grants.  
37 Fuel type may not be a factor in the grant selection process.

38 (10) The department shall not require more than a ten percent  
39 match from nonprofit transportation providers for state grants.

1 (11)(a) For projects funded as part of the 2015 connecting  
2 Washington transportation package listed on the LEAP transportation  
3 document identified in subsection (4) of this section, if the  
4 department expects to have substantial reappropriations for the  
5 2021-2023 fiscal biennium, the department may, on a pilot basis,  
6 apply funding from a project with an appropriation that cannot be  
7 used for the current fiscal biennium to advance one or more of the  
8 following projects:

9 (i) King County Metro - RapidRide Expansion, Burien-Delridge  
10 (G2000031);

11 (ii) King County Metro - Route 40 Northgate to Downtown  
12 (G2000032);

13 (iii) Mason Transit Park & Ride Development (G2000042); or

14 (iv) Pierce Transit - SR 7 Express Service (G2000045).

15 (b) At least ten business days before advancing a project  
16 pursuant to this subsection, the department must notify the office of  
17 financial management and the transportation committees of the  
18 legislature. The advancement of a project may not hinder the delivery  
19 of the projects for which the reappropriations are necessary for the  
20 2021-2023 fiscal biennium.

21 (c) To the extent practicable, the department shall use the  
22 flexibility and authority granted in this section to minimize the  
23 amount of reappropriations needed each biennium.

24 (12) \$750,000 of the multimodal transportation account—state  
25 appropriation is provided solely for Intercity Transit for the Dash  
26 shuttle program.

27 (13)(a) \$485,000 of the multimodal transportation account—state  
28 appropriation is provided solely for King county for:

29 (i) An expanded pilot program to provide certain students in the  
30 Highline, Tukwila, and Lake Washington school districts with an ORCA  
31 card during these school districts' summer vacations. In order to be  
32 eligible for an ORCA card under this program, a student must also be  
33 in high school, be eligible for free and reduced-price lunches, and  
34 have a job or other responsibility during the summer; and

35 (ii) Providing administrative support to other interested school  
36 districts in King county to prepare for implementing similar programs  
37 for their students.

38 (b) King county must provide a report to the department and the  
39 transportation committees of the legislature by December 15, 2021,  
40 regarding:

1 (i) The annual student usage of the pilot program;  
2 (ii) Available ridership data;  
3 (iii) A cost estimate, including a detailed description of the  
4 various expenses leading to the cost estimate, and any other factors  
5 relevant to expanding the program to other King county school  
6 districts;

7 (iv) A cost estimate, including a detailed description of the  
8 various expenses leading to the cost estimate, and any other factors  
9 relevant to expanding the program to student populations other than  
10 high school or eligible for free and reduced-price lunches;

11 (v) Opportunities for subsidized ORCA cards or local grant or  
12 matching funds; and

13 (vi) Any additional information that would help determine if the  
14 pilot program should be extended or expanded.

15 (14) \$12,000,000 of the multimodal transportation account—state  
16 appropriation is provided solely for the green transportation capital  
17 grant program established in chapter 287, Laws of 2019 (advancing  
18 green transportation adoption).

19 (15) \$555,000 of the multimodal transportation account—state  
20 appropriation is provided solely for an interagency transfer to the  
21 Washington State University extension energy program to establish and  
22 administer a technical assistance and education program for public  
23 agencies on the use of alternative fuel vehicles.

24 (~~(17)~~) (16) The appropriations in this section include savings  
25 due to anticipated project underruns; however, it is unknown which  
26 projects will provide savings. The legislature intends to provide  
27 sufficient flexibility for the department to manage to this savings  
28 target. To provide this flexibility, the office of financial  
29 management may authorize, through an allotment modification,  
30 reductions in the appropriated amounts that are provided solely for a  
31 particular purpose within this section subject to the following  
32 conditions and limitations:

33 (a) No allotment modifications may be made to amounts provided  
34 solely for the special needs transportation grant program;

35 (b) The department must confirm that any modification requested  
36 under this subsection of amounts provided solely for a specific  
37 purpose are not expected to be used for that purpose in this  
38 biennium;

39 (c) Allotment modifications authorized under this subsection may  
40 not result in increased funding for any project beyond the amount

1 provided for that project in the 2019-2021 fiscal biennium in LEAP  
2 Transportation Document ((2020)) 2021-2 ALL PROJECTS as developed  
3 March ((11, 2020)) 22, 2021;

4 (d) Allotment modifications authorized under this subsection  
5 apply only to amounts appropriated in this section from the  
6 multimodal transportation account—state; and

7 (e) By December 1, 2020, the department must submit a report to  
8 the transportation committees of the legislature regarding the  
9 actions taken under this subsection.

10 ((18)) (17)(a) The Washington state department of  
11 transportation public transportation division, working with the  
12 Thurston regional planning council, shall provide state agency  
13 management, the office of financial management, and the  
14 transportation committees of the legislature with results of their  
15 regional mobility grant program demonstration project I-5/US 101  
16 Practical Solutions: State Capitol Campus Transportation Demand  
17 Management - Mobile Work. This includes reporting after the 2020  
18 legislative session on the measurable results of an early pilot  
19 initiative, "Telework Tuesday," beginning in January 2020.

20 (b) Capitol campus state agency management is directed to fully  
21 participate in this work, which aims to reduce greenhouse gases,  
22 require less office space and parking investments; provide low cost  
23 congestion relief on I-5 during peak periods, US 101, and the local  
24 transportation network; and improve retention and recruitment of  
25 public employees. The agencies should actively: Encourage employees  
26 qualified to telework to participate in this program and increase the  
27 number of employees who qualify for mobile work and schedule shifts.

28 (c) If measurable success is achieved, the capitol campus state  
29 agencies shall provide options to expand the project to other  
30 jurisdictions concentrated with large employers. Expansion and  
31 encouragement of telework will help reduce demand on the  
32 transportation system, reduce traffic during peak hours, and reduce  
33 greenhouse gas emissions.

34 **Sec. 919.** 2020 c 219 s 221 (uncodified) is amended to read as  
35 follows:

36 **FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X**  
37 Motor Vehicle Account—State Appropriation. . . . . \$250,000  
38 Puget Sound Ferry Operations Account—State

1	Appropriation . . . . .	(( <del>\$545,997,000</del> ))
2		<u>\$487,445,000</u>
3	Puget Sound Ferry Operations Account—Federal	
4	Appropriation . . . . .	(( <del>\$7,932,000</del> ))
5		<u>\$47,169,000</u>
6	Puget Sound Ferry Operations Account—Private/Local	
7	Appropriation . . . . .	\$121,000
8	TOTAL APPROPRIATION. . . . .	(( <del>\$554,300,000</del> ))
9		<u>\$534,985,000</u>

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

12 (1) The office of financial management budget instructions  
13 require agencies to recast enacted budgets into activities. The  
14 Washington state ferries shall include a greater level of detail in  
15 its 2019-2021 supplemental and 2021-2023 omnibus transportation  
16 appropriations act requests, as determined jointly by the office of  
17 financial management, the Washington state ferries, and the  
18 transportation committees of the legislature. This level of detail  
19 must include the administrative functions in the operating as well as  
20 capital programs.

21 (2) For the 2019-2021 fiscal biennium, the department may enter  
22 into a distributor controlled fuel hedging program and other methods  
23 of hedging approved by the fuel hedging committee, which must include  
24 a representative of the department of enterprise services.

25 (3) ((~~\$73,161,000~~)) \$67,052,000 of the Puget Sound ferry  
26 operations account—state appropriation is provided solely for auto  
27 ferry vessel operating fuel in the 2019-2021 fiscal biennium, which  
28 reflect cost savings from a reduced biodiesel fuel requirement and,  
29 therefore, is contingent upon the enactment of section 703, chapter  
30 416, Laws of 2019. The amount provided in this subsection represents  
31 the fuel budget for the purposes of calculating any ferry fare fuel  
32 surcharge. The department shall review future use of alternative  
33 fuels and dual fuel configurations, including hydrogen.

34 (4) \$650,000 of the Puget sound ferry operations account—state  
35 appropriation is provided solely for increased staffing at Washington  
36 ferry terminals to meet increased workload and customer expectations.  
37 Within the amount provided in this subsection, the department shall  
38 contract with uniformed officers for additional traffic control  
39 assistance at the Kingston ferry terminal during peak ferry travel

1 times, with a particular focus on Sundays and holiday weekends.  
2 Traffic control methods should include, but not be limited to,  
3 holding traffic on the shoulder at Lindvog Road until space opens for  
4 cars at the tollbooths and dock, and management of traffic on Highway  
5 104 in order to ensure Kingston residents and business owners have  
6 access to businesses, roads, and driveways.

7 (5) \$254,000 of the Puget Sound ferry operations account—state  
8 appropriation is provided solely for a dedicated inventory logistics  
9 manager on a one-time basis.

10 (6) \$500,000 of the Puget Sound ferry operations account—state  
11 appropriation is provided solely for operating costs related to  
12 moving vessels for emergency capital repairs. Funds may only be spent  
13 after approval by the office of financial management.

14 (7) By January 1, 2020, the ferries division must submit a  
15 workforce plan for reducing overtime due to shortages of staff  
16 available to fill vacant crew positions. The plan must include  
17 numbers of crew positions being filled by staff working overtime,  
18 strategies for filling these positions with straight time employees,  
19 progress toward implementing those strategies, and a forecast for  
20 when overtime expenditures will return to historical averages.

21 (8) \$160,000 of the Puget Sound ferry operations account—state  
22 appropriation is provided solely for a ferry fleet baseline noise  
23 study, conducted by a consultant, for the purpose of establishing  
24 plans and data-driven goals to reduce ferry noise when Southern  
25 resident orca whales are present. In addition, the study must  
26 establish prioritized strategies to address vessels serving routes  
27 with the greatest exposure to orca whale movements.

28 (9)(a) \$250,000 of the motor vehicle account—state appropriation  
29 is provided solely for the department, in consultation with the  
30 Washington state transportation center, to develop a plan for service  
31 on the triangle route with a goal of providing maximum sailings  
32 moving the most passengers to all stops in the least travel time,  
33 including waits between sailings, within budget and resource  
34 constraints.

35 (b) The Washington state transportation center must use new  
36 traffic management models and scheduling tools to examine proposed  
37 improvements for the triangle route. The department shall report to  
38 the standing transportation committees of the legislature by January  
39 15, 2021. The report must include:

1 (i) Implementation and status of data collection, modeling,  
2 scheduling, capital investments, and procedural improvements to allow  
3 Washington state ferries to schedule more sailings to and from all  
4 stops on the triangle route with minimum time between sailings;

5 (ii) Recommendations for emergency boat allocations, regular  
6 schedule policies, and emergency schedule policies based on all  
7 customers alternative travel options to ensure that any dock with no  
8 road access is prioritized in scheduling and scheduled service is  
9 provided based on population size, demographics, and local medical  
10 services;

11 (iii) Triangle route pilot economic analysis of Washington state  
12 ferries fare revenue and fuel cost impact of offering additional,  
13 better spaced sailings;

14 (iv) Results of an economic analysis of the return on investment  
15 of potentially acquiring and using traffic control infrastructure,  
16 technology, walk on loading bridges, and Good-to-Go and ORCA  
17 replacement of current fare sales, validation, collections,  
18 accounting, and all associated labor and benefits costs that can be  
19 saved via those capital investments; and

20 (v) Recommendation on policies, procedures, or agency  
21 interpretations of statute that may be adopted to mitigate any delays  
22 or disruptions to scheduled sailings.

23 (10) \$15,139,000 of the Puget Sound ferry operations account—  
24 state appropriation is provided solely for training. Of the amount  
25 provided in this subsection:

26 (a) \$2,500,000 is for training for new employees.

27 (b) \$160,000 is for electronic chart display and information  
28 system training.

29 (c) \$379,000 is for marine evacuation slide training.

30 (11) \$1,600,000 of the Puget Sound ferry operations account—state  
31 appropriation is provided solely for naval architecture staff support  
32 for the marine maintenance program.

33 (12) \$336,000 of the Puget Sound ferry operations account—state  
34 appropriation is provided solely for inspections of fall restraint  
35 systems.

