
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: H-2774.3/22 3rd draft

ATTY/TYPIST: AI:eab

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

1 AN ACT Relating to transportation funding and appropriations;
2 amending RCW 46.68.410, 46.68.480, 47.12.063, and 46.01.385; amending
3 2021 c 333 ss 101, 103, 105-107, 109-111, 113, 201-223, 301-303,
4 305-311, 313, 401-406, 502-514, 519-522, 601, 606, 701, and 702
5 (uncodified); adding new sections to 2021 c 333 (uncodified);
6 repealing 2021 c 333 ss 526, 527, 528, 529, 530, 531, 532, and 537
7 (uncodified); making appropriations and authorizing expenditures for
8 capital improvements; and declaring an emergency.

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

10 **2021-2023 FISCAL BIENNIUM**

11 **GENERAL GOVERNMENT AGENCIES—OPERATING**

12 **Sec. 101.** 2021 c 333 s 101 (uncodified) is amended to read as
13 follows:

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

15 Motor Vehicle Account—State Appropriation. (~~(\$546,000)~~)
16 \$554,000

17 **Sec. 102.** 2021 c 333 s 103 (uncodified) is amended to read as
18 follows:

1 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

2	Motor Vehicle Account—State Appropriation.	((\$1,441,000))
3		<u>\$1,034,000</u>
4	Puget Sound Ferry Operations Account—State	
5	Appropriation.	\$126,000
6	Multimodal Transportation Account—State	
7	Appropriation.	\$250,000
8	TOTAL APPROPRIATION.	((\$1,817,000))
9		<u>\$1,410,000</u>

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

12 \$250,000 of the multimodal transportation account—state
13 appropriation is provided solely for the office of financial
14 management, in collaboration with the Washington department of
15 transportation and the office of the chief information officer, to
16 conduct an evaluation of short term and long term facility and
17 information technology needs. In conducting the evaluation, the
18 office of financial management may contract with an entity with
19 direct expertise in this area. The office of financial management
20 must submit a final report of their evaluation by October 1, 2022.
21 The evaluation must be coordinated with any legislatively directed
22 study regarding leased space. The evaluation must include, but is not
23 limited to:

24 (1) Development of a status quo scenario based on current policy
25 and projections and two alternative scenarios of the number of people
26 and percentage of staff in telework status on a permanent basis with
27 one alternative being the minimum feasible level of teleworking and
28 one alternative being the maximum feasible level of teleworking;

29 (2) Current and projected facility needs by location and function
30 for the scenarios in subsection (1) of this section;

31 (3) The specific number of employees and percentage of the
32 workforce expected to be teleworking by location and function and the
33 anticipated impact on facility space needs for the scenarios in
34 subsection (1) of this section;

35 (4) Analysis of opportunities to colocate with other state,
36 local, and other public agencies to reduce costs and improve cost-
37 efficiency;

38 (5) Detailed information on any increased costs, such as end-user
39 devices, software, technology infrastructure, and other types of

1 assistance needed to meet the teleworking levels in each of the
2 scenarios in subsection (1) of this section;

3 (6) Detailed information on any reduced costs, such as leases,
4 facility maintenance, and utilities, resulting from the projected
5 teleworking levels for the scenarios in subsection (1) of this
6 section; and

7 (7) Cost-benefit analysis detailing the net impact of teleworking
8 on facility and total costs for the scenarios in subsection (1) of
9 this section.

10 **Sec. 103.** 2021 c 333 s 105 (uncodified) is amended to read as
11 follows:

12 **FOR THE DEPARTMENT OF AGRICULTURE**

13 Motor Vehicle Account—State Appropriation. (~~(\$1,346,000)~~)
14 \$1,369,000

15 **Sec. 104.** 2021 c 333 s 106 (uncodified) is amended to read as
16 follows:

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

18 Motor Vehicle Account—State Appropriation. (~~(\$668,000)~~)
19 \$674,000

20 **Sec. 105.** 2021 c 333 s 107 (uncodified) is amended to read as
21 follows:

22 **FOR THE EVERGREEN STATE COLLEGE**

23 Motor Vehicle Account—State Appropriation. \$150,000

24 The appropriation in this section is subject to the following
25 conditions and limitations: The total appropriation in this section
26 is provided solely for the Washington state institute for public
27 policy to conduct a cost-benefit analysis for an exclusive or partial
28 American steel requirement for future transportation contracts and
29 subcontracts authorized in the transportation budget. This cost-
30 benefit analysis must, to the extent feasible: (1) Compare existing
31 types and uses of steel to made in America steel alternatives
32 including evaluation of quality; (2) examine benefits to Washington
33 workers and the Washington economy; (3) examine lifecycle and
34 embodied carbon greenhouse gas emissions; (4) identify requirements
35 for purchasing American steel that minimize costs and maximize
36 benefits; and (5) evaluate American steel requirements or preferences

1 in other states. The Washington state institute for public policy may
2 solicit input for the analysis from representatives of interested
3 parties to include, but not be limited to, the construction and
4 manufacturing sectors, organized labor in the construction and
5 manufacturing sectors, cities, counties, American steel manufacturing
6 companies, environmental advocacy organizations, and appropriate
7 state agencies. A final report is due to the legislature by December
8 1, ((2021)) 2022.

9 **Sec. 106.** 2021 c 333 s 109 (uncodified) is amended to read as
10 follows:

11 **FOR THE BOARD OF PILOTAGE COMMISSIONERS**

12 Pilotage Account—State Appropriation. ((\$5,777,000))
13 \$6,268,000

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

16 (1) \$2,926,000 of the pilotage account—state appropriation is
17 provided solely for self-insurance liability premium expenditures;
18 however, this appropriation is contingent upon the board:

19 (a) Annually depositing the first \$150,000 collected through
20 Puget Sound pilotage district pilotage tariffs into the pilotage
21 account; and

22 (b) Assessing a self-insurance premium surcharge of \$16 per
23 pilotage assignment on vessels requiring pilotage in the Puget Sound
24 pilotage district.

25 (2) The board of pilotage commissioners shall file the annual
26 report to the governor and chairs of the transportation committees
27 required under RCW 88.16.035(1)(f) by September 1, 2021, and annually
28 thereafter. The report must include the continuation of policies and
29 procedures necessary to increase the diversity of pilots, trainees,
30 and applicants, including a diversity action plan. The diversity
31 action plan must articulate a comprehensive vision of the board's
32 diversity goals and the steps it will take to reach those goals.

33 **Sec. 107.** 2021 c 333 s 110 (uncodified) is amended to read as
34 follows:

35 **FOR THE HOUSE OF REPRESENTATIVES**

36 Motor Vehicle Account—State Appropriation. ((\$3,210,000))
37 \$1,577,000

1 methodology used to determine the lease rate for the property and the
2 cost and benefits of long-term leases based on the periodic land
3 value appraisals under the terms of the land bank agreement. The
4 committee must identify the full cost to the state transportation
5 system if the entire plan for land and air rights leases by a
6 regional transit authority is undertaken at full economic rent, and
7 the difference in costs to the regional transit authority if the
8 leases were to be issued at less than economic rent, including a
9 scenario in which the value of the land and air rights are discounted
10 by the federal share of the funds that were used to acquire or
11 improve the property originally. The committee shall complete the
12 review and provide a report to the transportation committees of the
13 legislature by December 1, 2022.

(End of part)

TRANSPORTATION AGENCIES—OPERATING

Sec. 201. 2021 c 333 s 201 (uncodified) is amended to read as follows:

FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION

Highway Safety Account—State Appropriation.	((\$4,625,000))
	<u>\$4,634,000</u>
Highway Safety Account—Federal Appropriation.	((\$27,202,000))
	<u>\$27,270,000</u>
Highway Safety Account—Private/Local Appropriation.	\$60,000
School Zone Safety Account—State Appropriation.	\$850,000
TOTAL APPROPRIATION.	((\$32,737,000))
	<u>\$32,814,000</u>

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

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

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

The PTBA, in consultation with the Washington traffic safety commission, must provide a report to the transportation committees of

1 the legislature with the number of violations detected during the
2 demonstration project, whether the technology used was accurate and
3 any recommendations for future use of automated enforcement
4 technology for HOV lane enforcement by June 30, (~~2022~~) 2023.

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

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

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

16 (c) Any city administering a pilot program overseen by the
17 traffic safety commission shall use the following guidelines to
18 administer the program:

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

23 (ii) The law enforcement agency of the city or county government
24 shall install two signs facing opposite directions within 200 feet,
25 or otherwise consistent with the uniform manual on traffic control
26 devices, where the automated vehicle noise enforcement camera is used
27 that state "Street Racing Noise Pilot Program in Progress";

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

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

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

1 (vi) Notwithstanding any other provision of law, all photographs,
2 videos, microphotographs, audio recordings, or electronic images
3 prepared under this section are for the exclusive use of law
4 enforcement in the discharge of duties under this section and are not
5 open to the public and may not be used in a court in a pending action
6 or proceeding. No photograph, microphotograph, audio recording, or
7 electronic image may be used for any purpose other than the issuance
8 of warnings for violations under this section or retained longer than
9 necessary to issue a warning notice as required under this subsection
10 (2); and

11 (vii) By June 30, 2023, the participating cities shall provide a
12 report to the commission and appropriate committees of the
13 legislature regarding the use, public acceptance, outcomes, warnings
14 issued, data retention and use, and other relevant issues regarding
15 automated vehicle noise enforcement cameras demonstrated by the pilot
16 projects.

17 (3) The Washington traffic safety commission shall coordinate
18 with each city that implements a pilot program as authorized in RCW
19 46.63.170, chapter 224, Laws of 2020 to provide the transportation
20 committees of the legislature with the following information by June
21 30, 2023:

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

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

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

29 **Sec. 202.** 2021 c 333 s 202 (uncodified) is amended to read as
30 follows:

31 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

32 Rural Arterial Trust Account—State Appropriation.	((\$1,134,000))
	<u>\$1,155,000</u>
34 Motor Vehicle Account—State Appropriation.	((\$4,760,000))
	<u>\$4,800,000</u>
36 County Arterial Preservation Account—State	
37 Appropriation.	((\$1,669,000))
	<u>\$1,693,000</u>

1 TOTAL APPROPRIATION. (~~(\$7,563,000)~~)
2 \$7,648,000

3 The appropriations in this section are subject to the following
4 conditions and limitations: \$2,000,000 of the motor vehicle account—
5 state appropriation is provided solely for deposit into the county
6 road administration board emergency loan account—state account.

7 **Sec. 203.** 2021 c 333 s 203 (uncodified) is amended to read as
8 follows:

9 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

10 Transportation Improvement Account—State
11 Appropriation. (~~(\$4,510,000)~~)
12 \$4,564,000

13 **Sec. 204.** 2021 c 333 s 204 (uncodified) is amended to read as
14 follows:

15 **FOR THE JOINT TRANSPORTATION COMMITTEE**

16 Motor Vehicle Account—State Appropriation. (~~(\$2,679,000)~~)
17 \$3,301,000

18 Multimodal Transportation Account—State
19 Appropriation. (~~(\$420,000)~~)
20 \$1,620,000

21 TOTAL APPROPRIATION. (~~(\$3,099,000)~~)
22 \$4,921,000

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

25 (1)(a) \$250,000 of the motor vehicle account—state appropriation
26 is for the joint transportation committee to convene a vehicle
27 registration payment work group to study and recommend new options
28 for payment of vehicle fees or taxes due at the time of application
29 for vehicle registration.

30 (b) The work group must consist of, but is not limited to, the
31 following members: A representative of the department of licensing, a
32 representative of county auditors, a representative of subagents, a
33 representative of local taxing authorities imposing a fee or tax due
34 at the time of application for vehicle registration, a representative
35 of a city offering or considering a rebate program for vehicle fees
36 or taxes due at the time of application for vehicle registration, a
37 representative of vehicle owners subject to a motor vehicle excise

1 tax, a representative of vehicle owners subject to an electric car or
2 transportation electrification fee, and an advocate for multimodal
3 transportation options. Work group members are eligible for
4 reimbursement or allowance for expenses pursuant to RCW 43.03.220.

5 (c) The work group must engage with members of the public who are
6 interested in new options for payment of fees or taxes due at the
7 time of application for vehicle registration, including persons from
8 communities of color, low-income households, vulnerable populations,
9 and displaced communities. Input from members of the public must
10 inform the work group's recommendations. The work group must notify
11 members of the public of opportunities to engage through a variety of
12 communication channels including, but not limited to, the following:
13 Outreach through community organizations, print and broadcast media,
14 and social media.

15 (d) The work group's recommendations must include, but are not
16 limited to, the following:

17 (i) Options to provide or encourage rebates to vehicle owners who
18 pay taxes and fees due at the time of application for vehicle
19 registration;

20 (ii) An agreed upon service fee structure for vehicle
21 registration payment plans;

22 (iii) An agreed upon service fee revenue allocation method;

23 (iv) A process to allow agents and subagents to determine if a
24 vehicle owner has paid all taxes and fees due prior to renewal of a
25 vehicle registration;

26 (v) Options for reducing revenue loss due to missed payments,
27 transfer of the certificate of title, or registration of a vehicle
28 out of state; and

29 (vi) Options to reduce impacts to communities of color, low-
30 income households, vulnerable populations, and displaced communities.

31 (e) A report of the work group's findings and recommendations is
32 due to the transportation committees of the legislature by September
33 30, 2022.

34 (2) \$50,000 of the motor vehicle account—state appropriation is
35 for the joint transportation committee to contract for a legal
36 consultant to analyze and recommend options for the formation of a
37 bistate bridge authority for the purpose of constructing, financing,
38 operating and maintaining a new replacement bridge over the Columbia
39 River near Hood River connecting Klickitat county in Washington to
40 Hood River county in Oregon. The consultant may confer with the Hood

1 River Bistate Working Group to understand the work and analysis that
2 has been completed.

3 The Washington interlocal cooperation act, chapter 39.34 RCW,
4 authorizes public agencies to contract with other public agencies via
5 interlocal agreements that enable cooperation among the agencies to
6 perform governmental activities and deliver public services,
7 including agreements with public entities in other states. Such
8 interstate agreements are deemed interstate compacts. The legal
9 analysis must identify and recommend alternative and/or additional
10 statutory authority that would be necessary to allow for the
11 formation of a local government bistate bridge authority or
12 governance structure for the Hood River Bridge replacement that at a
13 minimum may:

- 14 (a) Issue bonds for bridge construction;
- 15 (b) Collect tolls; and
- 16 (c) Secure and administer state or federal grants and loans.

17 The legal analysis must be presented to the transportation
18 committees of the legislature by September 30, 2021.

19 (3) \$220,000 of the multimodal transportation account—state
20 appropriation is for overseeing a consultant study to provide
21 recommendations related to the Washington state department of
22 transportation's role in broadband service expansion efforts as
23 directed in chapter 258, Laws of 2021 (broadband along state
24 highways). If chapter 258, Laws of 2021 (broadband along state
25 highways) is not enacted by June 30, 2021, the amount provided in
26 this subsection lapses.