36 (13) \$4,361,000 of the Puget Sound ferry operations account—state  
37 appropriation is provided solely for overtime expenses incurred by  
38 engine and deck crew members.



1 (14) \$1,200,000 of the Puget Sound ferry operations account—state  
2 appropriation is provided solely for familiarization for new  
3 assignments of engine crew and terminal staff.

4 (15) \$100,000 of the Puget Sound ferry operations account—state  
5 appropriation is provided solely to develop a plan for upgrading a  
6 second vessel to meet the international convention for the safety of  
7 life at sea standards. The plan must identify the option with the  
8 lowest impacts to sailing schedules.

9 (16) The department must request reimbursement from the federal  
10 transit administration for the maximum amount of ferry operating  
11 expenses eligible for reimbursement under federal law.

12 **Sec. 920.** 2020 c 219 s 222 (uncodified) is amended to read as  
13 follows:

14 **FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING**

15 Multimodal Transportation Account—State

16 Appropriation . . . . . ((\$70,244,000))  
17 \$46,851,000

18 Multimodal Transportation Account—Private/Local

19 Appropriation . . . . . \$717,000

20 (~~Multimodal Transportation Account—Federal~~

21 ~~Appropriation . . . . . \$500,000))~~

22 TOTAL APPROPRIATION. . . . . ((\$71,461,000))  
23 \$47,568,000

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

26 (1) (a) (i) \$224,000 of the multimodal transportation account—state  
27 appropriation and \$671,000 of the multimodal transportation account—  
28 private/local appropriation are provided solely for continued  
29 analysis of the ultra high-speed ground transportation corridor in a  
30 new study, with participation from Washington, Oregon, and British  
31 Columbia. No funds may be expended until the department is in receipt  
32 of \$671,000 in private/local funding provided solely for this  
33 purpose.

34 (ii) The ultra high-speed ground transportation corridor advisory  
35 group must include legislative membership.

36 (iii) "Ultra high-speed" means a maximum testing speed of at  
37 least two hundred fifty miles per hour.

38 (b) The study must consist of the following:

1 (i) Development of proposed corridor governance, general powers,  
2 operating structure, legal instruments, and contracting requirements,  
3 in the context of the roles of relevant jurisdictions, including  
4 federal, state, provincial, and local governments;

5 (ii) Development of a long-term funding and financing strategy  
6 for project initiation, development, construction, and program  
7 administration of the high-speed corridor, building on the funding  
8 and financing chapter of the 2019 business case analysis and aligned  
9 with the recommendations of (b) (i) of this subsection; and

10 (iii) Development of recommendations for a department-led ultra-  
11 high speed corridor engagement plan for policy leadership from  
12 elected officials.

13 (c) This study must build on the results of the 2018 Washington  
14 state ultra high-speed ground transportation business case analysis  
15 and the 2019 Washington state ultra high-speed ground transportation  
16 study findings report. The department shall consult with the  
17 transportation committees of the legislature regarding all issues  
18 related to proposed corridor governance.

19 (d) The development work referenced in (b) of this subsection is  
20 intended to identify and make recommendations related to specific  
21 entities, including interjurisdictional entities, policies, and  
22 processes required for the purposes of furthering preliminary  
23 analysis efforts for the ultra high-speed ground transportation  
24 corridor. This development work is not intended to authorize one or  
25 more entities to assume decision making authority for the design,  
26 construction, or operation of an ultra high-speed rail corridor.

27 (e) By December 1, 2020, the department shall provide to the  
28 governor and the transportation committees of the legislature a  
29 report of the study's findings regarding the three elements noted in  
30 this subsection. As applicable, the report should also be sent to the  
31 executive and legislative branches of government in the state of  
32 Oregon and appropriate government bodies in the province of British  
33 Columbia.

34 (2) The department is directed to continue to pursue efforts to  
35 reduce costs, increase ridership, and review Amtrak Cascades fares  
36 and fare schedules. Within thirty days of each annual cost/revenue  
37 reconciliation under the Amtrak service contract, the department  
38 shall report annual credits to the office of financial management and  
39 the legislative transportation committees. Annual credits from Amtrak  
40 to the department including, but not limited to, credits due to

1 higher ridership, reduced level of service, and fare or fare schedule  
2 adjustments, must be used to offset corresponding amounts of the  
3 multimodal transportation account—state appropriation, which must be  
4 placed in reserve.

5 **Sec. 921.** 2020 c 219 s 223 (uncodified) is amended to read as  
6 follows:

7 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**  
8 **OPERATING**

9	Motor Vehicle Account—State Appropriation . . . . .	(( <del>\$12,187,000</del> ))
10		<u>\$12,441,000</u>
11	Motor Vehicle Account—Federal Appropriation . . . . .	\$2,567,000
12	Multiuse Roadway Safety Account—State Appropriation . . . . .	\$450,000
13	Multimodal Transportation Account—State	
14	Appropriation . . . . .	\$350,000
15	TOTAL APPROPRIATION. . . . .	(( <del>\$15,554,000</del> ))
16		<u>\$15,808,000</u>

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

19 (1) \$350,000 of the multimodal transportation account—state  
20 appropriation is provided solely for a study by the Puget Sound  
21 regional council of new passenger ferry service to better connect  
22 communities throughout the twelve county Puget Sound region. The  
23 study must assess potential new routes, identify future terminal  
24 locations, and provide recommendations to accelerate the  
25 electrification of the ferry fleet. The study must identify future  
26 passenger only demand throughout Western Washington, analyze  
27 potential routes and terminal locations on Puget Sound, Lake  
28 Washington, and Lake Union with an emphasis on preserving waterfront  
29 opportunities in public ownership and opportunities for partnership.  
30 The study must determine whether and when the passenger ferry service  
31 achieves a net reduction in carbon emissions including an analysis of  
32 the emissions of modes that passengers would otherwise have used. The  
33 study must estimate capital and operating costs for routes and  
34 terminals. The study must include early and continuous outreach with  
35 all interested stakeholders and a report to the legislature and all  
36 interested parties by January 31, 2021.

37 (2) \$1,142,000 of the motor vehicle account—state appropriation  
38 is provided solely for the department, from amounts set aside out of

1 statewide fuel taxes distributed to counties according to RCW  
2 46.68.120(3), to contract with the Washington state association of  
3 counties to:

4 (a) In coordination with stakeholders, identify county-owned fish  
5 passage barriers, with priority given to barriers that share the same  
6 stream system as state-owned fish passage barriers. The study must  
7 identify, map, and provide a preliminary assessment of county-owned  
8 barriers that need correction, and provide, where possible,  
9 preliminary costs estimates for each barrier correction. The study  
10 must provide recommendations on:

11 (i) How to prioritize county-owned barriers within the same  
12 stream system of state-owned barriers in the current six-year  
13 construction plan to maximize state investment; and

14 (ii) How future state six-year construction plans should  
15 incorporate county-owned barriers;

16 (b) Update the local agency guidelines manual, including  
17 exploring alternatives within the local agency guidelines manual on  
18 county priorities;

19 (c) Study the current state of county transportation funding,  
20 identify emerging issues, and identify potential future alternative  
21 transportation fuel funding sources to meet current and future needs.

22 (3) The entire multiuse roadway safety account—state  
23 appropriation is provided solely for grants under RCW 46.09.540,  
24 subject to the following limitations:

25 (a) Twenty-five percent of the amounts provided are reserved for  
26 counties that each have a population of fifteen thousand persons or  
27 less;

28 (b) (i) Seventy-five percent of the amounts provided are reserved  
29 for counties that each have a population exceeding fifteen thousand  
30 persons; and

31 (ii) No county that receives a grant or grants under (b) of this  
32 subsection may receive more than sixty thousand dollars in total  
33 grants.

34 (4) \$260,000 of the motor vehicle account—state appropriation is  
35 provided solely for the Wahkiakum county ferry operating deficit.

36 **TRANSPORTATION AGENCIES—CAPITAL**



1 Motor Vehicle Account—State Appropriation . . . . . \$1,456,000  
 2 County Arterial Preservation Account—State  
 3 Appropriation . . . . . \$39,590,000  
 4 TOTAL APPROPRIATION. . . . . ((~~\$103,930,000~~))  
 5 \$92,230,000

6 **Sec. 1003.** 2020 c 219 s 304 (uncodified) is amended to read as  
 7 follows:

8 **FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—**  
 9 **(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL**

10 Motor Vehicle Account—State Appropriation . . . . . ((~~\$51,187,000~~))  
 11 \$49,717,000  
 12 Connecting Washington Account—State Appropriation . . ((~~\$51,523,000~~))  
 13 \$50,746,000  
 14 TOTAL APPROPRIATION. . . . . ((~~\$102,710,000~~))  
 15 \$100,463,000

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

18 (1) ((~~\$51,523,000~~)) \$50,746,000 of the connecting Washington  
 19 account—state appropriation is provided solely for a new Olympic  
 20 region maintenance and administration facility to be located on the  
 21 department-owned site at the intersection of Marvin Road and 32nd  
 22 Avenue in Lacey, Washington.

23 (2) (a) ((~~\$43,297,000~~)) \$41,827,000 of the motor vehicle account—  
 24 state appropriation is provided solely for the department facility  
 25 located at 15700 Dayton Ave N in Shoreline. This appropriation is  
 26 contingent upon the department of ecology signing a not less than  
 27 twenty-year agreement to pay a share of any financing contract issued  
 28 pursuant to chapter 39.94 RCW.

29 (b) Payments from the department of ecology as described in this  
 30 subsection shall be deposited into the motor vehicle account.

31 (c) Total project costs are not to exceed \$46,500,000.

32 (3) \$1,565,000 from the motor vehicle account—state appropriation  
 33 is provided solely for furniture for the renovated Northwest Region  
 34 Headquarters at Dayton Avenue. The department must efficiently  
 35 furnish the renovated building.

36 **Sec. 1004.** 2020 c 219 s 305 (uncodified) is amended to read as  
 37 follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I**

2 Transportation Partnership Account—State

3 Appropriation . . . . . ((~~\$385,619,000~~))  
4 \$395,725,000

5 Motor Vehicle Account—State Appropriation . . . . . ((~~\$102,543,000~~))  
6 \$63,435,000

7 Motor Vehicle Account—Federal Appropriation . . . . . ((~~\$151,857,000~~))  
8 \$156,149,000

9 Motor Vehicle Account—Private/Local Appropriation . . . . . ((~~\$70,404,000~~))  
10 \$64,126,000

11 State Route Number 520 Corridor Account—State

12 Appropriation. . . . . \$1,000

13 State Route Number 520 Corridor Account—Federal

14 Appropriation. . . . . \$1,000

15 Connecting Washington Account—State

16 Appropriation . . . . . ((~~\$2,355,205,000~~))  
17 \$1,631,186,000

18 Special Category C Account—State Appropriation . . . . . ((~~\$36,134,000~~))  
19 \$19,123,000

20 Multimodal Transportation Account—State

21 Appropriation . . . . . ((~~\$3,853,000~~))  
22 \$3,855,000

23 Alaskan Way Viaduct Replacement Project Account—State

24 Appropriation . . . . . \$77,956,000

25 Transportation 2003 Account (Nickel Account)—State

26 Appropriation . . . . . ((~~\$10,429,000~~))  
27 \$9,403,000

28 Interstate 405 and State Route Number 167 Express

29 Toll Lanes Account—State Appropriation. . . . . ((~~\$90,027,000~~))  
30 \$33,742,000

31 TOTAL APPROPRIATION. . . . . ((~~\$3,284,027,000~~))  
32 \$2,454,702,000

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

35 (1) Except as provided otherwise in this section, the entire  
36 connecting Washington account—state appropriation and the entire  
37 transportation partnership account—state appropriation are provided  
38 solely for the projects and activities as listed by fund, project,  
39 and amount in LEAP Transportation Document ((2020)) 2021-1 as

1 developed March (~~11, 2020~~) 22, 2021, Program - Highway Improvements  
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 601 (~~of this~~  
5 ~~act~~), chapter 219, Laws of 2020.

6 (2) Except as provided otherwise in this section, the entire  
7 motor vehicle account—state appropriation and motor vehicle account—  
8 federal appropriation are provided solely for the projects and  
9 activities listed in LEAP Transportation Document (~~2020~~) 2021-2 ALL  
10 PROJECTS as developed March (~~11, 2020~~) 22, 2021, Program - Highway  
11 Improvements Program (I). Any federal funds gained through  
12 efficiencies, adjustments to the federal funds forecast, additional  
13 congressional action not related to a specific project or purpose, or  
14 the federal funds redistribution process must then be applied to  
15 highway and bridge preservation activities or fish passage barrier  
16 corrections (OBI4001).

17 (3) Within the motor vehicle account—state appropriation and  
18 motor vehicle account—federal appropriation, the department may  
19 transfer funds between programs I and P, except for funds that are  
20 otherwise restricted in this act. Ten days prior to any transfer, the  
21 department must submit its request to the office of financial  
22 management and the transportation committees of the legislature and  
23 consider any concerns raised. The department shall submit a report on  
24 fiscal year funds transferred in the prior fiscal year using this  
25 subsection as part of the department's annual budget submittal.

26 (4) The connecting Washington account—state appropriation  
27 includes up to (~~(\$1,835,325,000)~~) \$1,085,325,000 in proceeds from the  
28 sale of bonds authorized in RCW 47.10.889.

29 (5) The special category C account—state appropriation includes  
30 up to (~~(\$24,910,000)~~) \$19,123,000 in proceeds from the sale of bonds  
31 authorized in RCW 47.10.812.

32 (6) The transportation partnership account—state appropriation  
33 includes up to (~~(\$162,658,000)~~) \$175,140,000 in proceeds from the  
34 sale of bonds authorized in RCW 47.10.873.

35 (7) The Alaskan Way viaduct replacement project account—state  
36 appropriation includes up to \$77,956,000 in proceeds from the sale of  
37 bonds authorized in RCW 47.10.873.

38 (8) (~~(\$168,757,000)~~) \$162,005,000 of the transportation  
39 partnership account—state appropriation, (~~(\$19,790,000)~~) \$17,898,000



1 of the motor vehicle account—private/local appropriation, \$3,384,000  
2 of the transportation 2003 account (nickel account)—state  
3 appropriation, \$77,956,000 of the Alaskan Way viaduct replacement  
4 project account—state appropriation, and (~~(\$1,838,000)~~) \$854,000 of  
5 the multimodal transportation account—state appropriation are  
6 provided solely for the SR 99/Alaskan Way Viaduct Replacement project  
7 (809936Z). It is the intent of the legislature that the \$25,000,000  
8 increase in funding provided in the 2021-2023 fiscal biennium be  
9 covered by any legal damages paid to the state as a result of a  
10 lawsuit related to contractual provisions for construction and  
11 delivery of the Alaskan Way viaduct replacement project. The  
12 legislature intends that the \$25,000,000 of the transportation  
13 partnership account—state funds be repaid when those damages are  
14 recovered.

15 (9) \$3,000,000 of the multimodal transportation account—state  
16 appropriation is provided solely for transit mitigation for the SR  
17 99/Viaduct Project - Construction Mitigation project (809940B).

18 (10) (~~(\$168,655,000)~~) \$148,097,000 of the connecting Washington  
19 account—state appropriation, \$1,052,000 of the special category C  
20 account—state appropriation, and (~~(\$738,000)~~) \$1,338,000 of the motor  
21 vehicle account—private/local appropriation are provided solely for  
22 the US 395 North Spokane Corridor project (M00800R).

23 (11) (~~(\$82,991,000)~~) \$29,187,000 of the Interstate 405 and state  
24 route number 167 express toll lanes account—state appropriation is  
25 provided solely for the I-405/SR 522 to I-5 Capacity Improvements  
26 project (L2000234) for activities related to adding capacity on  
27 Interstate 405 between state route number 522 and Interstate 5, with  
28 the goals of increasing vehicle throughput and aligning project  
29 completion with the implementation of bus rapid transit in the  
30 vicinity of the project.

31 (12) (a) (~~(\$422,099,000)~~) \$356,007,000 of the connecting  
32 Washington account—state appropriation and (~~(\$456,000)~~) \$400,000 of  
33 the motor vehicle account—private/local appropriation are provided  
34 solely for the SR 520 Seattle Corridor Improvements - West End  
35 project (M00400R).

36 (b) Recognizing that the department of transportation requires  
37 full possession of parcel number 1-23190 to complete the Montlake  
38 Phase of the West End project, the department is directed to:

1 (i) Work with the operator of the Montlake boulevard market  
2 located on parcel number 1-23190 to negotiate a lease allowing  
3 continued operations up to January 1, 2020. After that time, the  
4 department shall identify an area in the vicinity of the Montlake  
5 property for a temporary market or other food service to be provided  
6 during the period of project construction. Should the current  
7 operator elect not to participate in providing that temporary  
8 service, the department shall then develop an outreach plan with the  
9 city to solicit community input on the food services provided, and  
10 then advertise the opportunity to other potential vendors. Further,  
11 the department shall work with the city of Seattle and existing  
12 permit processes to facilitate vendor access to and use of the area  
13 in the vicinity of the Montlake property.

14 (ii) Upon completion of the Montlake Phase of the West End  
15 project (current anticipated contract completion of 2023), WSDOT  
16 shall sell that portion of the property not used for permanent  
17 transportation improvements and initiate a process to convey that  
18 surplus property to a subsequent owner.

19 (c) \$60,000 of the motor vehicle account—state appropriation is  
20 provided solely for grants to nonprofit organizations located in a  
21 city with a population exceeding six hundred thousand persons and  
22 that empower artists through equitable access to vital expertise,  
23 opportunities, and business services. Funds may be used only for the  
24 purpose of preserving, commemorating, and sharing the history of the  
25 city of Seattle's freeway protests and making the history of activism  
26 around the promotion of more integrated transportation and land use  
27 planning accessible to current and future generations through the  
28 preservation of Bent 2 of the R. H. Thompson freeway ramp.

29 (13) It is the intent of the legislature that for the I-5 JBLM  
30 Corridor Improvements project (M00100R), the department shall  
31 actively pursue \$50,000,000 in federal funds to pay for this project  
32 to supplant state funds in the future. \$50,000,000 in connecting  
33 Washington account funding must be held in unallotted status during  
34 the 2021-2023 fiscal biennium. These funds may only be used after the  
35 department has provided notice to the office of financial management  
36 that it has exhausted all efforts to secure federal funds from the  
37 federal highway administration and the department of defense.

38 (14) (~~(\$310,469,000)~~) \$172,911,000 of the connecting Washington  
39 account—state appropriation (~~(is)~~), \$12,599,000 of the motor vehicle

1 account—private/local appropriation, \$2,500,000 of the motor vehicle  
2 account—state appropriation, and \$1,500,000 of the motor vehicle  
3 account—federal appropriation are provided solely for the SR 167/SR  
4 509 Puget Sound Gateway project (M00600R).

5 (a) Any savings on the project must stay on the Puget Sound  
6 Gateway corridor until the project is complete.

7 (b) Proceeds from the sale of any surplus real property acquired  
8 for the purpose of building the SR 167/SR 509 Puget Sound Gateway  
9 (M00600R) project must be deposited into the motor vehicle account  
10 for the purpose of constructing the project.

11 (c) In making budget allocations to the Puget Sound Gateway  
12 project, the department shall implement the project's construction as  
13 a single corridor investment. The department shall develop a  
14 coordinated corridor construction and implementation plan for state  
15 route number 167 and state route number 509 in collaboration with  
16 affected stakeholders. Specific funding allocations must be based on  
17 where and when specific project segments are ready for construction  
18 to move forward and investments can be best optimized for timely  
19 project completion. Emphasis must be placed on avoiding gaps in fund  
20 expenditures for either project.

21 (d) It is the legislature's intent that the department shall  
22 construct a full single-point urban interchange at the junction of  
23 state route number 161 (Meridian avenue) and state route number 167  
24 and a full single-point urban interchange at the junction of state  
25 route number 509 and 188th Street. If the department receives  
26 additional funds from an outside source for this project after the  
27 base project is fully funded, the funds must first be applied toward  
28 the completion of these two full single-point urban interchanges.

29 (e) In designing the state route number 509/state route number  
30 516 interchange component of the SR 167/SR 509 Puget Sound Gateway  
31 project (M00600R), the department shall make every effort to utilize  
32 the preferred "4B" design.

33 (f) The department shall explore the development of a multiuse  
34 trail for bicyclists, pedestrians, skateboarders, and similar users  
35 along the SR 167 right-of-way acquired for the project to connect a  
36 network of new and existing trails from Mount Rainier to Point  
37 Defiance Park.

38 (g) If sufficient bonding authority to complete this project is  
39 not provided within chapter 421, Laws of 2019 (addressing tolling),

1 or within a bond authorization act referencing chapter 421, Laws of  
2 2019 by June 30, 2019, it is the intent of the legislature to return  
3 the Puget Sound Gateway project (M00600R) to its previously  
4 identified construction schedule by moving \$128,900,000 in connecting  
5 Washington account—state appropriation back to the 2027-2029 biennium  
6 from the 2023-2025 biennium on the list referenced in subsection (2)  
7 of this section. If sufficient bonding authority is provided, it is  
8 the intent of the legislature to advance the project to allow for  
9 earlier completion and inflationary savings.

10 (15) It is the intent of the legislature that, for the I-5/North  
11 Lewis County Interchange project (L2000204), the department develop  
12 and design the project with the objective of significantly improving  
13 access to the industrially zoned properties in north Lewis county.  
14 The design must consider the county's process of investigating  
15 alternatives to improve such access from Interstate 5 that began in  
16 March 2015.

17 (16) (~~(\$1,029,000)~~) \$1,030,000 of the transportation partnership  
18 account—state appropriation is provided solely for the U.S. 2 Trestle  
19 IJR project (L1000158).

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

26 (18) Any advisory group that the department convenes during the  
27 2019-2021 fiscal biennium must consider the interests of the entire  
28 state of Washington.

29 (19) The legislature finds that there are sixteen companies  
30 involved in wood preserving in the state that employ four hundred  
31 workers and have an annual payroll of fifteen million dollars. Before  
32 the department's switch to steel guardrails, ninety percent of the  
33 twenty-five hundred mile guardrail system was constructed of  
34 preserved wood and one hundred ten thousand wood guardrail posts were  
35 produced annually for state use. Moreover, the policy of using steel  
36 posts requires the state to use imported steel. Given these findings,  
37 where practicable, and until June 30, 2021, the department shall  
38 include the design option to use wood guardrail posts, in addition to  
39 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 (20) (a) For connecting Washington projects that have already  
4 begun and are eligible for the authority granted in section 601 (~~of~~  
5 ~~this act~~), chapter 219, Laws of 2020, the department shall  
6 prioritize advancing the following projects if expected  
7 reappropriations become available:

- 8 (i) SR 14/I-205 to SE 164th Ave - Auxiliary Lanes (L2000102);
- 9 (ii) SR 305 Construction - Safety Improvements (N30500R);
- 10 (iii) SR 14/Bingen Underpass (L2220062);
- 11 (iv) I-405/NE 132nd Interchange - Totem Lake (L1000110);
- 12 (v) US Hwy 2 Safety (N00200R);
- 13 (vi) US-12/Walla Walla Corridor Improvements (T20900R);
- 14 (vii) I-5 JBLM Corridor Improvements (M00100R);
- 15 (viii) I-5/Slater Road Interchange - Improvements (L1000099);
- 16 (ix) SR 510/Yelm Loop Phase 2 (T32700R); or
- 17 (x) SR 520/124th St Interchange (Design and Right of Way)  
18 (L1000098).

19 (b) To the extent practicable, the department shall use the  
20 flexibility and authority granted in this section and in section 601  
21 of this act to minimize the amount of reappropriations needed each  
22 biennium.

23 (c) The advancement of a project may not hinder the delivery of  
24 the projects for which the reappropriations are necessary for the  
25 2021-2023 fiscal biennium.