27 (4) \$215,000 of the motor vehicle account—state appropriation is
28 provided solely for the joint transportation committee, from amounts
29 set aside out of statewide fuel taxes distributed to cities according
30 to RCW 46.68.110(2), to convene a study on the impacts of current and
31 historical city transportation investments on designated populations,
32 including communities of color, low-income households, vulnerable
33 populations, and displaced communities. The study must identify and
34 measure the true costs of underinvestment of accessible
35 transportation for designated populations, including the secondary
36 impacts to public health, economic opportunity, educational access,
37 and environmental risk factors. The assessment must include specific
38 approaches to addressing existing inequities within cities, as well
39 as recommendations to develop best practices to improve, diversify,
40 and expand city transportation investments. A report must be provided

1 to the office of financial management and the transportation
2 committees of the legislature by December 20, 2022.

3 (5) \$400,000 of the motor vehicle account—state appropriation is
4 for the development of a workforce plan for the Washington state
5 ferries which addresses recruitment, retention, diversity, training
6 needs, leadership development, succession planning and other elements
7 needed to ensure sufficient and cost-effective crewing and staffing
8 of the ferry system. In developing the scope of work for the plan and
9 throughout plan development, the joint transportation committee must
10 solicit input from representatives of the Washington state ferries
11 division and the human resources division of the Washington state
12 department of transportation. Represented employee groups must also
13 be consulted as part of plan development. The plan must include a
14 roadmap for Washington state ferries to comprehensively address
15 persistent staffing challenges and strategically position itself for
16 its future workforce needs. The joint transportation committee must
17 issue an interim report identifying short-term strategies to reduce
18 reliance on overtime for staffing day-to-day ferry service. The
19 interim report is due to the transportation committees of the
20 legislature by January 1, 2022. The final report is due to the
21 transportation committees of the legislature by December 20, 2022.

22 (6) \$200,000 of the multimodal transportation account—state
23 appropriation is for the joint transportation committee to update the
24 Washington State Short Line Rail Inventory and Needs Assessment,
25 prepared in 2015, and to facilitate a stakeholder process to assess
26 the effectiveness of state support for short line rail infrastructure
27 based on current and future short line rail infrastructure needs.
28 This assessment must include consideration of current state grant and
29 loan programs, including state investment in nonstate owned short
30 lines, the state's role and investments in the Palouse River and
31 Coulee City (PCC) rail system, and any other ongoing state activities
32 related to short line rail infrastructure. The joint transportation
33 committee must solicit input from all regions of the state from
34 representatives of: Short line rail infrastructure owners, short line
35 rail operators, short line rail customers from representative
36 industries, ports served by short line rail infrastructure, the
37 Washington state department of transportation, the utilities and
38 transportation commission, and other relevant stakeholders as
39 identified by the joint transportation committee. A report with
40 recommendations to enhance the state's support for short line rail

1 infrastructure is due to the transportation committees of the
2 legislature by January 1, 2022.

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

11 (i) Assess the magnitude of potential impact;

12 (ii) Assess the potential difficulty level of implementation; and

13 (iii) Explain barriers to success and specific steps required to
14 overcome them.

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

17 (i) Specific cooperative private sector and government actions;

18 (ii) Legal and regulatory frameworks at the state level to drive
19 private and/or public-sector action;

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

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

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

27 (d) Outreach for action plan input, including on the feasibility
28 of each opportunity evaluated, must include outreach to
29 representatives of: The trucking industry; truck labor organizations;
30 the shipping industry; truck stop owners; commercial freight delivery
31 recipients, including warehouse and retail recipients; the
32 association of Washington cities; the Washington state association of
33 counties; the Washington state department of transportation; the
34 Washington state patrol; and an academic or research institution that
35 can provide input on technical components of the plan.

36 (e) A concise action plan with specific recommended next steps is
37 due to the transportation committees of the legislature by January 1,
38 2022.

39 (8) \$250,000 of the multimodal transportation account—state
40 appropriation is for evaluating the benefits and costs of the

1 following options for the Pullman, Albion, and Colfax corridor on the
2 Palouse River and Coulee City shortline rail system owned by the
3 department: Rail banking of inactive state-owned rail corridors for
4 use as trails; the department retaining ownership and maintenance
5 responsibility for the corridor; and disposing of the right-of-way
6 and returning the land to private ownership. The joint transportation
7 committee must develop a report and submit it to the governor and
8 transportation committees of the legislature by June 30, 2023. The
9 report must include:

10 (a) All costs associated with the department's retaining
11 ownership and maintenance responsibility of this corridor, including
12 but not limited to, the costs of upkeep, fencing, decking, and
13 railing on bridges, and annual inspections;

14 (b) An inventory of portions of the state-owned Palouse River and
15 Coulee City railroad that may be eligible for rail banking, including
16 the current status of those portions;

17 (c) The current costs and liabilities of the portions inventoried
18 in (a) of this subsection if they are not railbanked;

19 (d) The costs and benefits of removing rails identified in (a) of
20 this subsection for use in other parts of state-owned railway;

21 (e) The estimated department costs and liabilities associated
22 with rail banking;

23 (f) A preliminary cost estimate for trail development;

24 (g) Identification of interested trail sponsors, including the
25 known underlying ownership interests;

26 (h) Identification of access rights of landowners to cross the
27 right-of-way; and

28 (i) The surface transportation board process for abandonment and
29 rail banking.

30 (9) \$400,000 of the multimodal transportation account—state
31 appropriation is for the joint transportation committee to conduct an
32 independent review of an ultra high-speed ground transportation
33 corridor between Portland, Oregon and Vancouver, British Columbia.
34 The review should include an assessment of the assumptions included
35 in the studies overseen by the Washington state department of
36 transportation: A 2017 to 2018 feasibility study; a 2019 business
37 case analysis; and a 2020 report with recommendations for a
38 governance framework, strategic engagement plan, and financial
39 strategy. The review should also provide additional analysis of the
40 distribution of projected benefits and costs for communities of

1 color, low-income households, and other disadvantaged communities.
2 The joint transportation committee shall provide a report with its
3 findings to the transportation committees of the legislature by June
4 30, 2023.

5 (10) \$400,000 of the multimodal transportation account—state
6 appropriation is for the joint transportation committee to conduct a
7 study to determine how many nondrivers are in Washington state and
8 the demographics of this population. The joint transportation
9 committee is directed to conduct a survey, conduct research, develop
10 a dataset, and conduct analysis on the nondriving population of
11 Washington state. The analysis must include, but is not limited to:
12 (a) Reasons for not driving; (b) demographics of who is not driving
13 to include age, disability status, rural or urban residence, and
14 other available demographic information; and (c) availability of
15 transportation options for nondrivers and the impact those options
16 have on their access to services, economic opportunity, recreation,
17 education, and other aspects of community life. The joint
18 transportation committee shall provide a report to the transportation
19 committees of the legislature by February 1, 2023.

20 (11) (a) \$300,000 of the motor vehicle account—state appropriation
21 is for the joint transportation committee to oversee a consultant
22 study to identify and recommend cost-effective strategies to maximize
23 walk-on passenger ridership of the Anacortes - San Juan ferry routes.
24 The study must also identify available public funding sources to
25 support these strategies. Reducing the need for passengers to bring
26 their cars on the ferries will increase the capacity of each ferry
27 run to transport more people.

28 (b) The evaluated options may include, but not be limited to:

29 (i) Increased public funding or other support for transit or
30 shuttle service between ferry landings on Orcas, Lopez, San Juan, and
31 Anacortes and nearby major town centers or connecting transit hubs;

32 (ii) Options to increase availability of taxi and rideshare
33 services at each of the landings;

34 (iii) Short-term electric vehicle rentals at ferry landings,
35 including electric bicycles and scooters;

36 (iv) Public funding or other support to increase the available
37 locations for additional parking and reduce the cost for short-term
38 parking near each landing;

1 (v) Marketing of the availability of options through the
2 Washington state ferries reservation system website, on ferries and
3 at ferry landings and ticketing facilities.

4 (c) Outreach for the study, including on the feasibility and
5 effectiveness of each strategy evaluated, must include outreach to
6 representatives of:

- 7 (i) Washington state ferries;
- 8 (ii) San Juan county council;
- 9 (iii) Anacortes and San Juan Islands ferry advisory committee
10 members;
- 11 (iv) San Juan economic development council;
- 12 (v) City of Anacortes;
- 13 (vi) City of Friday Harbor;
- 14 (vii) Skagit transit;
- 15 (viii) Skagit RTPO;
- 16 (ix) Eastsound;
- 17 (x) Lopez Village;
- 18 (xi) Transit dependent populations; and
- 19 (xii) Others as deemed appropriate by the committee.

20 (d) A report with recommendations on the most feasible and cost-
21 effective strategies to maximize walk-on passenger ridership of the
22 Anacortes - San Juan and Anacortes - Sidney ferry routes is due to
23 the transportation committees of the legislature by January 6, 2023.

24 (12) \$150,000 of the multimodal transportation account—state
25 appropriation is for the joint transportation committee to examine
26 options and provide recommendations for a state program to assist
27 with the establishment of powered micromobility device lending
28 libraries. The purpose of the powered micromobility device lending
29 libraries is to provide low-cost or no-cost, reliable, and healthier
30 modes of transportation to vulnerable communities. It is anticipated
31 that the powered micromobility device lending libraries would be
32 managed by community nonprofit organizations, local governments,
33 higher education institutions, school districts, or federally
34 recognized tribal governments. The options that should be examined
35 include, but are not limited to: A state-funded grant program for the
36 purchase of powered micromobility devices to be used in powered
37 micromobility device lending libraries, direct technical assistance
38 for establishing community-based powered micromobility device lending
39 libraries, and direct-to-consumer incentives to applicants to
40 purchase powered micromobility. Recommendations must specify how to

1 prioritize program benefits for vulnerable populations and
2 overburdened communities, including tribes, seniors, low-income
3 populations, and communities with high environmental burdens. Powered
4 micromobility devices to be examined by this study are devices that
5 do not exceed product speed of 30 miles per hour or product weight of
6 100 pounds and include electric bicycles, electric cargo bikes,
7 electric standing scooters, and other mobility devices under 50
8 pounds in weight that do not use fossil fuels. The joint
9 transportation committee shall provide a report with its findings to
10 the transportation committees of the legislature by June 30, 2023.

11 (13)(a) Within existing resources the joint transportation
12 committee must convene a work group to advise the committee on the
13 distribution of transportation funds from the infrastructure
14 investment and jobs act between state and local government in future
15 biennia. In addition to the executive committee of the joint
16 transportation committee the work group, to the extent practicable,
17 shall include governor's staff from the office of financial
18 management as well as one representative of each of the following:

- 19 (i) The Washington state association of counties;
- 20 (ii) Metropolitan planning organizations;
- 21 (iii) Regional transportation planning organizations;
- 22 (iv) The association of Washington cities;
- 23 (v) Tribal transportation planning organizations;
- 24 (vi) The Washington state department of transportation;
- 25 (vii) The Washington public ports association; and
- 26 (viii) The Washington state transit association.

27 (b) The joint transportation committee will consider the advice
28 of the work group and, with recognition of the state's history of
29 collaboration and open discussion, determine the allocation of the
30 infrastructure investment and jobs act funding by November 15, 2022.

31 (14) \$300,000 of the motor vehicle account—state appropriation is
32 provided solely for the implementation of Engrossed Second Substitute
33 House Bill No. 1815, (deterring catalytic converter theft). If
34 Engrossed Second Substitute House Bill No. 1815 is not enacted by
35 June 30, 2022, the amount provided in this subsection lapses.

36 **Sec. 205.** 2021 c 333 s 205 (uncodified) is amended to read as
37 follows:

38 **FOR THE TRANSPORTATION COMMISSION**
39 Motor Vehicle Account—State Appropriation. (~~(\$2,438,000)~~)
Code Rev/AI:eab 18 H-2774.3/22 3rd draft

1		<u>\$4,200,000</u>
2	Interstate 405 and State Route Number 167 Express	
3	Toll Lanes Account—State Appropriation.	\$127,000
4	State Route Number 520 Corridor Account—State	
5	Appropriation.	\$276,000
6	Tacoma Narrows Toll Bridge Account—State	
7	Appropriation.	\$180,000
8	Alaskan Way Viaduct Replacement Project Account—	
9	State Appropriation.	\$172,000
10	TOTAL APPROPRIATION.	((\$3,193,000))
11		<u>\$4,955,000</u>

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

14 (1) The commission shall reconvene the road usage charge steering
15 committee, with the same membership described in chapter 297, Laws of
16 2018, and shall periodically report to the steering committee with
17 updates on activities undertaken in accordance with the federal grant
18 awarded July 2020 ("Forward Drive"). A year-end update on the status
19 of any federally-funded project for which federal funding is secured
20 must be provided to the governor's office and the transportation
21 committees of the legislature by January 1, 2022, and by January 1,
22 2023. Any legislative vacancies on the steering committee must be
23 appointed by the speaker of the house of representatives for a house
24 of representatives member vacancy, and by the president of the senate
25 for a senate member vacancy.

26 ((~~(3)~~)) (2) \$127,000 of the Interstate 405 and state route number
27 167 express toll lanes account—state appropriation, \$276,000 of the
28 state route number 520 corridor account—state appropriation, \$180,000
29 of the Tacoma Narrows toll bridge account—state appropriation, and
30 \$172,000 of the Alaskan Way viaduct replacement project account—state
31 appropriation are provided solely for the transportation commission's
32 proportional share of time spent supporting tolling operations for
33 the respective tolling facilities.

34 (3) \$1,500,000 of the motor vehicle account—state appropriation
35 is provided solely for the commission to conduct a full planning-
36 level traffic and revenue study of the Hood River Bridge to determine
37 the viability of toll revenues to support future financing of
38 improvements and possible replacement of the bridge, considering
39 prior work and studies conducted. The commission will coordinate this

1 work with the department of transportation, the Port of Hood River,
2 the Oregon department of transportation, and other entities as
3 needed. The results of the assessment must be submitted to the house
4 and senate transportation committees by January 5, 2024.

5 **Sec. 206.** 2021 c 333 s 206 (uncodified) is amended to read as
6 follows:

7 **FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**
8 Freight Mobility Investment Account—State
9 Appropriation. ((~~\$831,000~~))
10 \$840,000

11 **Sec. 207.** 2021 c 333 s 207 (uncodified) is amended to read as
12 follows:

13 **FOR THE WASHINGTON STATE PATROL**
14 State Patrol Highway Account—State Appropriation. ((~~\$517,391,000~~))
15 \$521,896,000
16 State Patrol Highway Account—Federal Appropriation. ((~~\$15,838,000~~))
17 \$16,112,000
18 State Patrol Highway Account—Private/Local
19 Appropriation. ((~~\$4,267,000~~))
20 \$4,314,000
21 Highway Safety Account—State Appropriation. ((~~\$1,214,000~~))
22 \$1,282,000
23 Ignition Interlock Device Revolving Account—State
24 Appropriation. ((~~\$5,053,000~~))
25 \$2,243,000
26 Multimodal Transportation Account—State
27 Appropriation. ((~~\$288,000~~))
28 \$293,000
29 State Route Number 520 Corridor Account—State
30 Appropriation. \$433,000
31 Tacoma Narrows Toll Bridge Account—State
32 Appropriation. \$77,000
33 I-405 and SR 167 Express Toll Lanes Account—State
34 Appropriation. \$1,348,000
35 TOTAL APPROPRIATION. ((~~\$545,909,000~~))
36 \$547,998,000

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

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

12 (2) \$580,000 of the state patrol highway account—state
13 appropriation is provided solely for the operation of and
14 administrative support to the license investigation unit to enforce
15 vehicle registration laws in southwestern Washington. The Washington
16 state patrol, in consultation with the department of revenue, shall
17 maintain a running estimate of the additional vehicle registration
18 fees, sales and use taxes, and local vehicle fees remitted to the
19 state pursuant to activity conducted by the license investigation
20 unit. Beginning October 1, 2021, and quarterly thereafter, the
21 Washington state patrol shall submit a report detailing the
22 additional revenue amounts generated since January 1, 2021, to the
23 director of the office of financial management and the transportation
24 committees of the legislature. At the end of the calendar quarter in
25 which it is estimated that more than \$625,000 in state sales and use
26 taxes have been remitted to the state since January 1, 2021, the
27 Washington state patrol shall notify the state treasurer and the
28 state treasurer shall transfer funds pursuant to section 406 (~~of~~
29 ~~this act~~), chapter 333, Laws of 2021.

30 (3) \$4,000,000 of the state patrol highway account—state
31 appropriation is provided solely for a third arming and a third
32 trooper basic training class. The cadet class is expected to graduate
33 in June 2023.

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

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

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

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

5 (d) The composition of workforce;

6 (e) Other relevant outcome measures with comparative information
7 with recent comparable months in prior years; and

8 (f) Activities related to the implementation of the agency's
9 workforce diversity plan, including short-term and long-term,
10 specific comprehensive outreach and recruitment strategies to
11 increase populations underrepresented within both commissioned and
12 noncommissioned employee groups.

13 (5) \$493,000 of the state patrol highway account—state
14 appropriation is provided solely for aerial criminal investigation
15 tools, including software licensing and maintenance, and annual
16 certification, and is subject to the conditions, limitations, and
17 review requirements of section 701 (~~of this act~~), chapter 333, Laws
18 of 2021.

19 (6) (~~(\$7,962,000)~~) \$6,422,000 of the state patrol highway account
20 —state appropriation is provided solely for the land mobile radio
21 system replacement, upgrade, and other related activities. Beginning
22 January 1, 2022, the Washington state patrol must report semiannually
23 to the office of the state chief information officer on the progress
24 related to the projects and activities associated with the land
25 mobile radio system, including the governance structure, outcomes
26 achieved in the prior six month time period, and how the activities
27 are being managed holistically as recommended by the office of the
28 chief information officer. At the time of submittal to the office of
29 the state chief information officer, this report shall be transmitted
30 to the office of financial management and the house and senate
31 transportation committees.

32 (7) \$510,000 of the ignition interlock device revolving account—
33 state appropriation is provided solely for the ignition interlock
34 program at the Washington state patrol to provide funding for two
35 staff to work and provide support for the program in working with
36 manufacturers, service centers, technicians, and participants in the
37 program.

38 (8) \$1,348,000 of the Interstate 405 and state route number 167
39 express toll lanes account—state appropriation, \$433,000 of the state

1 route number 520 corridor account—state appropriation, and \$77,000 of
2 the Tacoma Narrows toll bridge account—state appropriation are
3 provided solely for the Washington state patrol's proportional share
4 of time spent supporting tolling operations and enforcement for the
5 respective tolling facilities.

6 (9) \$289,000 of the state patrol highway account—state
7 appropriation is provided solely for the replacement of 911
8 workstations.

9 (10) \$35,000 of the state patrol highway account—state
10 appropriation is provided solely for the replacement of bomb response
11 equipment.

12 (11) \$713,000 of the state patrol highway account—state
13 appropriation is provided solely for information technology
14 infrastructure maintenance.

15 (12) The Washington state patrol must provide a report to the
16 office of financial management and the house and senate
17 transportation committees on its plan for implementing a transition
18 to cloud computing and storage with its 2023-2025 budget submittal.

19 (13) \$945,000 of the state patrol highway account—state
20 appropriation is provided solely for implementation of chapter 329,
21 Laws of 2021 (custodial interrogations). If chapter 329, Laws of 2021
22 (custodial interrogations) is not enacted by June 30, 2021, the
23 amount provided in this subsection lapses.

24 (14) \$46,000 of the state patrol highway account—state
25 appropriation is provided solely for implementation of chapter 320,
26 Laws of 2021 (peace officer tactics). If chapter 320, Laws of 2021
27 (peace officer tactics) is not enacted by June 30, 2021, the amount
28 provided in this subsection lapses.

29 (15) \$46,000 of the state patrol highway account—state
30 appropriation is provided solely for implementation of chapter 324,
31 Laws of 2021 (use of force by officers). If chapter 324, Laws of 2021
32 (use of force by officers) is not enacted by June 30, 2021, the
33 amount provided in this subsection lapses.

34 (16) (a) The legislature finds that the water connection extension
35 constructed by the Washington state patrol from the city of Shelton's
36 water facilities to the Washington state patrol academy was necessary
37 to meet the water supply needs of the academy. The legislature also
38 finds that the water connection provides an ongoing water supply that
39 is necessary to the operation of the training facility, that the

1 state is making use of the water connection for these public
2 activities, and that any future incidental use of the municipal
3 infrastructure put in place to support these activities will not
4 impede the Washington state patrol's ongoing use of the water
5 connection extension.

6 (b) \$2,220,000 of the transfer from the waste tire removal
7 account to the motor vehicle fund, as required under RCW 70A.205.425,
8 reimburses the motor vehicle fund for the portion of the water
9 project costs assigned by the agreement to properties, other than the
10 Washington state patrol academy, that make use of the water
11 connection while the agreement remains in effect. This reimbursement
12 to the motor vehicle fund is intended to address any possibility that
13 the termination of this agreement could be determined to result in
14 the unconstitutional use of 18th amendment designated funds for
15 nonhighway purposes under the constitution of the state of
16 Washington; however, this transfer is not intended to indicate that
17 the incidental use of this infrastructure by these properties
18 necessarily requires such reimbursement under the state Constitution.
19 Immediately following the transfer of funds, Washington state patrol
20 and the city of Shelton shall meet to formally update the terms of
21 their "Agreement for Utility Connection and Reimbursement of Water
22 Extension Expenses" executed on June 12, 2017, to reflect the intent
23 of the proviso.

24 (17) The appropriations in this section provide sufficient
25 funding for state patrol staffing assuming vacancy savings which may
26 change over time. Funding for staffing will be monitored and adjusted
27 in the ((2022)) 2023 supplemental budget to restore funding as
28 authorized staffing levels are achieved.

29 (18) \$554,000 of the state patrol highway account—state is
30 provided solely for a feasibility study of an integrated solution for
31 data collection and reporting of operational performance data that
32 will no longer be collected with the implementation of the one
33 Washington time leave and attendance system. The study must include a
34 review of best practices for collecting the operational performance
35 data and coordinating with other law enforcement agencies on the
36 collection of data.

37 (19) \$250,000 of the state patrol highway account—state
38 appropriation is provided solely for implementation of Engrossed
39 Substitute House Bill No. 2037 (peace officers/use of force). If
40 Engrossed Substitute House Bill No. 2037 (peace officers/use of

1 force) is not enacted by June 30, 2022, the amount provided in this
2 subsection lapses.

3 (20) \$14,788,000 of the state patrol highway account—state
4 appropriation is provided solely for contingency funding to address
5 emergent issues related to mitigating negative impacts of the high
6 level of commissioned and noncommissioned staff vacancies. Potential
7 uses of the funding include, but are not limited to, the following:
8 Operating a miniacademy and training opportunities for lateral
9 transfers from other agencies; increased overtime, travel, and other
10 related costs; increased contracting to maintain adequate service
11 levels; and unanticipated facility and equipment needs. By January 1,
12 2023, the state patrol must submit a report to the governor and the
13 transportation committees of the legislature detailing the specific
14 expenditures made from the contingency funding provided in this
15 subsection. The report must also include a description of the mini-
16 academy training, including the number of lateral transfers that
17 entered the training, the number which completed training, the cost
18 of the miniacademy, and a comparison of how the training was
19 different from a conventional academy class.

20 **Sec. 208.** 2021 c 333 s 208 (uncodified) is amended to read as
21 follows:

22 **FOR THE DEPARTMENT OF LICENSING**

23	Marine Fuel Tax Refund Account—State Appropriation.	\$34,000
24	Motorcycle Safety Education Account—State	
25	Appropriation.	(\$4,894,000)
26		<u>\$4,958,000</u>
27	Limited Fish and Wildlife Account—State	
28	Appropriation.	(\$917,000)
29		<u>\$919,000</u>
30	Highway Safety Account—State Appropriation.	(\$241,868,000)
31		<u>\$237,228,000</u>
32	Highway Safety Account—Federal Appropriation.	\$1,294,000
33	Motor Vehicle Account—State Appropriation.	(\$73,327,000)
34		<u>\$72,387,000</u>
35	Motor Vehicle Account—Federal Appropriation.	(\$150,000)
36		<u>\$400,000</u>
37	Motor Vehicle Account—Private/Local Appropriation.	\$6,600,000
38	Ignition Interlock Device Revolving Account—State	

1	Appropriation.	((\$6,071,000))
2		<u>\$6,095,000</u>
3	Department of Licensing Services Account—State	
4	Appropriation.	((\$8,157,000))
5		<u>\$8,188,000</u>
6	License Plate Technology Account—State Appropriation	
7	\$4,250,000
8	Abandoned Recreational Vehicle Account—State	
9	Appropriation.	((\$3,066,000))
10		<u>\$3,070,000</u>
11	Limousine Carriers Account—State Appropriation.	\$110,000
12	Electric Vehicle Account—State Appropriation.	((\$405,000))
13		<u>\$413,000</u>
14	DOL Technology Improvement & Data Management	
15	Account—State Appropriation.	((\$748,000))
16		<u>\$806,000</u>
17	Agency Financial Transaction Account—State	
18	Appropriation.	((\$21,257,000))
19		<u>\$19,757,000</u>
20	((Driver Licensing Technology Support Account—State	
21	Appropriation.	\$1,373,000))
22	TOTAL APPROPRIATION.	((\$374,521,000))
23		<u>\$366,509,000</u>

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

26 (1) \$1,100,000 of the highway safety account—state appropriation
27 is provided solely for the department to provide an interagency
28 transfer to the department of social and health services, children's
29 administration division for the purpose of providing driver's license
30 support to a larger population of foster youth than is already served
31 within existing resources. Support services include reimbursement of
32 driver's license issuance costs, fees for driver training education,
33 and motor vehicle liability insurance costs.

34 (2) The appropriations in this section assume implementation by
35 the department of cost recovery mechanisms to recoup at least
36 \$21,257,000 during the 2021-2023 biennium in credit card and other
37 financial transaction costs as part of charges imposed for driver and
38 vehicle fee transactions. During the 2021-2023 fiscal biennium, the
39 department must report any amounts recovered to the office of

1 financial management and appropriate committees of the legislature on
2 a quarterly basis.

3 (3) (a) For the 2021-2023 biennium, the department shall charge
4 \$6,600,000 for the administration and collection of a motor vehicle
5 excise tax on behalf of a regional transit authority, as authorized
6 under RCW 82.44.135. The amount in this subsection must be deducted
7 before distributing any revenues to a regional transit authority.

8 (b) \$100,000 of the motor vehicle account—state appropriation is
9 provided solely for the department to work with the regional transit
10 authority imposing a motor vehicle excise tax pursuant to RCW
11 81.104.160 and transportation benefit districts imposing vehicle fees
12 pursuant to RCW 82.80.140, and other relevant parties, to determine
13 cost recovery options for the administration and collection of the
14 taxes and fees. The options must include:

15 (i) Full cost recovery for the direct and indirect expenses by
16 the department of licensing, subagents, and counties;

17 (ii) Marginal cost recovery for the direct and indirect expenses
18 by the department of licensing, subagents, and counties;

19 (iii) The estimated costs if the regional transit authority or
20 transportation benefit districts had to contract out the entire
21 collection and administrative activity with a nongovernmental entity.

22 (4) \$12,000 of the motorcycle safety education account—state
23 appropriation, \$2,000 of the limited fish and wildlife account—state
24 appropriation, \$728,000 of the highway safety account—state
25 appropriation, \$238,000 of the motor vehicle account—state
26 appropriation, \$10,000 of the ignition interlock device revolving
27 account—state appropriation, and \$10,000 of the department of
28 licensing services account—state appropriation are provided solely
29 for the department to redesign and improve its online services and
30 website, and are subject to the conditions, limitations, and review
31 requirements of section 701 (~~of this act~~), chapter 333, Laws of
32 2021.

33 (5) \$28,636,000 of the highway safety account—state appropriation
34 is provided solely for costs necessary to accommodate increased
35 demand for enhanced drivers' licenses and enhanced identicards. The
36 department shall report on a quarterly basis on the use of these
37 funds, associated workload, and information with comparative
38 information with recent comparable months in prior years. The report
39 must include detailed statewide and by licensing service office

1 information on staffing levels, average monthly wait times, the
2 number of enhanced drivers' licenses and enhanced identicards issued/
3 renewed, and the number of primary drivers' licenses and identicards
4 issued/renewed. Within the amounts provided in this subsection, the
5 department shall implement efficiency measures to reduce the time for
6 licensing transactions and wait times including, but not limited to,
7 the installation of additional cameras at licensing service offices
8 that reduce bottlenecks and align with the "keep your customer"
9 initiative.

10 (6) \$500,000 of the highway safety account—state appropriation is
11 provided solely for communication and outreach activities necessary
12 to inform the public of federally acceptable identification options
13 including, but not limited to, enhanced drivers' licenses and
14 enhanced identicards. The department shall continue the outreach plan
15 that includes informational material that can be effectively
16 communicated to all communities and populations in Washington. To
17 accomplish this work, the department shall contract with an external
18 vendor with demonstrated experience and expertise in outreach and
19 marketing to underrepresented communities in a culturally responsive
20 fashion.

21 (7) \$523,000 of the highway safety account—state appropriation is
22 provided solely for the implementation of chapter 158, Laws of 2021
23 (DOL issued documents). If chapter 158, Laws of 2021 is not enacted
24 by June 30, 2021, the amount provided in this subsection lapses.

25 (8) (~~(\$1,373,000)~~) \$929,000 of the (~~(driver licensing technology~~
26 ~~support)) highway safety account—state appropriation is provided
27 solely for the implementation of chapter 240, Laws of 2021
28 (suspension of licenses for traffic infractions). If chapter 240,
29 Laws of 2021 is not enacted by June 30, 2021, the amount provided in
30 this subsection lapses.~~

31 (9) \$434,000 of the highway safety account—state appropriation is
32 for the implementation of the Thurston county superior court order in
33 *Pierce et al. v. Department of Licensing.*

34 (10) \$23,000 of the highway safety account—state appropriation is
35 provided solely for the implementation of chapter 10 (~~(+Engrossed~~
36 ~~Substitute House Bill No. 1078))~~), Laws of 2021 (restoring voter
37 eligibility after felony conviction).