26 (21) The legislature continues to prioritize the replacement of  
27 the state's aging infrastructure and recognizes the importance of  
28 reusing and recycling construction aggregate and recycled concrete  
29 materials in our transportation system. To accomplish Washington  
30 state's sustainability goals in transportation and in accordance with  
31 RCW 70.95.805, the legislature reaffirms its determination that  
32 recycled concrete aggregate and other transportation building  
33 materials are natural resource construction materials that are too  
34 valuable to be wasted and landfilled, and are a commodity as defined  
35 in WAC 173-350-100.

36 Further, the legislature determines construction aggregate and  
37 recycled concrete materials substantially meet widely recognized  
38 international, national, and local standards and specifications  
39 referenced in American society for testing and materials, American  
40 concrete institute, Washington state department of transportation,

1 Seattle department of transportation, American public works  
2 association, federal aviation administration, and federal highway  
3 administration specifications, and are described as necessary and  
4 desirable products for recycling and reuse by state and federal  
5 agencies.

6 As these recyclable materials have well established markets, are  
7 substantially a primary or secondary product of necessary  
8 construction processes and production, and are managed as an item of  
9 commercial value, construction aggregate and recycled concrete  
10 materials are exempt from chapter 173-350 WAC.

11 (22) (a) (~~(\$17,500,000)~~) \$8,072,000 of the motor vehicle account—  
12 state appropriation (~~(is)~~) and \$7,329,000 of the motor vehicle  
13 account—private/local appropriation are provided solely for staffing  
14 of a project office to replace the Interstate 5 bridge across the  
15 Columbia river (G2000088). If at least a \$9,000,000 transfer is not  
16 authorized in section 406(29), chapter 416, Laws of 2019, then  
17 \$9,000,000 of the motor vehicle account—state appropriation lapses.

18 (b) Of the amount provided in this subsection, \$7,780,000 of the  
19 motor vehicle account—state appropriation must be placed in  
20 unallotted status by the office of financial management until the  
21 department develops a detailed plan for the work of this project  
22 office in consultation with the chairs and ranking members of the  
23 transportation committees of the legislature. The director of the  
24 office of financial management shall consult with the chairs and  
25 ranking members of the transportation committees of the legislature  
26 prior to making a decision to allot these funds.

27 (c) The work of this project office includes, but is not limited  
28 to, the reevaluation of the purpose and need identified for the  
29 project previously known as the Columbia river crossing, the  
30 reevaluation of permits and development of a finance plan, the  
31 reengagement of key stakeholders and the public, and the reevaluation  
32 of scope, schedule, and budget for a reinvigorated bistate effort for  
33 replacement of the Interstate 5 Columbia river bridge. When  
34 reevaluating the finance plan for the project, the department shall  
35 assume that some costs of the new facility may be covered by tolls.  
36 The project office must also study the possible different governance  
37 structures for a bridge authority that would provide for the joint  
38 administration of the bridges over the Columbia river between Oregon  
39 and Washington. As part of this study, the project office must

1 examine the feasibility and necessity of an interstate compact in  
2 conjunction with the national center for interstate compacts.

3 (d) Within the amount provided in this subsection, the department  
4 must implement chapter 137, Laws of 2019 (projects of statewide  
5 significance).

6 (e) The department shall have as a goal to:

7 (i) Reengage project stakeholders and reevaluate the purpose and  
8 need and environmental permits by July 1, 2020;

9 (ii) Develop a finance plan by December 1, 2020; and

10 (iii) Have made significant progress toward beginning the  
11 supplemental environmental impact statement process by June 30, 2021.  
12 The department shall aim to provide a progress report on these  
13 activities to the governor and the transportation committees of the  
14 legislature by December 1, 2019, and a final report to the governor  
15 and the transportation committees of the legislature by December 1,  
16 2020.

17 ~~(23) ((\$17,500,000 of the motor vehicle account state~~  
18 ~~appropriation is provided solely to begin the pre-design phase on the~~  
19 ~~I-5/Columbia River Bridge project (G2000088)).~~

20 ~~(24))~~ (a) \$191,360,000 of the connecting Washington account—state  
21 appropriation, \$47,655,000 of the motor vehicle account—federal  
22 appropriation, \$11,179,000 of the motor vehicle account—private/local  
23 appropriation, \$6,100,000 of the motor vehicle account—state  
24 appropriation, and \$18,706,000 of the transportation partnership  
25 account—state appropriation are provided solely for the Fish Passage  
26 Barrier Removal project (OBI4001) with the intent of fully complying  
27 with the court injunction by 2030.

28 (b) Of the amounts provided in this subsection, \$320,000 of the  
29 connecting Washington account—state appropriation is provided solely  
30 to remove the fish passage barrier on state route number 6 that  
31 interfaces with Boistfort Valley water utilities near milepost 46.6.

32 (c) The department shall coordinate with the Brian Abbott fish  
33 passage barrier removal board to use a watershed approach to maximize  
34 habitat gain by replacing both state and local culverts. The  
35 department shall deliver high habitat value fish passage barrier  
36 corrections that it has identified, guided by the following factors:  
37 Opportunity to bundle projects, ability to leverage investments by  
38 others, presence of other barriers, project readiness, other  
39 transportation projects in the area, and transportation impacts.

1 (d) The department must keep track of, for each barrier removed:  
2 (i) The location; (ii) the amount of fish habitat gain; and (iii) the  
3 amount spent to comply with the injunction.

4 (e) It is the intent of the legislature that for the amount  
5 listed for the 2021-2023 biennium for the Fish Passage Barrier  
6 Removal project (0BI4001) on the LEAP list referenced in subsection  
7 (1) of this section, that accrued practical design savings deposited  
8 in the transportation future funding program account be used to help  
9 fund the cost of fully complying with the court injunction by 2030.

10 (~~((25))~~) (24)(a) The Washington state department of  
11 transportation is directed to pursue compliance with the *U.S. v.*  
12 *Washington* permanent injunction by delivering culvert corrections  
13 within the injunction area guided by the principle of providing the  
14 greatest fisheries habitat gain at the earliest time and considering  
15 the following factors: Opportunity to bundle projects, tribal  
16 priorities, ability to leverage investments by others, presence of  
17 other barriers, project readiness, culvert condition, other  
18 transportation projects in the area, and transportation impacts.

19 (b) The department and Brian Abbott fish barrier removal board,  
20 while providing the opportunity for stakeholders, tribes, and  
21 government agencies to give input on a statewide culvert remediation  
22 plan, must provide updates on the development of the statewide  
23 culvert remediation plan to the capital budget, ways and means, and  
24 transportation committees of the legislature by November 1, 2020, and  
25 March 15, 2021. The first update must include a project timeline and  
26 plan to ensure that all state agencies with culvert correction  
27 programs are involved in the creation of the comprehensive plan. The  
28 department and Brian Abbott fish barrier removal board must submit  
29 the final comprehensive statewide culvert remediation plan and the  
30 process by which it will be adaptively managed over time to the  
31 governor and the legislative fiscal committees by June 30, 2021.

32 (~~((26) \$16,649,000))~~ (25) \$4,880,000 of the connecting Washington  
33 account—state appropriation, \$373,000 of the motor vehicle account—  
34 state appropriation, and (~~(\$6,000,000)~~) \$113,000 of the motor vehicle  
35 account—private/local appropriation are provided solely for the I-90/  
36 Barker to Harvard - Improve Interchanges & Local Roads project  
37 (L2000122). The connecting Washington account appropriation for the  
38 improvements that fall within the city of Liberty Lake may only be  
39 expended if the city of Liberty Lake agrees to cover any project  
40 costs within the city of Liberty Lake above the \$20,900,000 of state



1 appropriation provided for the total project in LEAP Transportation  
2 Document ~~((2020))~~ 2021-1 as developed March ~~((11, 2020))~~ 22, 2021,  
3 Program - Highway Improvements (I).

4 ~~((27))~~ (26) ~~(((\$6,799,000))~~ \$3,901,000 of the motor vehicle  
5 account—federal appropriation, ~~(((\$31,000))~~ \$34,000 of the motor  
6 vehicle account—state appropriation ~~((, \$3,812,000 of the~~  
7 ~~transportation partnership account state appropriation))~~, and  
8 ~~(((\$7,000,000))~~ \$4,519,000 of the Interstate 405 and state route  
9 number 167 express toll lanes account—state appropriation are  
10 provided solely for the SR 167/SR 410 to SR 18 - Congestion  
11 Management project (316706C).

12 (b) If sufficient bonding authority to complete this project is  
13 not provided within chapter 421, Laws of 2019 (addressing tolling),  
14 or within a bond authorization act referencing chapter 421, Laws of  
15 2019 by June 30, 2019, it is the intent of the legislature to remove  
16 the \$100,000,000 in toll funding from this project on the list  
17 referenced in subsection (2) of this section.

18 ~~((28))~~ (27) For the I-405/North 8th Street Direct Access Ramp  
19 in Renton project (L1000280), if sufficient bonding authority to  
20 begin this project is not provided within chapter 421, Laws of 2019  
21 (addressing tolling), or within a bond authorization act referencing  
22 chapter 421, Laws of 2019, it is the intent of the legislature to  
23 remove the project from the list referenced in subsection (2) of this  
24 section.

25 ~~((29) \$7,985,000))~~ (28) \$7,071,000 of the Special Category C  
26 account—state appropriation ~~((and \$1,000,000 of the motor vehicle~~  
27 ~~account private/local appropriation are))~~ is provided solely for the  
28 SR 18 Widening - Issaquah/Hobart Rd to Raging River project  
29 (L1000199) for improving and widening state route number 18 to four  
30 lanes from Issaquah-Hobart Road to Raging River.

31 ~~((30))~~ (29) \$2,250,000 of the motor vehicle account—state  
32 appropriation is provided solely for the I-5 Corridor from Mounts  
33 Road to Tumwater project (L1000231) for completing a National and  
34 State Environmental Policy Act (NEPA/SEPA) analysis to identify mid-  
35 and long-term environmental impacts associated with future  
36 improvements along the I-5 corridor from Tumwater to DuPont.

37 ~~((31) \$622,000))~~ (30) \$200,000 of the motor vehicle account—  
38 state appropriation is provided solely for the US 101/East Sequim  
39 Corridor Improvements project (L2000343).

1       (~~(32)~~ \$12,916,000) (31) \$777,000 of the motor vehicle account—  
2 state appropriation is provided solely for the SR 522/Paradise Lk Rd  
3 Interchange & Widening on SR 522 (Design/Engineering) project  
4 (NPARADI).

5       (~~(33)~~ \$1,000,000) (32) \$1,001,000 of the motor vehicle account—  
6 state appropriation ~~((is))~~ and \$1,227,000 of the motor vehicle  
7 account—federal appropriation are provided solely for the US 101/  
8 Morse Creek Safety Barrier project (L1000247).

9       (~~(34)~~ \$1,000,000) (33) \$85,000 of the motor vehicle account—  
10 state appropriation is provided solely for the SR 162/410 Interchange  
11 Design and Right of Way project (L1000276).

12       (~~(36)~~) (34) The appropriations in this section include savings  
13 due to anticipated project underruns; however, it is unknown which  
14 projects will provide savings. The legislature intends to provide  
15 sufficient flexibility for the department to manage to this savings  
16 target. To provide this flexibility, the office of financial  
17 management may authorize, through an allotment modification,  
18 reductions in the appropriated amounts that are provided solely for a  
19 particular purpose within this section subject to the following  
20 conditions and limitations:

21       (a) The department must confirm that any modification requested  
22 under this subsection of amounts provided solely for a specific  
23 purpose are not expected to be used for that purpose in this  
24 biennium;

25       (b) Allotment modifications authorized under this subsection may  
26 not result in increased funding for any project beyond the amount  
27 provided for that project in the 2019-2021 fiscal biennium in LEAP  
28 Transportation Document ~~((2020))~~ 2021-2 ALL PROJECTS as developed  
29 March ~~((11, 2020))~~ 22, 2021;

30       (c) Allotment modifications authorized under this subsection  
31 apply only to amounts appropriated in this section from the following  
32 accounts: Multimodal transportation account—state, transportation  
33 partnership account—state, connecting Washington account—state, and  
34 special category C account—state; and

35       (d) By December 1, 2020, the department must submit a report to  
36 the transportation committees of the legislature regarding the  
37 actions taken under this subsection.



1 and amount in LEAP Transportation Document ((2020)) 2021-1 as  
2 developed March ((11, 2020)) 22, 2021, Program - Highway Preservation  
3 Program (P). However, limited transfers of specific line-item project  
4 appropriations may occur between projects for those amounts listed  
5 subject to the conditions and limitations in section 601 ((of this  
6 act)), chapter 219, Laws of 2020.

7 (2) Except as provided otherwise in this section, the entire  
8 motor vehicle account—state appropriation and motor vehicle account—  
9 federal appropriation are provided solely for the projects and  
10 activities listed in LEAP Transportation Document ((2020)) 2021-2 ALL  
11 PROJECTS as developed March ((11, 2020)) 22, 2021, Program - Highway  
12 Preservation Program (P). Any federal funds gained through  
13 efficiencies, adjustments to the federal funds forecast, additional  
14 congressional action not related to a specific project or purpose, or  
15 the federal funds redistribution process must then be applied to  
16 highway and bridge preservation activities or fish passage barrier  
17 corrections (OBI4001).

18 (3) Within the motor vehicle account—state appropriation and  
19 motor vehicle account—federal appropriation, the department may  
20 transfer funds between programs I and P, except for funds that are  
21 otherwise restricted in this act. Ten days prior to any transfer, the  
22 department must submit its request to the office of financial  
23 management and the transportation committees of the legislature and  
24 consider any concerns raised. The department shall submit a report on  
25 fiscal year funds transferred in the prior fiscal year using this  
26 subsection as part of the department's annual budget submittal.

27 (4) (((\$26,683,000)) \$21,517,000 of the connecting Washington  
28 account—state appropriation is provided solely for the land mobile  
29 radio upgrade (G2000055) and is subject to the conditions,  
30 limitations, and review provided in section 701 ((of this act)),  
31 chapter 219, Laws of 2020. The land mobile radio project is subject  
32 to technical oversight by the office of the chief information  
33 officer. The department, in collaboration with the office of the  
34 chief information officer, shall identify where existing or proposed  
35 mobile radio technology investments should be consolidated, identify  
36 when existing or proposed mobile radio technology investments can be  
37 reused or leveraged to meet multiagency needs, increase mobile radio  
38 interoperability between agencies, and identify how redundant  
39 investments can be reduced over time. The department shall also

1 provide quarterly reports to the technology services board on project  
2 progress.

3 (5) (~~(\$4,000,000)~~) \$5,000,000 of the motor vehicle account—state  
4 appropriation is provided solely for extraordinary costs incurred  
5 from litigation awards, settlements, or dispute mitigation activities  
6 not eligible for funding from the self-insurance fund. The amount  
7 provided in this subsection must be held in unallotted status until  
8 the department submits a request to the office of financial  
9 management that includes documentation detailing litigation-related  
10 expenses. The office of financial management may release the funds  
11 only when it determines that all other funds designated for  
12 litigation awards, settlements, and dispute mitigation activities  
13 have been exhausted. No funds provided in this subsection may be  
14 expended on any legal fees related to the SR 99/Alaskan Way viaduct  
15 replacement project (809936Z).

16 (6) The appropriation in this section includes funding for  
17 starting planning, engineering, and construction of the Elwha River  
18 bridge replacement. To the greatest extent practicable, the  
19 department shall maintain public access on the existing route.

20 (7) \$21,289,000 of the motor vehicle account—federal  
21 appropriation and \$840,000 of the motor vehicle account—state  
22 appropriation are provided solely for the preservation of  
23 structurally deficient bridges or bridges that are at risk of  
24 becoming structurally deficient (L1000068). These funds must be used  
25 widely around the state of Washington. When practicable, the  
26 department shall pursue design-build contracts for these bridge  
27 projects to expedite delivery. The department shall provide a report  
28 that identifies the progress of each project funded in this  
29 subsection as part of its annual agency budget request.

30 (8) The department must consult with the Washington state patrol  
31 and the office of financial management during the design phase of any  
32 improvement or preservation project that could impact Washington  
33 state patrol weigh station operations. During the design phase of any  
34 such project, the department must estimate the cost of designing  
35 around the affected weigh station's current operations, as well as  
36 the cost of moving the affected weigh station.

37 (9) During the course of any planned resurfacing or other  
38 preservation activity on state route number 26 between Colfax and

1 Othello in the 2019-2021 fiscal biennium, the department must add  
2 dug-in reflectors.

3 (10) Within the connecting Washington account—state  
4 appropriation, the department may transfer funds from Highway System  
5 Preservation (L1100071) to other preservation projects listed in the  
6 LEAP transportation document identified in subsection (1) of this  
7 section, if it is determined necessary for completion of these high  
8 priority preservation projects. The department's next budget  
9 submittal after using this subsection must appropriately reflect the  
10 transfer.

11 **Sec. 1006.** 2020 c 219 s 307 (uncodified) is amended to read as  
12 follows:

13 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**  
14 **CAPITAL**

15	Motor Vehicle Account—State Appropriation . . . . .	(( <del>\$7,746,000</del> ))
16		<u>\$6,296,000</u>
17	Motor Vehicle Account—Federal Appropriation . . . . .	(( <del>\$6,137,000</del> ))
18		<u>\$5,039,000</u>
19	Motor Vehicle Account—Private/Local Appropriation . . . . .	\$579,000
20	Interstate 405 and State Route Number 167 Express	
21	Toll Lanes Account—State Appropriation. . . . .	(( <del>\$100,000</del> ))
22		<u>\$189,000</u>
23	TOTAL APPROPRIATION. . . . .	(( <del>\$14,562,000</del> ))
24		<u>\$12,103,000</u>

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

27 ((~~(1)~~—\$700,000)) \$121,000 of the motor vehicle account—state  
28 appropriation is provided solely for the SR 99 Aurora Bridge ITS  
29 project (L2000338).

30 **Sec. 1007.** 2020 c 219 s 308 (uncodified) is amended to read as  
31 follows:

32 **FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES**  
33 **CONSTRUCTION—PROGRAM W**

34	Puget Sound Capital Construction Account—State	
35	Appropriation . . . . .	(( <del>\$116,253,000</del> ))
36		<u>\$85,297,000</u>
37	Puget Sound Capital Construction Account—Federal	

1	Appropriation . . . . .	(( <del>\$198,688,000</del> ))
2		<u>\$177,352,000</u>
3	Puget Sound Capital Construction Account—Private/Local	
4	Appropriation . . . . .	(( <del>\$4,779,000</del> ))
5		<u>\$4,575,000</u>
6	Transportation Partnership Account—State	
7	Appropriation . . . . .	(( <del>\$6,582,000</del> ))
8		<u>\$2,312,000</u>
9	Connecting Washington Account—State Appropriation . . .	\$112,426,000
10	Capital Vessel Replacement Account—State	
11	Appropriation. . . . .	(( <del>\$96,030,000</del> ))
12		<u>\$35,547,000</u>
13	Transportation 2003 Account (Nickel Account)—State	
14	Appropriation. . . . .	\$986,000
15	TOTAL APPROPRIATION. . . . .	(( <del>\$535,744,000</del> ))
16		<u>\$418,495,000</u>

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

19 (1) Except as provided otherwise in this section, the entire  
20 appropriations in this section are provided solely for the projects  
21 and activities as listed in LEAP Transportation Document ((2020))  
22 2021-2 ALL PROJECTS as developed March ((11, 2020)) 22, 2021, Program  
23 - Washington State Ferries Capital Program (W).

24 (2) \$2,857,000 of the Puget Sound capital construction account—  
25 state appropriation, ((~~\$17,832,000~~)) \$18,818,000 of the Puget Sound  
26 capital construction account—federal appropriation, and \$63,789,000  
27 of the connecting Washington account—state appropriation, are  
28 provided solely for the Mukilteo ferry terminal (952515P). To the  
29 extent practicable, the department shall avoid the closure of, or  
30 disruption to, any existing public access walkways in the vicinity of  
31 the terminal project during construction.

32 (3) ((~~\$102,641,000~~)) \$94,643,000 of the Puget Sound capital  
33 construction account—federal appropriation, \$47,819,000 of the  
34 connecting Washington account—state appropriation, and \$4,355,000 of  
35 the Puget Sound capital construction account—local appropriation are  
36 provided solely for the Seattle Terminal Replacement project  
37 (900010L).

38 (4) \$5,357,000 of the Puget Sound capital construction account—  
39 state appropriation is provided solely for emergency capital repair

1 costs (999910K). Funds may only be spent after approval by the office  
2 of financial management.

3 (5) (~~(\$2,300,000)~~) \$2,224,000 of the Puget Sound capital  
4 construction account—state appropriation is provided solely for the  
5 ORCA acceptance project (L2000300). The ferry system shall work with  
6 Washington technology solutions and the tolling division on the  
7 development of a new, interoperable ticketing system.

8 (6) \$495,000 of the Puget Sound capital construction account—  
9 state appropriation is provided solely for an electric ferry planning  
10 team (G2000087) to develop ten-year and twenty-year implementation  
11 plans to efficiently deploy hybrid-electric vessels, including a  
12 cost-benefit analysis of construction and operation of hybrid-  
13 electric vessels with and without charging infrastructure. The plan  
14 includes, but is not limited to, vessel technology and feasibility,  
15 vessel and terminal deployment schedules, project financing, and  
16 workforce requirements. The plan shall be submitted to the office of  
17 financial management and the transportation committees of the  
18 legislature by June 30, 2020.

19 (7) (~~(\$35,000,000)~~) \$10,776,000 of the Puget Sound capital  
20 construction account—state appropriation and \$8,000,000 of the Puget  
21 Sound capital construction account—federal appropriation are provided  
22 solely for the conversion of up to two Jumbo Mark II vessels to  
23 electric hybrid propulsion (G2000084). The department shall seek  
24 additional funds for the purposes of this subsection. The department  
25 may spend from the Puget Sound capital construction account—state  
26 appropriation in this section only as much as the department receives  
27 in Volkswagen settlement funds for the purposes of this subsection.

28 (8) \$400,000 of the Puget Sound capital construction account—  
29 state appropriation is provided solely for a request for proposals  
30 for a new maintenance management system (project L2000301) and is  
31 subject to the conditions, limitations, and review provided in  
32 section 701 (~~(of this act)~~), chapter 219, Laws of 2020.

33 (9) (~~(\$96,030,000)~~) \$35,547,000 of the capital vessel replacement  
34 account—state appropriation is provided solely for the acquisition of  
35 a 144-car hybrid-electric vessel. The vendor must present to the  
36 joint transportation committee and the office of financial  
37 management, by September 15, 2019, a list of options that will result  
38 in significant cost savings changes in terms of construction or the  
39 long-term maintenance and operations of the vessel. The vendor must



1 allow for exercising the options without a penalty. It is the intent  
2 of the legislature to provide an additional \$88,000,000 in funding in  
3 the 2021-23 biennium. The reduction provided in this subsection is an  
4 assumed underrun pursuant to subsection (11) of this section. The  
5 commencement of construction of new vessels for the ferry system is  
6 important not only for safety reasons, but also to keep skilled  
7 marine construction jobs in the Puget Sound region and to sustain the  
8 capacity of the region to meet the ongoing construction and  
9 preservation needs of the ferry system fleet of vessels. The  
10 legislature has determined that the current vessel procurement  
11 process must move forward with all due speed, balancing the interests  
12 of both the taxpayers and shipyards. To accomplish construction of  
13 vessels in accordance with RCW 47.60.810, the prevailing shipbuilder,  
14 for vessels initially funded after July 1, 2020, is encouraged to  
15 follow the historical practice of subcontracting the construction of  
16 ferry superstructures to a separate nonaffiliated contractor located  
17 within the Puget Sound region, that is qualified in accordance with  
18 RCW 47.60.690.

19 (10) The capital vessel replacement account—state appropriation  
20 includes up to (~~(\$96,030,000)~~) \$35,547,000 in proceeds from the sale  
21 of bonds authorized in RCW 47.10.873.