38 (~~(+10)~~) (11) \$3,074,000 of the abandoned recreational vehicle
39 disposal account—state appropriation is provided solely for providing

1 reimbursements in accordance with the department's abandoned
2 recreational vehicle disposal reimbursement program. It is the intent
3 of the legislature that the department prioritize this funding for
4 allowable and approved reimbursements and not to build a reserve of
5 funds within the account. During the 2021-2023 fiscal biennium, the
6 department must report any amounts recovered to the office of
7 financial management and appropriate committees of the legislature on
8 a quarterly basis.

9 ~~((11))~~ (12) (a) \$54,000 of the motor vehicle account—state
10 appropriation is provided solely for the issuance of nonemergency
11 medical transportation vehicle decals to implement the high occupancy
12 vehicle lane access pilot program established in section 216 ~~((of~~
13 ~~this act))~~, chapter 333, Laws of 2021. A for hire nonemergency
14 medical transportation vehicle is a vehicle that is a "for hire
15 vehicle" under RCW 46.04.190 that provides nonemergency medical
16 transportation, including for life-sustaining transportation
17 purposes, to meet the medical transportation needs of individuals
18 traveling to medical practices and clinics, cancer centers, dialysis
19 facilities, hospitals, and other care providers.

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

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

31 (i) Must be displayed on the vehicle so that it is clearly
32 visible from outside the vehicle;

33 (ii) Must identify that the vehicle is exempt from the high
34 occupancy vehicle requirements; and

35 (iii) Must be visible from the rear of the vehicle.

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

1 (i) The name and address of the person who is the owner of the
2 vehicle;

3 (ii) A full description of the vehicle, including its make,
4 model, year, and the vehicle identification number;

5 (iii) The purpose for which the vehicle is principally used;

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

15 (v) Other information as required by the department upon
16 application.

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

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

23 (g) A high occupancy vehicle exempt decal expires June 30, 2023,
24 and must be marked to indicate its expiration date. The decal may be
25 renewed if the pilot program is continued past the date of a decal's
26 expiration. The status as an exempt vehicle continues until the high
27 occupancy vehicle exempt decal is suspended or revoked for misuse,
28 the vehicle is no longer used as a for hire nonemergency medical
29 transportation vehicle, or the pilot program established in section
30 216 (~~of this act~~), chapter 333, Laws of 2021 is terminated.

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

32 (13) \$4,378,000 of the highway safety account—state appropriation
33 and \$1,539,000 of the motor vehicle account—state appropriation are
34 provided solely for contingency funding for the department to respond
35 to the COVID-19 pandemic by paying for: The replacement of end-of-
36 life information technology equipment, increased information
37 technology software license costs, other information technology
38 changes, printing and postage, supplies and equipment for COVID-19
39 safety, and accounting overtime to eliminate backlogs. By January 1,
40 2023, the department shall submit a report to the governor and the

1 legislative transportation committees detailing the specific
2 expenditures made from the contingency funding provided in this
3 subsection.

4 (14) \$100,000 of the highway safety account—state appropriation
5 is provided solely for the department to contract for a study on the
6 potential impacts that current licensing requirements, including
7 required training hours, and testing requirements may have on the
8 shortage of commercial drivers, and whether adjustments to these
9 requirements may be warranted to help alleviate the shortage. In
10 completing the study, the department must consult with the workforce
11 training board, state board for community and technical colleges,
12 federal motor carrier safety officials, organizations representing
13 veterans, organizations representing commercial drivers, and
14 organizations representing businesses or government entities that
15 rely on commercial drivers.

16 (15) The department must consult with the department of
17 corrections and state board for community and technical colleges to
18 develop a pilot program that allows incarcerated individuals who are
19 not prohibited by state or federal law from receiving a commercial
20 driver's license upon release to participate in a prerelease
21 commercial driver training program. The department must submit a
22 report to the legislature by June 30, 2023, detailing the status of
23 the program.

24 (16) \$28,000 of the motor vehicle account—state appropriation is
25 provided solely for the implementation of Engrossed Second Substitute
26 House Bill No. 1181 (veterans and military suicide). If Engrossed
27 Second Substitute House Bill No. 1181 is not enacted by June 30,
28 2022, the amount provided in this subsection lapses.

29 (17) \$83,000 of the motor vehicle account—state appropriation is
30 provided solely for the implementation of Substitute House Bill No.
31 1984 (vehicle registration certificate addresses). If Substitute
32 House Bill No. 1984 is not enacted by June 30, 2022, the amount
33 provided in this subsection lapses.

34 (18) \$57,000 of the motor vehicle account—state appropriation is
35 provided solely for the implementation of House Bill No. 2074 (off-
36 road vehicles fees). If House Bill No. 2074 is not enacted by June
37 30, 2022, the amount provided in this subsection lapses.

38 (19) \$350,000 of the highway safety account—state appropriation
39 is provided solely to expand driver's license assistance and support

1 services in King county with an existing provider that is already
2 providing these services to low-income immigrant and refugee women.

3 **Sec. 209.** 2021 c 333 s 209 (uncodified) is amended to read as
4 follows:

5 **FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE**
6 **—PROGRAM B**

7	State Route Number 520 Corridor Account—State	
8	Appropriation.	((\$53,689,000))
9		<u>\$58,255,000</u>
10	State Route Number 520 Civil Penalties Account—State	
11	Appropriation.	((\$4,122,000))
12		<u>\$4,135,000</u>
13	Tacoma Narrows Toll Bridge Account—State	
14	Appropriation.	((\$29,809,000))
15		<u>\$31,080,000</u>
16	Alaskan Way Viaduct Replacement Project Account—	
17	State Appropriation.	((\$20,840,000))
18		<u>\$21,693,000</u>
19	Interstate 405 and State Route Number 167 Express	
20	Toll Lanes Account—State Appropriation.	((\$23,910,000))
21		<u>\$24,562,000</u>
22	TOTAL APPROPRIATION.	((\$132,370,000))
23		<u>\$139,725,000</u>

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

26 (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state
27 appropriation and \$12,484,000 of the state route number 520 corridor
28 account—state appropriation are provided solely for the purposes of
29 addressing unforeseen operations and maintenance costs on the Tacoma
30 Narrows bridge and the state route number 520 bridge, respectively.
31 The office of financial management shall place the amounts provided
32 in this subsection, which represent a portion of the required minimum
33 fund balance under the policy of the state treasurer, in unallotted
34 status. The office may release the funds only when it determines that
35 all other funds designated for operations and maintenance purposes
36 have been exhausted.

37 (2) As long as the facility is tolled, the department must
38 provide annual reports to the transportation committees of the

1 legislature on the Interstate 405 express toll lane project
2 performance measures listed in RCW 47.56.880(4). These reports must
3 include:

4 (a) Information on the travel times and travel time reliability
5 (at a minimum, average and 90th percentile travel times) maintained
6 during peak and nonpeak periods in the express toll lanes and general
7 purpose lanes for both the entire corridor and commonly made trips in
8 the corridor including, but not limited to, northbound from Bellevue
9 to Rose Hill, state route number 520 at NE 148th to Interstate 405 at
10 state route number 522, Bellevue to Bothell (both NE 8th to state
11 route number 522 and NE 8th to state route number 527), and a trip
12 internal to the corridor (such as NE 85th to NE 160th) and similar
13 southbound trips;

14 (b) A month-to-month comparison of travel times and travel time
15 reliability for the entire corridor and commonly made trips in the
16 corridor as specified in (a) of this subsection since implementation
17 of the express toll lanes and, to the extent available, a comparison
18 to the travel times and travel time reliability prior to
19 implementation of the express toll lanes;

20 (c) Total express toll lane and total general purpose lane
21 traffic volumes, as well as per lane traffic volumes for each type of
22 lane (i) compared to total express toll lane and total general
23 purpose lane traffic volumes, as well as per lane traffic volumes for
24 each type of lane, on this segment of Interstate 405 prior to
25 implementation of the express toll lanes and (ii) compared to total
26 express toll lane and total general purpose lane traffic volumes, as
27 well as per lane traffic volumes for each type of lane, from month to
28 month since implementation of the express toll lanes; and

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

32 (3) (a) (~~(\$708,000)~~) \$481,000 of the Interstate 405 and state
33 route number 167 express toll lanes account—state appropriation,
34 (~~(\$1,651,000)~~) \$1,132,000 of the state route number 520 corridor
35 account—state appropriation, (~~(\$709,000)~~) \$509,000 of the Tacoma
36 Narrows toll bridge account—state appropriation, and (~~(\$932,000)~~)
37 \$636,000 of the Alaskan Way viaduct replacement project account—state
38 appropriation are provided solely for the reappropriation of unspent
39 funds on the new tolling back office system from the 2019-2021

1 biennium(~~, and are subject to the conditions, limitations, and~~
2 ~~review provided in section 701 of this act.~~

3 ~~(b) The department shall continue to work with the office of~~
4 ~~financial management, office of the chief information officer, and~~
5 ~~the transportation committees of the legislature on the project~~
6 ~~management plan that includes a provision for independent~~
7 ~~verification and validation of contract deliverables from the~~
8 ~~successful bidder and a provision for quality assurance that includes~~
9 ~~reporting independently to the office of the chief information~~
10 ~~officer on an ongoing basis during system implementation)).~~

11 ~~((e))~~ (b) The office of financial management shall place the
12 amounts provided in this subsection in unallotted status until the
13 department submits a detailed progress report on the progress of the
14 new tolling back office system. The director of the office of
15 financial management or their designee shall consult with the chairs
16 and ranking members of the transportation committees of the
17 legislature prior to making a decision to allot these funds.

18 (4) ~~((Out of funding appropriated in this section,))~~ \$121,000 of
19 the Interstate 405 and state route number 167 express toll lanes
20 account—state appropriation, \$288,000 of the state route number 520
21 corridor account—state appropriation, \$128,000 of the Tacoma Narrows
22 toll bridge account—state appropriation, and \$163,000 of the Alaskan
23 Way viaduct replacement project account—state appropriation are
24 provided solely for the department ~~((shall))~~ to contract with the
25 state auditor's office for a performance audit of the department's
26 project to replace its electronic toll collection system. The audit
27 should include an evaluation of the department's project planning,
28 vendor procurement, contract management and project oversight. The
29 final report is to be issued by December 31, 2022. The state auditor
30 will transmit copies of the report to the jurisdictional committees
31 of the legislature and the department.

32 (5) The department shall make detailed annual reports to the
33 transportation committees of the legislature and the public on the
34 department's web site on the following:

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

1 (b) The nonvendor costs of administering toll operations,
2 including the costs of staffing the division, consultants, and other
3 personal service contracts required for technical oversight and
4 management assistance, insurance, payments related to credit card
5 processing, transponder purchases and inventory management, facility
6 operations and maintenance, and other miscellaneous nonvendor costs;

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

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

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

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

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

18 (iv) Workload costs related to hearings;

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

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

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

24 (6) During the 2021-2023 fiscal biennium, the department plans to
25 issue a request for proposals as the first stage of a competitive
26 procurement process that will replace the toll equipment and select a
27 new tolling operator for the Tacoma Narrows Bridge. The request for
28 proposals and subsequent competitive procurement must incorporate
29 elements that prioritize the overall goal of lowering costs per
30 transaction for the facility, such as incentives for innovative
31 approaches which result in lower transactional costs, requests for
32 efficiencies on the part of the bidder that lower operational costs,
33 and incorporation of technologies such as self-serve credit card
34 machines or other point-of-payment technologies that lower costs or
35 improve operational efficiencies.

36 (7) \$19,908,000 of the Alaskan Way viaduct replacement project
37 account—state appropriation is provided solely for the new state
38 route number 99 tunnel toll facility's expected share of collecting
39 toll revenues, operating customer services, and maintaining toll
40 collection systems. The legislature expects to see appropriate

1 reductions to the other toll facility accounts once tolling on the
2 new state route number 99 tunnel toll facility stabilizes and any
3 previously incurred costs for start-up of the new facility are
4 charged back to the Alaskan Way viaduct replacement project account.
5 The office of financial management shall closely monitor the
6 application of the cost allocation model and ensure that the new
7 state route number 99 tunnel toll facility is adequately sharing
8 costs and the other toll facility accounts are not being overspent or
9 subsidizing the new state route number 99 tunnel toll facility.

10 (8) The department shall submit a plan to the legislature for the
11 Interstate 405 and state route number 167 express toll lanes account
12 detailing how bond proceeds can cover the proposed construction plan
13 on the Interstate 405 and state route number 167 express toll lane
14 corridor outlined on LEAP Transportation Document 2021-1 as developed
15 April 23, 2021, by January 1, 2022.

16 (9) (~~(\$1,516,000)~~) (a) \$3,038,000 of the state route number 520
17 corridor account—state appropriation is provided solely for the
18 increased costs of insurance for the state route number 520 floating
19 bridge. The department shall conduct an evaluation of the short and
20 long-term costs and benefits including risk mitigation of self-
21 insurance as compared to the commercial insurance option for the
22 state route number 520 floating bridge, as allowed under the terms of
23 the state route number 520 master bond resolution. By December 15,
24 2021, the department shall report to the legislature on the results
25 of this evaluation.

26 (b) \$580,000 of the Tacoma Narrows toll bridge account—state
27 appropriation is provided solely for the increased costs of insurance
28 for the Tacoma Narrows bridge.

29 (10) As part of the department's 2023-2025 biennial budget
30 request, the department shall update the cost allocation
31 recommendations that assign appropriate costs to each of the toll
32 funds for services provided by relevant Washington state department
33 of transportation programs, the Washington state patrol, and the
34 transportation commission. The recommendations shall be based on
35 updated traffic and toll transaction patterns and other relevant
36 factors.

37 (11) All amounts provided for operations and maintenance expenses
38 on the SR 520 facility from the state route number 520 corridor
39 account during the 2021-2023 fiscal biennium in this act, up to a

1 maximum of \$59,567,000, are derived from the receipt of federal
2 American rescue plan act of 2021 funds and not toll revenues.

3 **Sec. 210.** 2021 c 333 s 210 (uncodified) is amended to read as
4 follows:

5 **FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM**
6 **C**

7 Transportation Partnership Account—State	
8 Appropriation.	((\$1,377,000))
	<u>\$1,401,000</u>
10 Motor Vehicle Account—State Appropriation.	((\$97,026,000))
	<u>\$102,958,000</u>
12 Puget Sound Ferry Operations Account—State	
13 Appropriation.	((\$263,000))
	<u>\$307,000</u>
15 Multimodal Transportation Account—State	
16 Appropriation.	((\$6,986,000))
	<u>\$7,074,000</u>
18 Transportation 2003 Account (Nickel Account)—State	
19 Appropriation.	((\$1,393,000))
	<u>\$1,413,000</u>
21 TOTAL APPROPRIATION.	((\$107,045,000))
	<u>\$113,153,000</u>

23 The appropriations in this section are subject to the following
24 conditions and limitations: \$4,273,000 of the multimodal
25 transportation account—state appropriation and \$4,273,000 of the
26 motor vehicle account—state appropriation are provided solely for the
27 department's cost related to the one Washington project, and is
28 subject to the conditions, limitations, and review requirements of
29 section 701 (~~(of this act)~~), chapter 333, Laws of 2021.

30 **Sec. 211.** 2021 c 333 s 211 (uncodified) is amended to read as
31 follows:

32 **FOR THE DEPARTMENT OF TRANSPORTATION—FACILITY MAINTENANCE,**
33 **OPERATIONS, AND CONSTRUCTION—PROGRAM D—OPERATING**

34 Motor Vehicle Account—State Appropriation.	((\$35,574,000))
	<u>\$37,588,000</u>
36 State Route Number 520 Corridor Account—State	
37 Appropriation.	\$34,000

1 TOTAL APPROPRIATION. ((~~\$35,608,000~~))
2 \$37,622,000

3 **Sec. 212.** 2021 c 333 s 212 (uncodified) is amended to read as
4 follows:

5 **FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F**
6 Aeronautics Account—State Appropriation. ((~~\$8,055,000~~))
7 \$8,105,000
8 Aeronautics Account—Federal Appropriation. \$3,916,000
9 Aeronautics Account—Private/Local Appropriation. \$60,000
10 TOTAL APPROPRIATION. ((~~\$12,031,000~~))
11 \$12,081,000

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

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

18 (2) \$257,000 of the aeronautics account—state appropriation is
19 provided solely for supporting the commercial aviation coordinating
20 commission, pursuant to section 718 (~~of this act~~), chapter 333,
21 Laws of 2021.

22 (3) \$280,000 of the aeronautics account—state appropriation is
23 provided solely for the implementation of chapter 131, Laws of 2021
24 (unpiloted aircraft system state coordinator). If chapter 131, Laws
25 of 2021 is not enacted by June 30, 2021, the amount provided in this
26 subsection lapses.

27 **Sec. 213.** 2021 c 333 s 213 (uncodified) is amended to read as
28 follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND**
30 **SUPPORT—PROGRAM H**
31 Motor Vehicle Account—State Appropriation. ((~~\$59,138,000~~))
32 \$61,049,000
33 Motor Vehicle Account—Federal Appropriation. \$500,000
34 Multimodal Transportation Account—State
35 Appropriation. \$758,000
36 TOTAL APPROPRIATION. ((~~\$60,396,000~~))
37 \$62,307,000

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

3 (1) The legislature recognizes that the trail known as the Rocky
4 Reach Trail, and its extensions, serve to separate motor vehicle
5 traffic from pedestrians and bicyclists, increasing motor vehicle
6 safety on state route number 2 and the coincident section of state
7 route number 97. Consistent with chapter 47.30 RCW and pursuant to
8 RCW 47.12.080, the legislature declares that transferring portions of
9 WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and
10 associated buffer areas to the Washington state parks and recreation
11 commission is consistent with the public interest. The legislature
12 directs the department to transfer the property to the Washington
13 state parks and recreation commission.

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

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

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

33 (2) With respect to Parcel 12 of the real property conveyed by
34 the state of Washington to the city of Mercer Island under that
35 certain quitclaim deed, dated April 19, 2000, recorded in King county
36 under recording no. 20000425001234, the requirement in the deed that
37 the property be used for road/street purposes only will be deemed
38 satisfied by the department of transportation so long as commuter

1 parking, as part of the vertical development of the property, is one
2 of the significant uses of the property.

3 (3) \$1,600,000 of the motor vehicle account—state appropriation
4 is provided solely for real estate services activities. Consistent
5 with RCW 47.12.120 and during the 2021-2023 fiscal biennium, when
6 initiating, extending, or renewing any rent or lease agreements with
7 a regional transit authority, consideration of value must be
8 equivalent to one hundred percent of economic or market rent.

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

14 (5) During the 2021-2023 biennium, if the department takes
15 possession of the property situated in the city of Edmonds for which
16 a purchase agreement was executed between Unocal and the department
17 in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department
18 confirms that the property is still no longer needed for
19 transportation purposes, the department shall provide the city of
20 Edmonds with the right of first purchase at fair market value in
21 accordance with RCW 47.12.063(3) for the city's intended use of the
22 property to rehabilitate near-shore habitat for salmon and related
23 species.

24 (6) (~~(\$300,000)~~) \$535,000 of the motor vehicle account—state
25 appropriation is provided solely for the implementation of chapter
26 217, Laws of 2021 (noxious weeds). (~~If chapter 217, Laws of 2021~~
27 ~~(noxious weeds) is not enacted by June 30, 2021, the amount provided~~
28 ~~in this subsection lapses.))~~

29 (7) (~~(\$500,000)~~) \$1,026,000 of the multimodal transportation
30 account—state appropriation is provided solely for the implementation
31 of chapter 314, Laws of 2021 (environmental justice task force). (~~If~~
32 ~~chapter 314, Laws of 2021 (environmental justice task force) is not~~
33 ~~enacted by June 30, 2021, the amount provided in this subsection~~
34 ~~lapses.))~~

35 (8)(a) The department shall offer to sell or convey the northern
36 parcel of site 14 on the Puget Sound Gateway Program SR 509
37 Completion Project Surplus Property list, located immediately south
38 of S. 216th Street and adjacent to the Barnes Creek Nature in Des
39 Moines, to Seattle Goodwill Industries, a nonprofit organization with

1 tax ID 91-05688708, located at 700 Dearborn Place S, Seattle, WA
2 98144, in accordance with RCW 47.12.063 at less than its fair market
3 value to the extent the department finds it is in the public interest
4 to do so because the public benefit that will result from Goodwill's
5 redevelopment of the property it owns at Rainier Ave South and South
6 Dearborn Street to increase the supply of affordable housing would
7 not otherwise be adequately compensated.

8 (b) The amount remaining from the transfer required under RCW
9 70A.205.425 from the waste tire removal account to the motor vehicle
10 fund that is not allocated to reimbursement of the motor vehicle fund
11 under section 207 of this act reimburses the motor vehicle fund for
12 any reduction to the motor vehicle fund reimbursement that results
13 from the sale at less than fair market value of real property under
14 this subsection (8).

15 **Sec. 214.** 2021 c 333 s 214 (uncodified) is amended to read as
16 follows:

17 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—**
18 **PROGRAM K**

19 Motor Vehicle Account—State Appropriation.	((\$675,000))
	<u>\$685,000</u>
21 Electric Vehicle Account—State Appropriation.	((\$9,900,000))
	<u>\$11,900,000</u>
23 Multimodal Transportation Account—State	
24 Appropriation.	((\$3,290,000))
	<u>\$6,090,000</u>
26 <u>Multimodal Transportation Account—Federal</u>	
27 <u>Appropriation.</u>	<u>\$14,100,000</u>
28 TOTAL APPROPRIATION.	((\$13,865,000))
	<u>\$32,775,000</u>

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

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

35 (2) ((~~\$8,900,000~~)) \$10,900,000 of the electric vehicle account—
36 state appropriation is provided solely for the clean alternative fuel
37 vehicle charging and refueling infrastructure program in chapter 287,
38 Laws of 2019 (advancing green transportation adoption).

1 (3) \$2,400,000 of the multimodal transportation account—state
2 appropriation is provided solely for the pilot program established
3 under chapter 287, Laws of 2019 (advancing green transportation
4 adoption) to provide clean alternative fuel vehicle use opportunities
5 to underserved communities and low to moderate income members of the
6 workforce not readily served by transit or located in transportation
7 corridors with emissions that exceed federal or state emissions
8 standards. Consistent with the geographical diversity element
9 described in RCW 47.04.355(4), the legislature strongly encourages
10 the department to consider implementing the pilot in both urban and
11 rural communities if possible, to obtain valuable information on the
12 needs of underserved communities located in different geographical
13 locations in Washington.

14 (4) \$1,000,000 of the electric vehicle account—state
15 appropriation and \$500,000 of the multimodal transportation account—
16 state appropriation are provided solely for a colocated DC fast
17 charging and hydrogen fueling station near the Wenatchee or East
18 Wenatchee area near a state route or near or on a publicly owned
19 facility to service passenger, light-duty and heavy-duty vehicles.
20 The hydrogen fueling station must include a DC fast charging station
21 colocated at the hydrogen fueling station site. Funds may be used for
22 one or more fuel cell electric vehicles that would utilize the
23 fueling stations. The department must contract with a public utility
24 district that produces hydrogen in the area to own and/or manage and
25 provide technical assistance for the design, planning, permitting,
26 construction, maintenance and operation of the hydrogen fueling
27 station. The department and public utility district are encouraged to
28 collaborate with and seek contributions from additional public and
29 private partners for the fueling station.

30 (5) \$140,000 of the multimodal transportation account—state
31 appropriation is provided solely for the purpose of conducting an
32 assessment of options for the development, including potential
33 features and costs, for a publicly available mapping and forecasting
34 tool that provides locations and essential information of charging
35 and refueling infrastructure to support forecasted levels of electric
36 vehicle adoption, travel, and usage across Washington state as
37 described in chapter 300, Laws of 2021 (preparedness for a zero
38 emissions transportation future).

1 (6) \$250,000 of the multimodal transportation account—state
2 appropriation is provided solely to fund the design of an electric
3 charging mega-site project at Mount Vernon library commons.

4 (7)(a) \$14,100,000 of the multimodal transportation account—
5 federal appropriation and \$2,800,000 of the multimodal transportation
6 account—state appropriation are provided solely for the national
7 electric vehicle program established in the infrastructure investment
8 and jobs act. As directed in the infrastructure investment and jobs
9 act, the department shall develop and submit a plan to the secretary
10 of the United States department of transportation and in developing
11 the plan, the department must consider providing publicly accessible
12 electric vehicle supply equipment across the state highway network
13 including eliminating electric vehicle charging deserts, providing
14 charging infrastructure to rural areas as well as low-income
15 communities, and providing redundancy in high travel corridors. The
16 department shall also submit the plan submitted to the secretary of
17 the United States department of transportation to the transportation
18 committees of the legislature.

19 (b) In developing the plan the department must:

20 (i) Include opportunities to provide highway electric vehicle
21 infrastructure for light, medium, and heavy-duty vehicles;

22 (ii) Identify opportunities to support local electric vehicle
23 infrastructure when doing so meets the criteria of the national
24 electric vehicle program; and

25 (iii) Support publicly available electric vehicle charging
26 infrastructure on federally designated alternative fuel corridors as
27 set forth in the national electric vehicle program plan.

28 (c) Funds provided in this subsection are also provided for the
29 department to develop and update the required mapping and forecasting
30 tool set forth in RCW 47.01.520 that provides locations and essential
31 information of charging and refueling infrastructure to support
32 forecasted levels of electric vehicle adoption, travel, and use. Up
33 to \$1,623,000 of the amounts provided in this subsection (7) may be
34 used to develop and update the required mapping and forecasting tool.
35 The department may use up to 10 percent of the funds appropriated to
36 administer this program.

37 **Sec. 215.** 2021 c 333 s 215 (uncodified) is amended to read as
38 follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M**

2	Motor Vehicle Account—State Appropriation.	((\$496,925,000))
3		<u>\$517,964,000</u>
4	Motor Vehicle Account—Federal Appropriation.	\$7,000,000
5	State Route Number 520 Corridor Account—State	
6	Appropriation.	((\$4,082,000))
7		<u>\$4,517,000</u>
8	Tacoma Narrows Toll Bridge Account—State	
9	Appropriation.	((\$1,479,000))
10		<u>\$1,510,000</u>
11	Alaskan Way Viaduct Replacement Project Account—	
12	State Appropriation.	((\$8,157,000))
13		<u>\$8,325,000</u>
14	Interstate 405 and State Route Number 167 Express	
15	Toll Lanes Account—State Appropriation.	((\$2,545,000))
16		<u>\$2,569,000</u>
17	TOTAL APPROPRIATION.	((\$520,188,000))
18		<u>\$541,885,000</u>

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

21 (1) \$7,529,000 of the motor vehicle account—state appropriation
22 is provided solely for utility fees assessed by local governments as
23 authorized under RCW 90.03.525 for the mitigation of stormwater
24 runoff from state highways. Plan and reporting requirements as
25 required in chapter 435, Laws of 2019 (Local Stormwater Charges)
26 shall be consistent with the January 2012 findings of the Joint
27 Transportation Committee Report for Effective Cost Recovery Structure
28 for WSDOT, Jurisdictions, and Efficiencies in Stormwater Management.

29 (2) \$5,000,000 of the motor vehicle account—state appropriation
30 is provided solely for a contingency pool for snow and ice removal.
31 The department must notify the office of financial management and the
32 transportation committees of the legislature when they have spent the
33 base budget for snow and ice removal and will begin using the
34 contingency pool funding.

35 (3) \$1,025,000 of the motor vehicle account—state appropriation
36 is provided solely for the department to implement safety
37 improvements and debris clean up on department-owned rights-of-way in
38 the city of Seattle at levels above that being implemented as of
39 January 1, 2019, to be administered in conjunction with subsection

1 (9) of this section. The department must maintain a crew dedicated
2 solely to collecting and disposing of garbage, clearing debris or
3 hazardous material, and implementing safety improvements where
4 hazards exist to the traveling public, department employees, or
5 people encamped upon department-owned rights-of-way. The department
6 may request assistance from the Washington state patrol as necessary
7 in order for both agencies to provide enhanced safety-related
8 activities regarding the emergency hazards along state highway
9 rights-of-way in the Seattle area.

10 (4) \$1,015,000 of the motor vehicle account—state appropriation
11 is provided solely for a partnership program between the department
12 and the city of Tacoma, to be administered in conjunction with
13 subsection (9) of this section. The program shall address the safety
14 and public health problems created by homeless encampments on the
15 department's property along state highways within the city limits.
16 \$570,000 is for dedicated department maintenance staff and associated
17 clean-up costs. The department and the city of Tacoma shall enter
18 into a reimbursable agreement to cover up to \$445,000 of the city's
19 expenses for clean-up crews and landfill costs.

20 (5) The department must continue a pilot program for the
21 2021-2023 fiscal biennium at the four highest demand safety rest
22 areas to create and maintain an online calendar for volunteer groups
23 to check availability of weekends for the free coffee program. The
24 calendar must be updated at least weekly and show dates and times
25 that are, or are not, available to participate in the free coffee
26 program. The department must submit a report to the legislature on
27 the ongoing pilot by December 1, 2022, outlining the costs and
28 benefits of the online calendar pilot, and including surveys from the
29 volunteer groups and agency staff to determine its effectiveness.

30 (6) \$686,000 of the motor vehicle account—state appropriation is
31 provided solely for reimbursing the Oregon department of
32 transportation (ODOT) for the department's share of increased
33 maintenance costs of six highway bridges over the Columbia River that
34 are maintained by ODOT.

35 (7) \$8,290,000 of the motor vehicle account—state appropriation
36 is provided solely for increased costs of highway maintenance
37 materials.

38 (8) \$5,816,000 of the motor vehicle account—state appropriation
39 is provided solely for a contingency pool for repairing damages to

1 highways caused by known and unknown third parties. The department
2 must notify the office of financial management and the transportation
3 committees of the legislature when they have spent the base budget
4 for third-party damage repair and will begin using the contingency
5 pool funding.