22 (~~((12))~~) (11) The appropriations in this section include savings  
23 due to anticipated project underruns; however, it is unknown which  
24 projects will provide savings. The legislature intends to provide  
25 sufficient flexibility for the department to manage to this savings  
26 target. To provide this flexibility, the office of financial  
27 management may authorize, through an allotment modification,  
28 reductions in the appropriated amounts that are provided solely for a  
29 particular purpose within this section subject to the following  
30 conditions and limitations:

31 (a) The department must confirm that any modification requested  
32 under this subsection of amounts provided solely for a specific  
33 purpose are not expected to be used for that purpose in this  
34 biennium;

35 (b) Allotment modifications authorized under this subsection may  
36 not result in increased funding for any project beyond the amount  
37 provided for that project in the 2019-2021 fiscal biennium in LEAP  
38 Transportation Document (~~(2020)~~) 2021-2 ALL PROJECTS as developed  
39 March (~~(11, 2020)~~) 22, 2021;

(c) Allotment modifications authorized under this subsection apply only to amounts appropriated in this section from the following accounts: Puget Sound capital construction account—state, transportation partnership account—state, and capital vessel replacement account—state; and

(d) By December 1, 2020, the department must submit a report to the transportation committees of the legislature regarding the actions taken under this subsection.

**Sec. 1008.** 2020 c 219 s 309 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL**

Motor Vehicle Account—State Appropriation. . . . .	(( <del>\$3,300,000</del> ))
	<u>\$2,300,000</u>
Essential Rail Assistance Account—State Appropriation . . . . .	\$851,000
Transportation Infrastructure Account—State	
Appropriation . . . . .	(( <del>\$7,554,000</del> ))
	<u>\$7,465,000</u>
Multimodal Transportation Account—State	
Appropriation . . . . .	\$74,876,000
Multimodal Transportation Account—Federal	
Appropriation . . . . .	\$8,601,000
Multimodal Transportation Account—Local	
Appropriation . . . . .	\$336,000
TOTAL APPROPRIATION. . . . .	(( <del>\$95,518,000</del> ))
	<u>\$94,429,000</u>

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ((2020)) 2021-2 ALL PROJECTS as developed March ((11, 2020)) 22, 2021, Program - Rail Program (Y).

(2) \$7,136,000 of the transportation infrastructure account—state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program. The department shall issue FRIB program loans with a repayment period of no more than ten years, and charge only so much interest as is necessary to recoup the department's costs to

1 administer the loans. The department shall report annually to the  
2 transportation committees of the legislature and the office of  
3 financial management on all FRIB loans issued.

4 (3) \$7,782,000 of the multimodal transportation account—state  
5 appropriation, \$51,000 of the transportation infrastructure account—  
6 state appropriation, and \$135,000 of the essential rail assistance  
7 account—state appropriation are provided solely for new statewide  
8 emergent freight rail assistance projects identified in the LEAP  
9 transportation document referenced in subsection (1) of this section.

10 (4) \$367,000 of the transportation infrastructure account—state  
11 appropriation and \$1,100,000 of the multimodal transportation account  
12 —state appropriation are provided solely to reimburse Highline Grain,  
13 LLC for approved work completed on Palouse River and Coulee City  
14 (PCC) railroad track in Spokane county between the BNSF Railway  
15 Interchange at Cheney and Geiger Junction and must be administered in  
16 a manner consistent with freight rail assistance program projects.  
17 The value of the public benefit of this project is expected to meet  
18 or exceed the cost of this project in: Shipper savings on  
19 transportation costs; jobs saved in rail-dependent industries; and/or  
20 reduced future costs to repair wear and tear on state and local  
21 highways due to fewer annual truck trips (reduced vehicle miles  
22 traveled). The amounts provided in this subsection are not a  
23 commitment for future legislatures, but it is the legislature's  
24 intent that future legislatures will work to approve biennial  
25 appropriations until the full \$7,337,000 cost of this project is  
26 reimbursed.

27 (5) (a) \$716,000 of the essential rail assistance account—state  
28 appropriation and \$82,000 of the multimodal transportation account—  
29 state appropriation are provided solely for the purpose of the  
30 rehabilitation and maintenance of the Palouse river and Coulee City  
31 railroad line (F01111B).

32 (b) Expenditures from the essential rail assistance account—state  
33 in this subsection may not exceed the combined total of:

34 (i) Revenues and transfers deposited into the essential rail  
35 assistance account from leases and sale of property relating to the  
36 Palouse river and Coulee City railroad;

37 (ii) Revenues from trackage rights agreement fees paid by  
38 shippers; and

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

5 (6) The department shall issue a call for projects for the  
6 freight rail assistance program, and shall evaluate the applications  
7 in a manner consistent with past practices as specified in section  
8 309, chapter 367, Laws of 2011. By November 15, 2020, the department  
9 shall submit a prioritized list of recommended projects to the office  
10 of financial management and the transportation committees of the  
11 legislature.

12 (7) \$10,000,000 of the multimodal transportation account—state  
13 appropriation is provided solely as expenditure authority for any  
14 insurance proceeds received by the state for Passenger Rail Equipment  
15 Replacement (project 700010C.) The department must use this  
16 expenditure authority only to purchase replacement equipment that has  
17 been competitively procured and for service recovery needs and  
18 corrective actions related to the December 2017 derailment.

19 (8) \$898,000 of the multimodal transportation account—federal  
20 appropriation and \$8,000 of the multimodal transportation account—  
21 state appropriation are provided solely for the Ridgefield Rail  
22 Overpass (project 725910A). Total costs for this project may not  
23 exceed \$909,000 across fiscal biennia.

24 (9)(a) For projects funded as part of the 2015 connecting  
25 Washington transportation package listed on the LEAP transportation  
26 document identified in subsection (1) of this section, if the  
27 department expects to have substantial reappropriations for the  
28 2021-2023 fiscal biennium, the department may, on a pilot basis,  
29 apply funding from a project in this section with an appropriation  
30 that cannot be used for the current fiscal biennium to advance the  
31 South Kelso Railroad Crossing project (L1000147).

32 (b) At least ten business days before advancing the project  
33 pursuant to this subsection, the department must notify the office of  
34 financial management and the transportation committees of the  
35 legislature. The advancement of the project may not hinder the  
36 delivery of the projects for which the reappropriations are necessary  
37 for the 2021-2023 fiscal biennium.

1 (c) To the extent practicable, the department shall use the  
2 flexibility and authority granted in this section to minimize the  
3 amount of reappropriations needed each biennium.

4 ~~(10) ((The multimodal transportation account state appropriation~~  
5 ~~includes up to \$25,000,000 in proceeds from the sale of bonds~~  
6 ~~authorized in RCW 47.10.867.~~

7 ~~(11))~~ The department must report to the joint transportation  
8 committee on the progress made on freight rail investment bank  
9 projects and freight rail assistance projects funded during this  
10 biennium by January 1, 2020.

11 ~~((12))~~ (11) \$1,500,000 of the multimodal transportation account  
12 —state appropriation is provided solely for the Chelatchie Prairie  
13 railroad roadbed rehabilitation project (L1000233).

14 ~~((13))~~ (12) \$250,000 of the multimodal transportation account—  
15 state appropriation is provided solely for the Port of Moses Lake  
16 Northern Columbia Basin railroad feasibility study (L1000235).

17 ~~((14))~~ (13) \$500,000 of the multimodal transportation account—  
18 state appropriation is provided solely for the Spokane airport  
19 transload facility project (L1000242).

20 ~~((15))~~ (14) \$1,000,000 of the motor vehicle account—state  
21 appropriation is provided solely for the grade separation at Bell  
22 road project (L1000239).

23 ~~((16))~~ (15) \$750,000 of the motor vehicle account—state  
24 appropriation and \$399,000 of the multimodal transportation account—  
25 state appropriation are provided solely for the rail crossing  
26 improvements at 6th Ave. and South 19th St. project (L2000289).

27 ~~((18))~~ (16) The appropriations in this section include savings  
28 due to anticipated project underruns; however, it is unknown which  
29 projects will provide savings. The legislature intends to provide  
30 sufficient flexibility for the department to manage to this savings  
31 target. To provide this flexibility, the office of financial  
32 management may authorize, through an allotment modification,  
33 reductions in the appropriated amounts that are provided solely for a  
34 particular purpose within this section subject to the following  
35 conditions and limitations:

36 (a) The department must confirm that any modification requested  
37 under this subsection of amounts provided solely for a specific  
38 purpose are not expected to be used for that purpose in this  
39 biennium;

1 (b) Allotment modifications authorized under this subsection may  
2 not result in increased funding for any project beyond the amount  
3 provided for that project in the 2019-2021 fiscal biennium in LEAP  
4 Transportation Document ((2020)) 2021-2 ALL PROJECTS as developed  
5 March ((11, 2020)) 22, 2021;

6 (c) Allotment modifications authorized under this subsection  
7 apply only to amounts appropriated in this section from the  
8 multimodal transportation account—state; and

9 (d) By December 1, 2020, the department must submit a report to  
10 the transportation committees of the legislature regarding the  
11 actions taken under this subsection.

12 **Sec. 1009.** 2020 c 219 s 310 (uncodified) is amended to read as  
13 follows:

14 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**  
15 **CAPITAL**

16	Highway Infrastructure Account—State Appropriation . . . . .	\$1,276,000
17	Highway Infrastructure Account—Federal Appropriation . . . . .	\$1,337,000
18	Transportation Partnership Account—State	
19	Appropriation . . . . .	(( <del>\$2,380,000</del> ))
20		<u>\$1,630,000</u>
21	Highway Safety Account—State Appropriation . . . . .	\$1,314,000
22	Motor Vehicle Account—State Appropriation . . . . .	(( <del>\$35,607,000</del> ))
23		<u>\$24,543,000</u>
24	Motor Vehicle Account—Federal Appropriation . . . . .	(( <del>\$41,420,000</del> ))
25		<u>\$52,267,000</u>
26	Motor Vehicle Account—Private/Local Appropriation . . . . .	(( <del>\$24,600,000</del> ))
27		<u>\$18,000,000</u>
28	Connecting Washington Account—State Appropriation . . . . .	(( <del>\$155,550,000</del> ))
29		<u>\$130,708,000</u>
30	Multimodal Transportation Account—State	
31	Appropriation . . . . .	(( <del>\$77,469,000</del> ))
32		<u>\$74,351,000</u>
33	TOTAL APPROPRIATION. . . . .	(( <del>\$340,953,000</del> ))
34		<u>\$305,426,000</u>

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

37 (1) Except as provided otherwise in this section, the entire  
38 appropriations in this section are provided solely for the projects

1 and activities as listed by project and amount in LEAP Transportation  
2 Document (~~(2020)~~) 2021-2 ALL PROJECTS as developed March (~~(11, 2020)~~)  
3 22, 2021, Program - Local Programs Program (Z).

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

7 (a) (~~(\$18,380,000)~~) \$8,361,000 of the multimodal transportation  
8 account—state appropriation is provided solely for newly selected  
9 pedestrian and bicycle safety program projects. (~~(\$18,577,000)~~)  
10 \$19,363,000 of the multimodal transportation account—state  
11 appropriation and \$1,380,000 of the transportation partnership  
12 account—state appropriation are reappropriated for pedestrian and  
13 bicycle safety program projects selected in the previous biennia  
14 (L2000188).

15 (b) (~~(\$11,400,000)~~) \$4,066,000 of the motor vehicle account—  
16 federal appropriation and (~~(\$7,750,000)~~) \$4,668,000 of the multimodal  
17 transportation account—state appropriation are provided solely for  
18 newly selected safe routes to school projects. (~~(\$11,354,000)~~)  
19 \$10,744,000 of the motor vehicle account—federal appropriation,  
20 (~~(\$4,640,000)~~) \$3,075,000 of the multimodal transportation account—  
21 state appropriation, and \$1,314,000 of the highway safety account—  
22 state appropriation are reappropriated for safe routes to school  
23 projects selected in the previous biennia (L2000189). The department  
24 may consider the special situations facing high-need areas, as  
25 defined by schools or project areas in which the percentage of the  
26 children eligible to receive free and reduced-price meals under the  
27 national school lunch program is equal to, or greater than, the state  
28 average as determined by the department, when evaluating project  
29 proposals against established funding criteria while ensuring  
30 continued compliance with federal eligibility requirements.

31 (3) The department shall submit a report to the transportation  
32 committees of the legislature by December 1, 2019, and December 1,  
33 2020, on the status of projects funded as part of the pedestrian  
34 safety/safe routes to school grant program. The report must include,  
35 but is not limited to, a list of projects selected and a brief  
36 description of each project's status.