6 (9) (a) (~~(\$3,000,000)~~) \$8,000,000 of the motor vehicle account—
7 state appropriation is provided solely for the department to address
8 the risks to safety and public health associated with homeless
9 encampments on department owned rights-of-way. The department must
10 coordinate and work with local government officials and social
11 service organizations who provide services and direct people to
12 housing alternatives that are not in highway rights-of-way to help
13 prevent future encampments from forming on highway rights-of-way, and
14 may reimburse the organizations doing this outreach assistance who
15 transition people into treatment or housing (~~(that is not on the~~
16 ~~rights-of-way)~~) or for debris clean up on highway rights-of-way.
17 (~~The department may~~) A minimum of \$2,000,000 of this appropriation
18 must be used to provide more frequent removal of litter on the
19 highway rights-of-way that is generated by unsheltered people and may
20 be used to hire crews specializing in collecting and disposing of
21 garbage, clearing debris or hazardous material, and implementing
22 safety improvements where hazards exist to the traveling public and
23 department employees. The department may use these funds to either
24 reimburse local law enforcement costs or the Washington state patrol
25 if they are participating as part of a state or local government
26 agreement to provide enhanced safety related activities along state
27 highway rights-of-way.

28 (b) Beginning October 1, 2021, and semiannually thereafter, the
29 Washington state patrol and the department of transportation must
30 jointly submit a report to the governor and the house and senate
31 transportation committees of the legislature on the status of these
32 efforts, including:

33 (i) A detailed breakout of the size, location, risk level
34 categorization, and number of encampments on or near department-owned
35 rights-of-way, compared to the levels during the quarter being
36 reported;

37 (ii) A summary of the activities in that quarter related to
38 addressing these encampments, including information on arrangements
39 with local governments or other entities related to these activities;

1 (iii) A description of the planned activities in the ensuing
2 quarter to further address the emergency hazards and risks along
3 state highway rights-of-way; and

4 (iv) Recommendations for executive branch or legislative action
5 to achieve the desired outcome of reduced emergency hazards and risks
6 along state highway rights-of-way.

7 (10) (a) \$2,000,000 of the motor vehicle account—state
8 appropriation is provided solely for the department to contract with
9 the city of Fife to address the risks to safety and public health
10 associated with homeless encampments on department-owned rights-of-
11 way along the SR 167/SR 509 Puget Sound Gateway project corridor in
12 and adjacent to the city limits.

13 (b) The city must coordinate and work with the department and
14 local government officials and social service organizations who
15 provide services and direct people to housing alternatives that are
16 not in highway rights-of-way to help prevent future encampments from
17 forming on highway rights-of-way. State funds may be used to
18 reimburse the organizations doing this outreach assistance who
19 transition people into treatment or housing that is not on the
20 rights-of-way or for debris clean up on highway rights-of-way.

21 (c) The department may hire crews specializing in collecting and
22 disposing of garbage, clearing debris or hazardous material, and
23 implementing safety improvements where hazards exist to the traveling
24 public and department employees.

25 (d) Funds may also be used to reimburse local law enforcement
26 costs or the Washington state patrol if they are participating as
27 part of a state or local government agreement to provide enhanced
28 safety related activities along state highway rights-of-way.

29 (e) It is the intent of the legislature that the city and
30 collaborating partners should place particular emphasis on utilizing
31 available funds for addressing large scale and multiple homeless
32 encampments that impact public safety and health. Funding for
33 initiatives associated with such encampments may include targeted
34 assistance to local governments and social service organizations,
35 directing moneys toward not only initial efforts to clear
36 encampments, clean up debris and restore sightlines, but to ongoing
37 work, monitoring, and maintenance of efforts to place individuals in
38 housing, treatment and services, and to better ensure individuals
39 experiencing homelessness receive needed assistance while sites
40 remain safe and secure for the traveling public.

1 (11) During the 2021-2023 fiscal biennium, the department shall
2 conduct a pilot program authorizing commercial motor vehicles, as
3 defined in RCW 46.25.010, that are used in commerce solely to
4 transport property to park in areas designated by the department as
5 chain up and chain off areas along United States route number 2 and
6 Interstate 90 between May 1st and November 1st of each calendar year
7 of the biennium. Under the pilot program, parking is permitted for up
8 to an hour beyond federally mandated rest periods when signage posted
9 by the department authorizes the parking of these commercial motor
10 vehicles. Beginning July 1, 2022, the department shall post and
11 maintain signage authorizing the parking of these commercial motor
12 vehicles in chain up and chain off areas that it determines: (a) Have
13 sufficient space to accommodate commercial motor vehicles parking for
14 an extended period of time; and (b) where other safety concerns have
15 been addressed. The department shall notify the Washington state
16 patrol and the transportation committees of the legislature when it
17 posts signage authorizing commercial motor vehicle parking in a chain
18 up or chain off area.

19 (12) (a) \$5,000,000 of the motor vehicle account—state
20 appropriation is provided solely for additional resources for
21 operations, maintenance, facility replacements, security, and
22 upgrades to safety rest areas to ensure that safety rest areas owned
23 and operated by the department are open for use except for seasonal
24 closures or cleaning, maintenance, and repair.

25 (b) The department may use the funds for additional labor,
26 services, materials, or equipment needed to allow commercial vehicle
27 parking stalls to remain open when rest areas might otherwise be
28 closed.

29 (c) It is the intent of the legislature that these funds are
30 additional resources for the department and not meant to supplant
31 underlying resources for the maintenance and operations of safety
32 rest areas.

33 (d) The department must make a report to the transportation
34 committees of the legislature regarding the additional operations and
35 maintenance activities made at safety rest areas to ensure that rest
36 areas stayed open by November 15, 2022. The report must include the
37 status per safety rest area of openings and closures that were
38 impacted by the additional activities; the additional activities,
39 including security efforts, that were performed at the rest areas;

1 and an update on the status and a review of the safety rest area
2 strategic plan.

3 (13) (a) \$50,000 of the motor vehicle account—state appropriation
4 is provided solely for the department to install and inspect monthly
5 human trafficking informational posters in every rest room in every
6 safety rest area owned and operated by the department.

7 (b) In developing the informational posters, the department shall
8 consult with human trafficking victim advocates to determine content.

9 (c) The posters must:

10 (i) Be printed in a variety of languages;

11 (ii) Include contact information for seeking help, which may
12 include toll-free telephone numbers a person may call for assistance,
13 including the number for the national human trafficking resource
14 center and the number for the Washington state office of crime
15 victims advocacy; and

16 (iii) Be made of durable material and permanently affixed.

17 (c) The department shall install the informational posters in
18 every restroom at every safety rest area owned and operated by the
19 department by December 31, 2022.

20 (d) Beginning January 1, 2023, or one month after installation of
21 informational posters, whichever is sooner, the department shall
22 inspect the informational posters as part of its monthly maintenance
23 activities to ensure that the posters are in fair condition and
24 remain legible.

25 (e) The department must make a report to the transportation
26 committees of the legislature regarding the installation of
27 informational posters at safety rest areas by January 15, 2023. The
28 report must include the number of informational posters installed,
29 the location of the poster installations, and the completion date of
30 the poster installations.

31 **Sec. 216.** 2021 c 333 s 216 (uncodified) is amended to read as
32 follows:

33 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
34 **OPERATING**

35 Motor Vehicle Account—State Appropriation.	(\$74,406,000)
36	\$75,920,000
37 Motor Vehicle Account—Federal Appropriation.	\$2,050,000
38 Motor Vehicle Account—Private/Local Appropriation.	(\$250,000)

1		<u>\$295,000</u>
2	State Route Number 520 Corridor Account—State	
3	Appropriation.	\$225,000
4	Tacoma Narrows Toll Bridge Account—State	
5	Appropriation.	\$40,000
6	Alaskan Way Viaduct Replacement Project Account—	
7	State Appropriation.	\$1,112,000
8	Interstate 405 and State Route Number 167 Express	
9	Toll Lanes Account—State Appropriation.	\$20,000
10	<u>Agency Financial Transaction Account—State</u>	
11	<u>Appropriation.</u>	<u>\$100,000</u>
12	TOTAL APPROPRIATION.	((\$78,103,000))
13		<u>\$79,762,000</u>

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

16 (1) \$6,000,000 of the motor vehicle account—state appropriation
17 is provided solely for low-cost enhancements. The department shall
18 give priority to low-cost enhancement projects that improve safety or
19 provide congestion relief. By December 15th of each odd-numbered
20 year, the department shall provide a report to the legislature
21 listing all low-cost enhancement projects completed in the prior
22 fiscal biennium.

23 (2) (a) During the 2021-2023 fiscal biennium, the department shall
24 continue a pilot program that expands private transportation
25 providers' access to high occupancy vehicle lanes. Under the pilot
26 program, when the department reserves a portion of a highway based on
27 the number of passengers in a vehicle, the following vehicles must be
28 authorized to use the reserved portion of the highway if the vehicle
29 has the capacity to carry eight or more passengers, regardless of the
30 number of passengers in the vehicle: (i) Auto transportation company
31 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter
32 carrier vehicles regulated under chapter 81.70 RCW, except marked or
33 unmarked stretch limousines and stretch sport utility vehicles as
34 defined under department of licensing rules; (iii) private nonprofit
35 transportation provider vehicles regulated under chapter 81.66 RCW;
36 and (iv) private employer transportation service vehicles. For
37 purposes of this subsection, "private employer transportation
38 service" means regularly scheduled, fixed-route transportation
39 service that is offered by an employer for the benefit of its

1 employees. Nothing in this subsection is intended to authorize the
2 conversion of public infrastructure to private, for-profit purposes
3 or to otherwise create an entitlement or other claim by private users
4 to public infrastructure.

5 (b) The department shall expand the high occupancy vehicle lane
6 access pilot program to vehicles that deliver or collect blood,
7 tissue, or blood components for a blood-collecting or distributing
8 establishment regulated under chapter 70.335 RCW. Under the pilot
9 program, when the department reserves a portion of a highway based on
10 the number of passengers in a vehicle, blood-collecting or
11 distributing establishment vehicles that are clearly and identifiably
12 marked as such on all sides of the vehicle are considered emergency
13 vehicles and must be authorized to use the reserved portion of the
14 highway.

15 (c) The department shall expand the high occupancy vehicle lane
16 access pilot program to organ transport vehicles transporting a time
17 urgent organ for an organ procurement organization as defined in RCW
18 68.64.010. Under the pilot program, when the department reserves a
19 portion of a highway based on the number of passengers in a vehicle,
20 organ transport vehicles that are clearly and identifiably marked as
21 such on all sides of the vehicle are considered emergency vehicles
22 and must be authorized to use the reserved portion of the highway.

23 (d) The department shall expand the high occupancy vehicle lane
24 access pilot program to private, for hire vehicles regulated under
25 chapter 81.72 RCW that have been specially manufactured, designed, or
26 modified for the transportation of a person who has a mobility
27 disability and uses a wheelchair or other assistive device. Under the
28 pilot program, when the department reserves a portion of a highway
29 based on the number of passengers in a vehicle, wheelchair-accessible
30 taxicabs that are clearly and identifiably marked as such on all
31 sides of the vehicle are considered public transportation vehicles
32 and must be authorized to use the reserved portion of the highway.

33 (e) The department shall expand the high occupancy vehicle lane
34 access pilot program to for hire nonemergency medical transportation
35 vehicles, when in use for medical purposes, as described in section
36 208 (~~of this act~~), chapter 333, Laws of 2021. Under the pilot
37 program, when the department reserves a portion of a highway based on
38 the number of passengers in a vehicle, nonemergency medical
39 transportation vehicles that meet the requirements identified in

1 section 208 (~~of this act~~), chapter 333, Laws of 2021 must be
2 authorized to use the reserved portion of the highway.

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

6 (3)(a) The appropriations in this section assume implementation
7 of additional cost recovery mechanisms to recoup at least \$100,000 in
8 credit card and other financial transaction costs related to the
9 collection of fees imposed under RCW 46.44.0941 for driver and
10 vehicle fee transactions beginning January 1, 2023.

11 (b) The department may recover transaction fees incurred through
12 credit card transactions. At the direction of the office of financial
13 management, the department shall develop a method of tracking the
14 additional amount of credit card and other financial cost-recovery
15 revenues.

16 (c) In consultation with the office of financial management, the
17 department shall notify the office of the state treasurer of these
18 amounts and the state treasurer must deposit these revenues in the
19 agency financial transaction account created in RCW 46.01.385 on a
20 quarterly basis.

21 (d) The department shall also submit, as part of its 2023-2025
22 budget submittal, an overview of the credit card cost recovery
23 approach, including fee rates and the amount of revenue expected to
24 be generated in the 2021-2023 and 2023-2025 biennia.

25 **Sec. 217.** 2021 c 333 s 217 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND**
28 **SUPPORT—PROGRAM S**

29 Motor Vehicle Account—State Appropriation.	((\$37,361,000))
	<u>\$39,325,000</u>
31 Motor Vehicle Account—Federal Appropriation.	\$780,000
32 Motor Vehicle Account—Private/Local Appropriation.	\$500,000
33 Multimodal Transportation Account—State	
34 Appropriation.	((\$5,129,000))
	<u>\$6,629,000</u>
36 State Route Number 520 Corridor Account—State	
37 Appropriation.	\$186,000
38 Tacoma Narrows Toll Bridge Account—State	

1	Appropriation.	\$150,000
2	Alaskan Way Viaduct Replacement Project Account—	
3	State Appropriation.	\$121,000
4	Interstate 405 and State Route Number 167 Express	
5	Toll Lanes Account—State Appropriation.	\$77,000
6	<u>Puget Sound Ferry Operations Account—State</u>	
7	<u>Appropriation.</u>	<u>\$266,000</u>
8	TOTAL APPROPRIATION.	((\$44,304,000))
9		<u>\$48,034,000</u>

10 The appropriations in this section are subject to the following
11 conditions and limitations: ((~~\$4,000,000~~))

12 (1) \$5,500,000 of the multimodal transportation account—state
13 appropriation is provided solely for efforts to increase diversity in
14 the transportation construction and maritime workforce ((~~through-~~
15 ~~(1)~~)).

16 (a) \$4,000,000 of the multimodal transportation account—state
17 appropriation is provided solely for: (i) The preapprenticeship
18 support services (PASS) program, which aims to increase diversity in
19 the highway construction workforce and prepare individuals interested
20 in entering the highway construction workforce. In addition to the
21 services allowed by RCW 47.01.435, the PASS program may provide
22 housing assistance for youth aging out of the foster care and
23 juvenile rehabilitation systems in order to support the participation
24 of these youth in a transportation-related preapprenticeship program;
25 ((~~2~~)) and (ii) assisting minority and women-owned businesses to
26 perform work in the highway construction industry. This assistance
27 shall include technical assistance, business training, counseling,
28 guidance, prime to subcontractor relationship building, and a
29 capacity building mentorship program. At a minimum, \$1,000,000 of the
30 total appropriation in this subsection shall be directed toward the
31 efforts outlined in (a)(ii) of this subsection ((~~2~~) ~~of this~~
32 ~~section~~)).

33 (b) \$1,500,000 of the multimodal transportation account—state
34 appropriation is provided solely for expansion of the PASS program to
35 support apprenticeships and workforce development in the maritime
36 industry through preapprenticeship training for inland waterways
37 trades and support services to obtain necessary coast guard
38 certification.

1 (c) The provider(s) chosen to complete the work in this
2 subsection shall be selected through a competitive bidding process.
3 The program shall be administered by the Washington state department
4 of transportation's office of equal opportunity.

5 (2) \$1,164,000 of the motor vehicle account—state appropriation
6 and \$266,000 of the Puget Sound ferry operations account—state
7 appropriation are provided solely for the department to hire a
8 workforce development consultant to develop, track, and monitor the
9 progress of community workforce agreements, and to hire staff to
10 assist with the development and implementation of internal diversity,
11 equity, and inclusion efforts and serve as subject matter experts on
12 federal and state civil rights provisions. The department shall
13 provide a progress report on the implementation of efforts under this
14 subsection to the transportation committees of the legislature and
15 the governor by December 1, 2022.

16 **Sec. 218.** 2021 c 333 s 218 (uncodified) is amended to read as
17 follows:

18 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA,**
19 **AND RESEARCH—PROGRAM T**

20	Motor Vehicle Account—State Appropriation.	((\$27,057,000))
21		<u>\$27,865,000</u>
22	Motor Vehicle Account—Federal Appropriation.	\$34,865,000
23	Motor Vehicle Account—Private/Local Appropriation.	\$400,000
24	Multimodal Transportation Account—State	
25	Appropriation.	((\$919,000))
26		<u>\$1,212,000</u>
27	Multimodal Transportation Account—Federal	
28	Appropriation.	\$2,809,000
29	Multimodal Transportation Account—Private/Local	
30	Appropriation.	\$100,000
31	State Route Number 520 Corridor Account—State	
32	Appropriation.	((\$406,000))
33		<u>\$451,000</u>
34	Interstate 405 and State Route Number 167 Express	
35	Toll Lanes Account—State Appropriation.	\$2,879,000
36	TOTAL APPROPRIATION.	((\$69,435,000))
37		<u>\$70,581,000</u>

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

3 (1) \$4,080,000 of the motor vehicle account—federal appropriation
4 is provided solely for the Forward Drive road usage charge research
5 project overseen by the transportation commission using a portion of
6 the amount of the federal grant award. The purpose of the Forward
7 Drive road usage charge research project is to advance research in
8 key policy areas related to road usage charge including assessing
9 impacts of future mobility shifts on road usage charge revenues,
10 conducting an equity analysis, updating and assessing emerging
11 mileage reporting methods, determining opportunities to reduce cost
12 of collection, conducting small-scale pilot tests, and identifying a
13 long-term, detailed phase-in plan.

14 (2) \$2,879,000 of the Interstate 405 and state route number 167
15 express toll lanes account—state appropriation is provided solely for
16 completion of updating the state route number 167 master plan.

17 (3) (~~(\$250,000)~~) \$500,000 of the multimodal transportation
18 account—state appropriation is provided solely for the department to
19 partner with the department of commerce in developing vehicle miles
20 traveled targets (~~((for the counties in Washington state with (a) a~~
21 ~~population density of at least 100 people per square mile and a~~
22 ~~population of at least 200,000; or (b) a population density of at~~
23 ~~least 75 people per square mile and an annual growth rate of at least~~
24 ~~1.75 percent as determined by the office of financial management)).~~
25 Given land use patterns are key factors in travel demand and should
26 be taken into consideration when developing the targets, the
27 department and the department of commerce shall partner with local
28 jurisdictions, regional transportation planning organizations and
29 other stakeholders to inventory existing laws and rules that promote
30 transportation and land use, identify gaps and make recommendations
31 for changes in laws, rules and agency guidance, and establish a
32 framework for considering underserved and rural communities in the
33 evaluation. The department and the department of commerce shall
34 provide an initial technical report by December 31, 2021, an interim
35 report by June 22, 2022, and a final report to the governor and
36 appropriate committees of the legislature by June 30, 2023, that
37 includes a process for establishing vehicle miles traveled reduction
38 targets, a recommended suite of options for local jurisdictions to

1 achieve the targets, and funding requirements for state and local
2 jurisdictions.

3 (4) (~~(\$406,000)~~) \$451,000 of the state route number 520 corridor
4 account—state appropriation is provided solely for the department to
5 contract with the University of Washington department of mechanical
6 engineering, to study measures to reduce noise impacts from the state
7 route number 520 bridge expansion joints. The field testing shall be
8 scheduled during existing construction, maintenance, or other
9 scheduled closures to minimize impacts. The testing must also ensure
10 safety of the traveling public. The study shall examine testing
11 methodologies and project timelines and costs. A (~~final~~) draft
12 report must be submitted to the transportation committees of the
13 legislature and the governor by March 1, 2022. A final report must be
14 submitted to the transportation committees of the legislature and the
15 governor by June 30, 2022.

16 (5) \$5,900,000 of the motor vehicle account—federal appropriation
17 and \$400,000 of the motor vehicle account—private/local appropriation
18 are provided solely for delivery of the department's state planning
19 and research work program and pooled fund research projects, provided
20 that the department may not expend any amounts provided in this
21 section on a long-range plan or corridor scenario analysis for I-5
22 from Tumwater to Marysville. This is not intended to reference or
23 impact: The existing I-5 corridor from Mounts road to Tumwater design
24 and operations alternatives analysis; design studies related to HOV
25 lanes or operations; or where it is necessary to continue design and
26 operations analysis related to projects already under development.

27 (6) \$800,000 of the motor vehicle account—state appropriation is
28 provided solely for WSDOT to do a corridor study of SR 302 (Victor
29 Area) to recommend safety and infrastructure improvements to address
30 current damage and prevent future roadway collapse and landslides
31 that have caused road closures.

32 (7) \$1,000,000 of the motor vehicle account—state appropriation
33 is provided solely for a study on the need for additional
34 connectivity in the area between SR 161, SR 7, SR 507, and I-5 in
35 South Pierce County.

36 **Sec. 219.** 2021 c 333 s 219 (uncodified) is amended to read as
37 follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—**
2 **PROGRAM U**

3	Aeronautics Account—State Appropriation.	\$1,000
4	Transportation Partnership Account—State	
5	Appropriation.	(\$23,000)
6		<u>\$25,000</u>
7	Motor Vehicle Account—State Appropriation.	(\$99,515,000)
8		<u>\$100,011,000</u>
9	Puget Sound Ferry Operations Account—State	
10	Appropriation.	(\$220,000)
11		<u>\$244,000</u>
12	State Route Number 520 Corridor Account—State	
13	Appropriation.	\$26,000
14	Connecting Washington Account—State Appropriation.	(\$184,000)
15		<u>\$203,000</u>
16	Multimodal Transportation Account—State	
17	Appropriation.	(\$4,795,000)
18		<u>\$4,810,000</u>
19	Tacoma Narrows Toll Bridge Account—State	
20	Appropriation.	\$19,000
21	Alaskan Way Viaduct Replacement Project Account—	
22	State Appropriation.	\$14,000
23	Interstate 405 and State Route Number 167 Express	
24	Toll Lanes Account—State Appropriation.	\$15,000
25	TOTAL APPROPRIATION.	(\$104,812,000)
26		<u>\$105,368,000</u>

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

29 (1) Consistent with existing protocol and practices, for any
30 negotiated settlement of a claim against the state for the department
31 that exceeds five million dollars, the department, in conjunction
32 with the attorney general and the department of enterprise services,
33 shall notify the director of the office of financial management and
34 the transportation committees of the legislature.

35 (2) Beginning October 1, 2021, and semiannually thereafter, the
36 department, in conjunction with the attorney general and the
37 department of enterprise services, shall provide a report with
38 judgments and settlements dealing with the Washington state ferry
39 system to the director of the office of financial management and the

1 transportation committees of the legislature. The report must include
2 information on: (a) The number of claims and settlements by type; (b)
3 the average claim and settlement by type; (c) defense costs
4 associated with those claims and settlements; and (d) information on
5 the impacts of moving legal costs associated with the Washington
6 state ferry system into the statewide self-insurance pool.

7 (3) Beginning October 1, 2021, and semiannually thereafter, the
8 department, in conjunction with the attorney general and the
9 department of enterprise services, shall provide a report with
10 judgments and settlements dealing with the nonferry operations of the
11 department to the director of the office of financial management and
12 the transportation committees of the legislature. The report must
13 include information on: (a) The number of claims and settlements by
14 type; (b) the average claim and settlement by type; and (c) defense
15 costs associated with those claims and settlements.

16 (4) When the department identifies significant legal issues that
17 have potential transportation budget implications, the department
18 must initiate a briefing for appropriate legislative members or staff
19 through the office of the attorney general and its legislative
20 briefing protocol.

21 **Sec. 220.** 2021 c 333 s 220 (uncodified) is amended to read as
22 follows:

23 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V**

24 State Vehicle Parking Account—State Appropriation.	\$784,000
25 Regional Mobility Grant Program Account—State	
26 Appropriation.	((\$104,478,000))
27	<u>\$115,488,000</u>
28 Rural Mobility Grant Program Account—State	
29 Appropriation.	((\$33,168,000))
30	<u>\$33,283,000</u>
31 Multimodal Transportation Account—State	
32 Appropriation.	((\$131,150,000))
33	<u>\$134,584,000</u>
34 Multimodal Transportation Account—Federal	
35 Appropriation.	\$3,574,000
36 Multimodal Transportation Account—Local	
37 Appropriation.	\$100,000
38 <u>Carbon Emissions Reduction Account—State</u>	

1	<u>Appropriation.</u>	<u>\$54,260,000</u>
2	TOTAL APPROPRIATION.	((\$273,254,000))
3		<u>\$342,073,000</u>

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

6 (1) \$67,821,000 of the multimodal transportation account—state
7 appropriation is provided solely for a grant program for special
8 needs transportation provided by transit agencies and nonprofit
9 providers of transportation. Of this amount:

10 (a) \$15,568,000 of the multimodal transportation account—state
11 appropriation is provided solely for grants to nonprofit providers of
12 special needs transportation. Grants for nonprofit providers must be
13 based on need, including the availability of other providers of
14 service in the area, efforts to coordinate trips among providers and
15 riders, and the cost effectiveness of trips provided.

16 (b) \$52,253,000 of the multimodal transportation account—state
17 appropriation is provided solely for grants to transit agencies to
18 transport persons with special transportation needs. To receive a
19 grant, the transit agency must, to the greatest extent practicable,
20 have a maintenance of effort for special needs transportation that is
21 no less than the previous year's maintenance of effort for special
22 needs transportation. Grants for transit agencies must be prorated
23 based on the amount expended for demand response service and route
24 deviated service in calendar year 2019 as reported in the "Summary of
25 Public Transportation - 2019" published by the department of
26 transportation. No transit agency may receive more than thirty
27 percent of these distributions.

28 (2) (~~(\$33,168,000)~~) \$33,283,000 of the rural mobility grant
29 program account—state appropriation is provided solely for grants to
30 aid small cities in rural areas as prescribed in RCW 47.66.100.

31 (3) \$2,000,000 of the multimodal transportation account—state
32 appropriation is provided solely for a (~~vanpool~~) public transit
33 rideshare grant program for: (a) Public transit agencies to add
34 (~~vanpools~~) or replace (~~vans~~) rideshare vehicles; and (b)
35 incentives (~~for employers~~) and outreach to increase (~~employee~~
36 ~~vanpool~~) rideshare use. (~~The grant program for public transit~~
37 ~~agencies may cover capital costs only; operating costs for public~~
38 ~~transit agencies are not eligible for funding under this grant~~
39 ~~program. Additional employees may not be hired from the funds~~

1 ~~provided in this section for the vanpool grant program, and~~
2 ~~supplanting of transit funds currently funding vanpools is not~~
3 ~~allowed.)~~ The department shall encourage grant applicants and
4 recipients to leverage funds other than state funds.

5 (4) (~~(\$26,800,000)~~) \$37,809,000 of the regional mobility grant
6 program account—state appropriation is reappropriated and provided
7 solely for the regional mobility grant projects identified in LEAP
8 Transportation Document (~~(2021-2)~~) 2022-2 ALL PROJECTS as developed
9 (~~(April 23, 2021)~~) February 20, 2022, Program - Public Transportation
10 Program (V).

11 (5) (a) \$77,679,000 of the regional mobility grant program account
12 —state appropriation is provided solely for the regional mobility
13 grant projects identified in LEAP Transportation Document (~~(2021-2)~~)
14 2022-2 ALL PROJECTS as developed (~~(April 23, 2021)~~) February 20,
15 2022, Program - Public Transportation Program (V). The department
16 shall review all projects receiving grant awards under this program
17 at least semiannually to determine whether the projects are making
18 satisfactory progress. Any project that has been awarded funds, but
19 does not report activity on the project within one year of the grant
20 award, must be reviewed by the department to determine whether the
21 grant should be terminated. The department shall promptly close out
22 grants when projects have been completed, and any remaining funds
23 must be used only to fund projects identified in the LEAP
24 transportation document referenced in this subsection. The department
25 shall provide annual status reports on December 15, 2021, and
26 December 15, 2022, to the office of financial management and the
27 transportation committees of the legislature regarding the projects
28 receiving the grants. It is the intent of the legislature to
29 appropriate funds through the regional mobility grant program only
30 for projects that will be completed on schedule. A grantee may not
31 receive more than twenty-five percent of the amount appropriated in
32 this subsection. Additionally, when allocating funding for the
33 2023-2025 biennium, no more than thirty percent of the total grant
34 program may directly benefit or support one grantee. The department
35 shall not approve any increases or changes to the scope of a project
36 for the purpose of a grantee expending remaining funds on an awarded
37 grant.

38 (b) In order to be eligible to receive a grant under (a) of this
39 subsection during the 2021-2023 fiscal biennium, a transit agency
40 must establish a process for private transportation providers to

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

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

15 (7) \$6,500,000 of the multimodal transportation account—state
16 appropriation and \$784,000 of the state vehicle parking account—state
17 appropriation are provided solely for CTR grants and activities. Of
18 this amount:

19 (a) \$30,000 of the state vehicle parking account—state
20 appropriation is provided solely for the STAR pass program for state
21 employees residing in Mason and Grays Harbor Counties. Use of the
22 pass is for public transportation between Mason County and Thurston
23 County, and Grays Harbor and Thurston County. The pass may also be
24 used within Grays Harbor County. The STAR pass commute trip reduction
25 program is open to any state employee who expresses intent to commute
26 to his or her assigned state worksite using a public transit system
27 currently participating in the STAR pass program.

28 (b) \$800,000 of the multimodal transportation account—state
29 appropriation is provided solely for continuation of the first mile/
30 last mile connections grant program. Eligible grant recipients
31 include cities, businesses, nonprofits, and transportation network
32 companies with first mile/last mile solution proposals. Transit
33 agencies are not eligible. The commute trip reduction board shall
34 develop grant parameters, evaluation criteria, and evaluate grant
35 proposals. The commute trip reduction board shall provide the
36 transportation committees of the legislature a report on the
37 effectiveness of this grant program and best practices for continuing
38 the program.