37 (4) (~~(\$37,537,000)~~) \$32,976,000 of the multimodal transportation  
38 account—state appropriation is provided solely for bicycle and

1 pedestrian projects listed in the LEAP transportation document  
2 referenced in subsection (1) of this section.

3 (5) (~~(\$23,926,000)~~) \$13,829,000 of the connecting Washington  
4 account—state appropriation is provided solely for the Covington  
5 Connector (L2000104). The amounts described in the LEAP  
6 transportation document referenced in subsection (1) of this section  
7 are not a commitment by future legislatures, but it is the  
8 legislature's intent that future legislatures will work to approve  
9 appropriations in the 2019-2021 fiscal biennium to reimburse the city  
10 of Covington for approved work completed on the project up to the  
11 full \$24,000,000 cost of this project.

12 (6) (a) For projects funded as part of the 2015 connecting  
13 Washington transportation package listed on the LEAP transportation  
14 document identified in subsection (1) of this section, if the  
15 department expects to have substantial reappropriations for the  
16 2021-2023 fiscal biennium, the department may, on a pilot basis,  
17 apply funding from a project in this section with an appropriation  
18 that cannot be used for the current fiscal biennium to advance one or  
19 more of the following projects:

- 20 (i) I-5/Port of Tacoma Road Interchange (L1000087);
- 21 (ii) SR 99 Revitalization in Edmonds (NEDMOND); or
- 22 (iii) SR 523 145th Street (L1000148);

23 (b) At least ten business days before advancing a project  
24 pursuant to this subsection, the department must notify the office of  
25 financial management and the transportation committees of the  
26 legislature. The advancement of a project may not hinder the delivery  
27 of the projects for which the reappropriations are necessary for the  
28 2021-2023 fiscal biennium.

29 (c) To the extent practicable, the department shall use the  
30 flexibility and authority granted in this section to minimize the  
31 amount of reappropriations needed each biennium.

32 (7) It is the expectation of the legislature that the department  
33 will be administering a local railroad crossing safety grant program  
34 for \$7,000,000 in federal funds during the 2019-2021 fiscal biennium.

35 (8) (a) (~~(\$15,213,000)~~) \$22,500,000 of the motor vehicle account—  
36 federal appropriation is provided solely for national highway freight  
37 network projects identified on the project list submitted in  
38 accordance with section 218(4)(b), chapter 14, Laws of 2016 on  
39 October 31, 2016.



1 (b) The department shall convene a stakeholder group for the  
2 purpose of developing a recommendation for a Washington freight  
3 advisory committee. The recommendations must include, but are not  
4 limited to, defining the committee's purpose and goals, roles and  
5 responsibilities, reporting structure, and proposed activities.  
6 Stakeholders must include representation from, but not limited to,  
7 the trucking industry, the maritime industry, the rail industry,  
8 cities, tribal governments, counties, ports, and representatives from  
9 key industrial associations important to the state's economic  
10 vitality and other relevant public and private interests. In  
11 developing the recommendation, the stakeholder group must review  
12 practices used by other states. The proposed committee must conform  
13 with requirements of the fixing America's surface transportation act  
14 and other relevant federal legislation. The recommendations must  
15 include how the committee can address improving freight mobility  
16 including, but not limited to, addressing insufficient truck parking  
17 in Washington state, examining the link between preservation  
18 investments and freight mobility, and enhancing freight logistics  
19 through the application of technology. The stakeholder group shall  
20 make recommendations to the governor and the transportation  
21 committees of the legislature by December 1, 2020.

22 (9) \$1,000,000 of the motor vehicle account—state appropriation  
23 is provided solely for the Beech Street Extension project (L1000222).

24 (10) (~~(\$3,900,000)~~) \$2,000,000 of the motor vehicle account—state  
25 appropriation is provided solely for the Dupont-Steilacoom road  
26 improvements project (L1000224).

27 (11) (~~(\$650,000)~~) \$100,000 of the motor vehicle account—state  
28 appropriation is provided solely for the SR 104/40th place northeast  
29 roundabout project (L1000244).

30 (12) (~~(\$860,000)~~) \$360,000 of the multimodal transportation  
31 account—state appropriation is provided solely for the Clinton to  
32 Ken's corner trail project (L1000249).

33 (13) (~~(\$210,000 of the motor vehicle account—state appropriation~~  
34 ~~is provided solely for the I-405/44th gateway signage and green-~~  
35 ~~scaping improvements project (L1000250).~~

36 (~~(\$650,000)~~) \$50,000 of the motor vehicle account—state  
37 appropriation is provided solely for the Wallace Kneeland and Shelton  
38 springs road intersection improvements project (L1000260).

1        ~~((15))~~ (14) \$1,000,000 of the motor vehicle account—state  
2 appropriation and \$500,000 of the multimodal transportation account—  
3 state appropriation are provided solely for the complete 224th Phase  
4 two project (L1000270).

5        ~~((16))~~ (15) \$60,000 of the multimodal transportation account—  
6 state appropriation is provided solely for the installation of an  
7 updated meteorological station at the Colville airport (L1000279).

8        ~~((17))~~ (16)(a) \$700,000 of the motor vehicle account—state  
9 appropriation is provided solely for the Ballard-Interbay Regional  
10 Transportation system plan project (L1000281).

11        (b) Funding in this subsection is provided solely for the city of  
12 Seattle to develop a plan and report for the Ballard-Interbay  
13 Regional Transportation System project to improve mobility for people  
14 and freight. The plan must be developed in coordination and  
15 partnership with entities including but not limited to the city of  
16 Seattle, King county, the Port of Seattle, Sound Transit, the  
17 Washington state military department for the Seattle armory, and the  
18 Washington state department of transportation. The plan must examine  
19 replacement of the Ballard bridge and the Magnolia bridge, which was  
20 damaged in the 2001 Nisqually earthquake. The city must provide a  
21 report on the plan that includes recommendations to the Seattle city  
22 council, King county council, and the transportation committees of  
23 the legislature by November 1, 2020. The report must include  
24 recommendations on how to maintain the current and future capacities  
25 of the Magnolia and Ballard bridges, an overview and analysis of all  
26 plans between 2010 and 2020 that examine how to replace the Magnolia  
27 bridge, and recommendations on a timeline for constructing new  
28 Magnolia and Ballard bridges.

29        ~~((18))~~ (17) \$750,000 of the motor vehicle account—state  
30 appropriation is provided solely for the Mickelson Parkway project  
31 (L1000282).

32        ~~((19)—\$300,000)~~ (18) \$175,000 of the motor vehicle account—  
33 state appropriation is provided solely for the South 314th Street  
34 Improvements project (L1000283).

35        ~~((20)—\$250,000)~~ (19) \$200,000 of the motor vehicle account—  
36 state appropriation is provided solely for the Ridgefield South I-5  
37 Access Planning project (L1000284).

1        ~~((21) \$300,000)~~ (20) \$50,000 of the motor vehicle account—state  
2 appropriation is provided solely for the Washougal 32nd Street  
3 Underpass Design and Permitting project (L1000285).

4        ~~((22) \$600,000 of the connecting Washington account—state  
5 appropriation, \$150,000)~~ (21) \$25,000 of the motor vehicle account—  
6 state appropriation, and \$267,000 of the multimodal transportation  
7 account—state appropriation are provided solely for the Bingen Walnut  
8 Creek and Maple Railroad Crossing (L2000328).

9        ~~((23) \$1,500,000)~~ (22) \$200,000 of the motor vehicle account—  
10 state appropriation is provided solely for the SR 303 Warren Avenue  
11 Bridge Pedestrian Improvements project (L2000339).

12        ~~((24) \$1,000,000)~~ (23) \$150,000 of the motor vehicle account—  
13 state appropriation is provided solely for the 72nd/Washington  
14 Improvements in Yakima project (L2000341).

15        ~~((25) \$650,000)~~ (24) \$150,000 of the motor vehicle account—  
16 state appropriation is provided solely for the 48th/Washington  
17 Improvements in Yakima project (L2000342).

18        ~~((27))~~ (25) The appropriations in this section include savings  
19 due to anticipated project underruns; however, it is unknown which  
20 projects will provide savings. The legislature intends to provide  
21 sufficient flexibility for the department to manage to this savings  
22 target. To provide this flexibility, the office of financial  
23 management may authorize, through an allotment modification,  
24 reductions in the appropriated amounts that are provided solely for a  
25 particular purpose within this section subject to the following  
26 conditions and limitations:

27        (a) The department must confirm that any modification requested  
28 under this subsection of amounts provided solely for a specific  
29 purpose are not expected to be used for that purpose in this  
30 biennium;

31        (b) Allotment modifications authorized under this subsection may  
32 not result in increased funding for any project beyond the amount  
33 provided for that project in the 2019-2021 fiscal biennium in LEAP  
34 Transportation Document ~~((2020))~~ 2021-2 ALL PROJECTS as developed  
35 March ~~((11, 2020))~~ 22, 2021;

36        (c) Allotment modifications authorized under this subsection  
37 apply only to amounts appropriated in this section from the following  
38 accounts: Connecting Washington account—state and multimodal  
39 transportation account—state; and

(d) By December 1, 2020, the department must submit a report to the transportation committees of the legislature regarding the actions taken under this subsection.

(26) \$11,679,000 of the motor vehicle account—federal appropriation is provided solely to accelerate local preservation projects that ensure the reliable movement of freight on the national highway freight system. The department will identify projects through its current national highway system asset management call for projects with applications due in February 2021.

#### TRANSFERS AND DISTRIBUTIONS

**Sec. 1101.** 2020 c 219 s 401 (uncodified) is amended to read as follows:

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

Special Category C Account—State Appropriation. . . . .	(( <del>\$105,000</del> ))
	<u>\$21,000</u>
<del>((Multimodal Transportation Account—State Appropriation. . . \$125,000))</del>	
Transportation Partnership Account—State Appropriation (( <del>\$1,407,000</del> ))	
	<u>\$182,000</u>
Connecting Washington Account—State Appropriation. . . (( <del>\$7,723,000</del> ))	
	<u>\$2,455,000</u>
Highway Bond Retirement Account—State	
Appropriation. . . . .	(( <del>\$1,378,835,000</del> ))
	<u>\$1,308,311,000</u>
Ferry Bond Retirement Account—State Appropriation. . (( <del>\$25,078,000</del> ))	
	<u>\$25,079,000</u>
Transportation Improvement Board Bond Retirement	
Account—State Appropriation. . . . .	(( <del>\$12,452,000</del> ))
	<u>\$12,062,000</u>
Nondebt-Limit Reimbursable Bond Retirement	
Account—State Appropriation. . . . .	(( <del>\$31,253,000</del> ))
	<u>\$29,514,000</u>
Toll Facility Bond Retirement Account—State	
Appropriation. . . . .	(( <del>\$86,483,000</del> ))

1 \$69,407,000  
2 TOTAL APPROPRIATION. . . . . ((~~\$1,543,461,000~~))  
3 \$1,447,031,000

4 **Sec. 1102.** 2020 c 219 s 402 (uncodified) is amended to read as  
5 follows:

6 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**  
7 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**  
8 **FISCAL AGENT CHARGES**

9 (~~(Multimodal Transportation Account—State Appropriation. . . \$25,000)~~)  
10 Transportation Partnership Account—State  
11 Appropriation. . . . . ((~~\$281,000~~))  
12 \$68,000  
13 Connecting Washington Account—State Appropriation. . . ((~~\$1,599,000~~))  
14 \$640,000  
15 Special Category C Account—State Appropriation. . . . . ((~~\$21,000~~))  
16 \$9,000  
17 TOTAL APPROPRIATION. . . . . ((~~\$1,926,000~~))  
18 \$717,000

19 **Sec. 1103.** 2020 c 219 s 403 (uncodified) is amended to read as  
20 follows:

21 **FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

22 Motor Vehicle Account—State Appropriation:  
23 For motor vehicle fuel tax distributions to  
24 cities and counties. . . . . ((~~\$508,276,000~~))  
25 \$456,823,000

26 **Sec. 1104.** 2020 c 219 s 404 (uncodified) is amended to read as  
27 follows:

28 **FOR THE STATE TREASURER—TRANSFERS**

29 Motor Vehicle Account—State Appropriation:  
30 For motor vehicle fuel tax refunds and  
31 statutory transfers. . . . . ((~~\$2,146,790,000~~))  
32 \$1,921,901,000

33 **Sec. 1105.** 2020 c 219 s 405 (uncodified) is amended to read as  
34 follows:

1 **FOR THE DEPARTMENT OF LICENSING—TRANSFERS**

2 Motor Vehicle Account—State Appropriation:

3 For motor vehicle fuel tax refunds and

4 transfers. . . . . ((\$235,788,000))

5 \$240,415,000

6 **Sec. 1106.** 2020 c 219 s 406 (uncodified) is amended to read as  
7 follows:

8 **FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS**

9 (1) (~~Highway Safety Account—State Appropriation:~~

10 ~~For transfer to the Multimodal Transportation~~

11 ~~Account—State. . . . . \$54,000,000~~

12 ~~(2) Transportation Partnership Account—State~~

13 ~~Appropriation: For transfer to the Motor Vehicle~~

14 ~~Account—State. . . . . \$45,000,000~~

15 ~~(3)) Motor Vehicle Account—State Appropriation:~~

16 ~~For transfer to the State Patrol Highway~~

17 ~~Account—State. . . . . ((\$57,000,000))~~

18 \$22,000,000

19 ~~((4)) (2) Motor Vehicle Account—State Appropriation:~~

20 ~~For transfer to the Freight Mobility Investment~~

21 ~~Account—State. . . . . \$8,070,000~~

22 ~~((5)) (3) Motor Vehicle Account—State Appropriation:~~

23 ~~For transfer to the Rural Arterial Trust~~

24 ~~Account—State. . . . . \$1,732,000~~

25 ~~((6)) (4) Motor Vehicle Account—State Appropriation:~~

26 ~~For transfer to the Transportation Improvement~~

27 ~~Account—State. . . . . ((\$5,067,000))~~

28 \$34,067,000

29 ~~((7)) (5) Motor Vehicle Account—State Appropriation:~~

30 ~~For transfer to the Puget Sound Capital Construction~~

31 ~~Account—State. . . . . ((\$52,000,000))~~

32 \$43,000,000

33 ~~((8) Motor Vehicle)) (6) Multimodal Transportation~~

34 ~~Account—State Appropriation: For transfer to the~~

35 ~~Puget Sound Ferry Operations Account—State. . . . . ((\$55,000,000))~~

36 \$50,000,000

37 ~~((9)) (7) Rural Mobility Grant Program Account—State~~

1 Appropriation: For transfer to the Multimodal  
2 Transportation Account—State. . . . . \$3,000,000  
3 ((~~10~~)) (8) State Route Number 520 Civil Penalties  
4 Account—State Appropriation: For transfer to  
5 the State Route Number 520 Corridor  
6 Account—State. . . . . \$1,434,000  
7 ((~~11~~)) (9) Capital Vessel Replacement Account—State  
8 Appropriation: For transfer to the Connecting  
9 Washington Account—State. . . . . \$60,000,000  
10 ((~~12~~)) (10) Multimodal Transportation Account—State  
11 Appropriation: For transfer to the Regional  
12 Mobility Grant Program Account—State. . . . . \$11,215,000  
13 ((~~13~~)) (11) Multimodal Transportation Account—State  
14 Appropriation: For transfer to the Rural  
15 Mobility Grant Program Account—State. . . . . \$15,223,000  
16 ((~~14~~ ~~Transportation 2003 Account (Nickel~~  
17 ~~Account~~)) (12) Multimodal Transportation Account—  
18 State Appropriation: For transfer to the Puget  
19 Sound Capital Construction Account—State. . . . . ((~~\$15,000,000~~))  
20 \$20,000,000  
21 ((~~15~~ (a) ~~Alaskan Way Viaduct Replacement Project~~  
22 ~~Account—State Appropriation: For transfer to the~~  
23 ~~Motor Vehicle Account—State. . . . . \$9,992,000~~  
24 ~~(b) The transfer identified in this subsection is provided solely~~  
25 ~~to repay in full the motor vehicle account state appropriation loan~~  
26 ~~from section 1005(21), chapter 416, Laws of 2019.~~  
27 ~~(16~~)) (13) (a) Transportation Partnership Account—State  
28 Appropriation: For transfer to the Alaskan Way Viaduct  
29 Replacement Project Account—State. . . . . \$77,956,000  
30 (b) The amount transferred in this subsection represents that  
31 portion of the up to \$200,000,000 in proceeds from the sale of bonds  
32 authorized in RCW 47.10.873, intended to be sold through the  
33 2021-2023 fiscal biennium, used only for construction of the SR 99/  
34 Alaskan Way Viaduct Replacement project (809936Z), and that must be  
35 repaid from the Alaskan Way viaduct replacement project account  
36 consistent with RCW 47.56.864.  
37 ((~~17~~)) (14) Motor Vehicle Account—State Appropriation:  
38 For transfer to the County Arterial Preservation  
39 Account—State. . . . . ((~~\$4,829,000~~))

1 \$9,902,000

2 ((+18)) (15) (a) General Fund Account—State Appropriation:

3 For transfer to the State Patrol Highway

4 Account—State. . . . . \$625,000

5 (b) The state treasurer shall transfer the funds only after  
6 receiving notification from the Washington state patrol under section  
7 207(7), chapter 416, Laws of 2019.

8 ((+19)) (16) Capital Vessel Replacement Account—State

9 Appropriation: For transfer to the Transportation

10 Partnership Account—State. . . . . (~~(\$2,312,000)~~)

11 \$1,167,000

12 ((+20)) (17) (a) Alaskan Way Viaduct Replacement Project

13 Account—State Appropriation: For transfer to the

14 Transportation Partnership Account—State. . . . . \$15,858,000

15 (b) The amount transferred in this subsection represents  
16 repayment of debt service incurred for the construction of the SR 99/  
17 Alaskan Way Viaduct Replacement project (809936Z).

18 ((+21)) (18) Tacoma Narrows Toll Bridge Account—State

19 Appropriation: For transfer to the Motor

20 Vehicle Account—State. . . . . \$950,000

21 ((+22)) (19) (a) Tacoma Narrows Toll Bridge Account—State

22 Appropriation:

23 For transfer to the Motor Vehicle

24 Account—State. . . . . \$5,000,000

25 (b) A transfer in the amount of \$5,000,000 was made from the  
26 Motor Vehicle Account to the Tacoma Narrows Toll Bridge Account in  
27 April 2019. It is the intent of the legislature that this transfer  
28 was to be temporary, for the purpose of minimizing the impact of toll  
29 increases, and this is an equivalent reimbursing transfer to occur in  
30 November 2019.

31 ((+23)) (20) (a) Transportation (~~(2003 Account (Nickel Account))~~)

32 Partnership Account

33 —State Appropriation: For transfer to the Tacoma

34 Narrows Toll Bridge Account—State. . . . . \$12,543,000

35 (b) It is the intent of the legislature that this transfer is  
36 temporary, for the purpose of minimizing the impact of toll  
37 increases, and an equivalent reimbursing transfer is to occur after  
38 the debt service and deferred sales tax on the Tacoma Narrows bridge



1 construction costs are fully repaid in accordance with chapter 195,  
2 Laws of 2018.

3 ~~((24))~~ (21) Transportation Infrastructure Account—State  
4 Appropriation: For transfer to the multimodal  
5 Transportation Account—State. . . . . \$9,000,000

6 ~~((25))~~ (22) Multimodal Transportation Account—State  
7 Appropriation: For transfer to the Pilotage  
8 Account—State. . . . . \$2,500,000

9 ~~((26))~~ (23)(a) Motor Vehicle Account—State  
10 Appropriation: For transfer to the County Road  
11 Administration Board Emergency Loan Account—State. . . . . \$1,000,000

12 (b) If chapter 157, Laws of 2019 is not enacted by June 30, 2019,  
13 the amount provided in this subsection lapses.

14 ~~((27))~~ (24)(a) Advanced Environmental Mitigation  
15 Revolving Account—State Appropriation: For transfer  
16 to the Motor Vehicle Account—State. . . . . \$9,000,000

17 (b) The amount transferred in this subsection is contingent on at  
18 least a \$9,000,000 transfer to the advanced environmental mitigation  
19 revolving account authorized by June 30, 2019, in the omnibus capital  
20 appropriations act.

21 ~~((28))~~ (25) Multimodal Transportation Account—State  
22 Appropriation: For transfer to the Electric Vehicle  
23 Charging Infrastructure Account—State. . . . . \$1,000,000

24 ~~((29))~~ (26) Multimodal Transportation Account—State  
25 Appropriation: For transfer to the Complete Streets  
26 Grant Program Account—State. . . . . \$10,200,000

27 ~~((30))~~ (27)(a) Transportation Partnership  
28 Account—State Appropriation: For transfer to the Capital Vessel  
29 Replacement Account—State. . . . . (~~(\$96,030,000)~~)  
30 \$35,547,000

31 (b) The amount transferred in this subsection represents proceeds  
32 from the sale of bonds authorized in RCW 47.10.873.

33 ~~((31))~~ (28) Freight Mobility Multimodal Account—State  
34 Appropriation: For transfer to the Multimodal Transportation  
35 Account—State. . . . . \$7,296,000

36 ~~((32))~~ (29) Connecting Washington Account—State  
37 Appropriation: For transfer to the Motor Vehicle  
38 Account—State. . . . . \$115,000,000

39 (30) Motor Vehicle Account—State Appropriation:

1 For transfer to the Alaskan Way Viaduct Replacement  
 2 Project Account—State. . . . . \$11,783,000  
 3 (31) Motor Vehicle Account—State Appropriation:  
 4 For transfer to the 520 Civil Penalties Account—State. . . \$6,000,000  
 5 (32) Motor Vehicle Account—State Appropriation:  
 6 For transfer to the Transportation 2003 Account  
 7 (Nickel Account)—State. . . . . \$13,000,000

8 NEW SECTION. Sec. 1107. A new section is added to 2020 c 219  
 9 (uncodified) to read as follows:

10 **FOR THE OFFICE OF FINANCIAL MANAGEMENT—AMERICAN RESCUE PLAN ACT OF**  
 11 **2021—REVENUE LOSS DEPOSITS**

12 Coronavirus State Fiscal Recovery Fund—Federal  
 13 Appropriation . . . . . \$315,866,000

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

16 (1) The appropriation is provided solely for expenditure into  
 17 accounts in the amounts specified in subsection (2) of this section.  
 18 These amounts reflect revenue losses to state transportation accounts  
 19 in state fiscal year 2020 relative to revenues collected in state  
 20 fiscal year 2019 and shall be used to maintain government services  
 21 pursuant to the federal American rescue plan act of 2021.

22 (2) The appropriation must be distributed to the following  
 23 accounts in the amounts designated:

24 Aeronautics Account—State. . . . . \$328,000  
 25 State Patrol Highway Account—State. . . . . \$12,358,000  
 26 Puget Sound Capital Construction Account—State. . . . . \$790,000  
 27 Transportation Partnership Account—State. . . . . \$16,530,000  
 28 Highway Safety Account—State. . . . . \$8,218,000  
 29 Motor Vehicle Account—State. . . . . \$99,416,000  
 30 Puget Sound Ferry Operations Account—State. . . . . \$30,742,000  
 31 Connecting Washington Account—State. . . . . \$17,246,000  
 32 Special Category C Account—State. . . . . \$1,086,000  
 33 Multimodal Transportation Account—State. . . . . \$115,609,000  
 34 Transportation 2003 Account (Nickel Account)—State. . . . \$13,543,000

35 **MISCELLANEOUS**

1        NEW SECTION.    **Sec. 1201.**    If any provision of this act or its  
2 application to any person or circumstance is held invalid, the  
3 remainder of the act or the application of the provision to other  
4 persons or circumstances is not affected.

5        NEW SECTION.    **Sec. 1202.**    This act is necessary for the immediate  
6 preservation of the public peace, health, or safety, or support of  
7 the state government and its existing public institutions, and takes  
8 effect immediately.

(End of Bill)

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