1 (8) Except as provided otherwise in this subsection,
2 (~~(\$28,263,000)~~) \$28,860,000 of the multimodal transportation account—
3 state appropriation is provided solely for connecting Washington
4 transit projects identified in LEAP Transportation Document
5 (~~(2021-2)~~) 2022-2 ALL PROJECTS as developed (~~(April 23, 2021)~~)
6 February 20, 2022. It is the intent of the legislature that entities
7 identified to receive funding in the LEAP document referenced in this
8 subsection receive the amounts specified in the time frame specified
9 in that LEAP document. If an entity has already completed a project
10 in the LEAP document referenced in this subsection before the time
11 frame identified, the entity may substitute another transit project
12 or projects that cost a similar or lesser amount.

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

15 (10) (~~(\$21,858,000)~~) \$23,349,000 of the multimodal transportation
16 account—state appropriation is provided solely for the green
17 transportation capital grant program established in chapter 287, Laws
18 of 2019 (advancing green transportation adoption).

19 (11) \$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. The Washington
24 State University extension energy program shall prepare a report
25 regarding the utilization of the program and provide this report to
26 the transportation committees of the legislature by November 15,
27 2021.

28 (12) The department must provide telework assistance to employers
29 as part of its CTR activities. The objectives of telework assistance
30 include improving transportation system performance, supporting
31 economic vitality, and increasing equity and access to opportunity.

32 (13) \$150,000 of the multimodal transportation account—state
33 appropriation is provided solely for Intercity Transit for the Dash
34 shuttle program.

35 (14)(a) \$500,000 of the multimodal transportation account—state
36 appropriation is provided solely for King county metro to develop a
37 pilot program to place teams including human services personnel along
38 routes that are enduring significant public safety issues and various
39 disruptive behavior. The team would be available to deescalate

1 disruptions, provide immediate access to transit resources, and refer
2 customers to community resources to break cycles of inappropriate
3 behavior. The teams must be individuals trained in deescalation and
4 outreach. The function and duties should be cocreated with community
5 stakeholders.

6 (b) King county metro must provide a report to the transportation
7 committees of the legislature by June 30, 2023, regarding the
8 effectiveness of the program, any suggestions for improving its
9 efficacy, and any modifications that might be necessary for other
10 transit providers to institute similar programs.

11 (c) If King county metro does not provide at least \$500,000 to
12 develop the pilot program funded by this subsection, the amount
13 provided in this subsection lapses.

14 (15)(a) \$400,000 of the multimodal transportation account—state
15 appropriation is provided solely for the department to study and
16 develop a statewide standard for accessible frequent fixed route
17 transit. As part of this effort, the department must:

18 (i) Develop definitions of frequent fixed route transit and
19 accessible frequent fixed route transit.

20 (ii) Identify, to the extent possible using existing data,
21 current gaps in frequent fixed route transit and accessible walking
22 routes to frequent fixed route transit stops and analyze these gaps
23 for disparities in race, age, and disability.

24 (iii) While identifying service gaps, consider the unique
25 contexts found throughout the state, including in rural areas.

26 (iv) Develop goals for accessible frequent fixed route transit
27 for the state to achieve by 2030, and funding proposals to achieve
28 these goals.

29 (v) Develop a transportation justice screening tool available to
30 the public to:

31 (A) Identify the current baseline for accessible frequent
32 transit; and

33 (B) Identify disparities in access by census tract, race, age,
34 and disability.

35 (b) The department must conduct the study and develop the
36 statewide standard in collaboration with a statewide disability
37 rights organization and a statewide environmental justice
38 organization.

39 (c) (i) The department must provide an initial report to the
40 legislature by December 15, 2022, that proposes a definition of

1 frequent transit and documents how many people in Washington live
2 within a short walk of frequent transit.

3 (ii) The department must provide the final report to the
4 transportation committees of the legislature by June 30, 2023.

5 (iii) The department must be available to present both the
6 initial and final reports to the joint transportation committee.

7 (16) \$4,680,000 of the climate emissions reduction account—state
8 appropriation is provided solely for the projects and activities as
9 listed in LEAP Transportation Document 2022-NL-3 as developed
10 February 8, 2022. If amounts are appropriated for this specific
11 purpose in House Bill No. 2118 (additive transportation funding) or
12 Senate Bill No. 5975 (additive transportation funding) by June 30,
13 2022, the amount provided in this subsection lapses.

14 (17) \$14,120,000 of the climate emission reductions account—state
15 appropriation is provided solely for newly selected special needs
16 grants. If amounts are appropriated for this specific purpose in
17 House Bill No. 2118 (additive transportation funding) or Senate Bill
18 No. 5975 (additive transportation funding) by June 30, 2022, the
19 amount provided in this subsection lapses.

20 (18) \$29,750,000 of the climate emission reductions account—state
21 appropriation is provided solely for transit support grants. If
22 amounts are appropriated for this specific purpose in House Bill No.
23 2118 (additive transportation funding) or Senate Bill No. 5975
24 (additive transportation funding) by June 30, 2022, the amount
25 provided in this subsection lapses.

26 (19) \$4,710,000 of the climate emissions reduction account—state
27 appropriation is provided solely for newly selected green
28 transportation grants. If amounts are appropriated for this specific
29 purpose in House Bill No. 2118 (additive transportation funding) or
30 Senate Bill No. 5975 (additive transportation funding) by June 30,
31 2022, the amount provided in this subsection lapses.

32 (20) \$1,000,000 of the climate emissions reduction account—state
33 appropriation is provided solely for newly selected transit
34 coordination grants. The department shall give priority to grant
35 proposals that promote the formation of joint partnerships between
36 transit agencies or merge service delivery across entities. If
37 amounts are appropriated for this specific purpose in House Bill No.
38 2118 (additive transportation funding) or Senate Bill No. 5975

1 (additive transportation funding) by June 30, 2022, the amount
2 provided in this subsection lapses.

3 (21) Within existing resources, the department shall prepare a
4 report regarding the funding, implementation, and operation of the
5 grant management system or systems utilized by the public
6 transportation division. In preparing this report, the department
7 must survey and report on all grant recipients experience with the
8 operation of this system or systems. The department shall provide
9 this report to the transportation committees of the legislature by
10 November 15, 2022.

11 **Sec. 221.** 2021 c 333 s 221 (uncodified) is amended to read as
12 follows:

13 **FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X**

14 Puget Sound Ferry Operations Account—State	
15 Appropriation.	(((\$416,614,000))
16	<u>\$426,335,000</u>
17 Puget Sound Ferry Operations Account—Federal	
18 Appropriation.	(((\$124,000,000))
19	<u>\$158,865,000</u>
20 Puget Sound Ferry Operations Account—Private/Local	
21 Appropriation.	\$121,000
22 TOTAL APPROPRIATION.	(((\$540,735,000))
23	<u>\$585,321,000</u>

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

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

36 (2) For the 2021-2023 fiscal biennium, the department may enter
37 into a distributor controlled fuel hedging program and other methods

1 of hedging approved by the fuel hedging committee, which must include
2 a representative of the department of enterprise services.

3 (3) (~~(\$17,000,000)~~) \$32,905,000 of the Puget Sound ferry
4 operations account—federal appropriation and \$53,794,000 of the Puget
5 Sound ferry operations account—state appropriation are provided
6 solely for auto ferry vessel operating fuel in the 2021-2023 fiscal
7 biennium, which reflect cost savings from a reduced biodiesel fuel
8 requirement and, therefore, is contingent upon the enactment of
9 section 703 of this act. The amount provided in this subsection
10 represents the fuel budget for the purposes of calculating any ferry
11 fare fuel surcharge. The department shall review future use of
12 alternative fuels and dual fuel configurations, including hydrogen.

13 (4) \$500,000 of the Puget Sound ferry operations account—state
14 appropriation is provided solely for operating costs related to
15 moving vessels for emergency capital repairs. Funds may only be spent
16 after approval by the office of financial management.

17 (5) \$2,400,000 of the Puget Sound ferry operations account—state
18 appropriation (~~(is)~~) and \$3,500,000 of the Puget Sound ferry
19 operations account—federal appropriation are provided solely for
20 staffing and overtime expenses incurred by engine and deck
21 crewmembers. The department must provide updated staffing cost
22 estimates for fiscal years 2022 and 2023 with its annual budget
23 submittal and updated estimates by January 1, 2022.

24 (6) \$688,000 of the Puget Sound ferry operations account—state
25 appropriation (~~(is)~~) and \$697,000 of the Puget Sound ferry operations
26 account—federal appropriation are provided solely for new employee
27 training. The department must work to increase its outreach and
28 recruitment of populations underrepresented in maritime careers and
29 continue working to expand apprenticeship and internship programs,
30 with an emphasis on programs that are shown to improve recruitment
31 for positions with the state ferry system.

32 (7) The department must request reimbursement from the federal
33 transit administration for the maximum amount of ferry operating
34 expenses eligible for reimbursement under federal law.

35 (8) (~~(\$1,978,000 of the Puget Sound ferry operations account—~~
36 ~~state appropriation is provided solely for restoration of service to~~
37 ~~reflect increased ridership, availability of crewing and available~~
38 ~~revenues. Expenditures may be made to resume service to Sidney,~~
39 ~~British Columbia, including any service to the San Juans; to provide~~

1 ~~Saturday service on the Fauntleroy-Vashon-Southworth route; and to~~
2 ~~resume late night service on other routes in the system.~~

3 ~~(9))~~ Within amounts provided in this section, the department
4 shall contract ~~((with uniformed officers))~~ for additional traffic
5 control assistance at the Kingston ferry terminal during peak ferry
6 travel times, with a particular focus on Sundays and holiday
7 weekends. Traffic control methods should include, but not be limited
8 to, holding traffic on the shoulder at Lindvog Road until space opens
9 for cars at the tollbooths and dock, and management of traffic on
10 Highway 104 in order to ensure Kingston residents and business owners
11 have access to businesses, roads, and driveways.

12 ~~((10))~~ (9) \$336,000 of the Puget Sound ferry operations account
13—state appropriation is provided solely for evacuation slide
14 training.

15 ~~((11))~~ (10) \$336,000 of the Puget Sound ferry operations
16 account—state appropriation is provided solely for fall restraint
17 labor and industries inspections.

18 ~~((12))~~ (11) \$735,000 of the Puget Sound ferry operations
19 account—state appropriation ~~((is))~~ and \$410,000 of the Puget Sound
20 ferry operations account—federal are provided solely for
21 familiarization for new assignments of engine crew and terminal
22 staff.

23 ~~((13))~~ (12) \$160,000 of the Puget Sound ferry operations
24 account—state appropriation is provided solely for electronic
25 navigation training.

26 (13) \$8,419,000 of the Puget Sound ferry operations account—
27 federal appropriation is provided solely for Washington state ferries
28 to:

29 (a) Continuously recruit and hire deck, engine, and terminal
30 staff;

31 (b) Contract with an external recruitment firm to increase
32 recruitment efforts both locally and nationally with an emphasis on
33 attracting maritime workers from communities underrepresented in the
34 ferry system;

35 (c) Enhance employee retention by standardizing on-call worker
36 schedules;

37 (d) Increase training and development opportunities for
38 employees; and

1 (e) Make improvements to hiring processes by establishing
2 additional positions to support timely hiring of employees.

3 (14) For the Mukilteo multimodal terminal, the department must
4 submit a report showing for a 12-month period, on a monthly basis,
5 how much electricity is generated by solar power generated on site,
6 electricity usage, and actual electricity cost savings. In addition,
7 for comparison purposes, the report must include electricity usage
8 information for a similar time period for the previous Mukilteo
9 multimodal terminal. The report is due to the transportation
10 committees of the legislature by June 30, 2023.

11 (15) \$93,000 of the Puget Sound ferry operations account—state
12 appropriation is provided solely for Washington state ferries to
13 partner with local community colleges and universities to secure
14 housing for workforce training sessions and to pay in advance for the
15 costs of transportation worker identification credentials for
16 incoming ferry system employees and trainees.

17 **Sec. 222.** 2021 c 333 s 222 (uncodified) is amended to read as
18 follows:

19 **FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING**

20 Multimodal Transportation Account—State

21 Appropriation. ((\$80,704,000))
22 \$68,326,000

23 Multimodal Transportation Account—Private/Local

24 Appropriation. \$46,000

25 Multimodal Transportation Account—Federal

26 Appropriation. \$500,000

27 TOTAL APPROPRIATION. ((\$81,250,000))
28 \$68,872,000

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

31 (1) The department is directed to continue to pursue efforts to
32 reduce costs, increase ridership, and review Amtrak Cascades fares
33 and fare schedules. Within thirty days of each annual cost/revenue
34 reconciliation under the Amtrak service contract, the department
35 shall report annual credits to the office of financial management and
36 the legislative transportation committees. Annual credits from Amtrak
37 to the department including, but not limited to, credits due to
38 higher ridership, reduced level of service, and fare or fare schedule

1 adjustments, must be used to offset corresponding amounts of the
2 multimodal transportation account—state appropriation, which must be
3 placed in reserve.

4 (2) Consistent with the ongoing planning and service improvement
5 for the intercity passenger rail program, \$500,000 of the multimodal
6 transportation account—state is provided solely for the Cascades
7 service development plan. This funding is to be used to analyze
8 current and future market conditions and to develop a structured
9 assessment of service options and goals based on anticipated demand
10 and the results of the state and federally required 2019 state rail
11 plan, including identifying implementation alternatives to meet the
12 future service goals for the Amtrak Cascades route. The work must be
13 consistent with federal railroad administration guidance and
14 direction on developing service development plans. It must also
15 leverage the \$500,000 in federal funding appropriated for development
16 of a service development plan and comply with the planning and grant
17 award obligations of the consolidated rail infrastructure and safety
18 improvements (CRISI) program. A status report must be provided to the
19 transportation committees of the legislature by June 30, 2022.

20 (3)(a) \$4,000,000 of the multimodal transportation account—state
21 appropriation is provided solely for the continued coordination,
22 engagement, and planning for a new ultra high-speed ground
23 transportation corridor with participation from Washington, Oregon,
24 and British Columbia. This funding is contingent on meaningful
25 financial contributions for this effort by Oregon and British
26 Columbia. "Ultra high-speed" means a maximum testing speed of at
27 least 250 miles per hour. These efforts are to support and advance
28 activities and must abide by the memorandum of understanding signed
29 by the governors of Washington and Oregon, and the premier of the
30 province of British Columbia in November 2021. The department shall
31 establish a policy committee with participation from Washington,
32 Oregon, and British Columbia, including representation from the two
33 largest caucuses of each chamber of the Washington state legislature,
34 and coordinate the activities of the policy committee to include:

35 (i) Developing an organizational framework that facilitates input
36 in decision making from all parties;

37 (ii) Developing a public engagement approach with a focus on
38 equity, inclusion, and meaningful engagement with communities,

1 businesses, federal, state, provincial, and local governments,
2 including indigenous communities;

3 (iii) Developing and leading a collaborative approach to prepare
4 and apply for potential future federal, state, and provincial funding
5 opportunities, including development of strategies for incorporating
6 private sector participation and private sector contributions to
7 funding, including through the possible use of public-private
8 partnerships;

9 (iv) Beginning work on scenario analysis addressing advanced
10 transportation technologies, land use, and growth assumptions; and an
11 agreed to and defined corridor vision statement; and

12 (v) Developing a recommendation on the structure and membership
13 of a formal coordinating entity that will be responsible for
14 advancing the project through the project initiation stage to project
15 development.

16 (b) By June 30, 2023, the department shall provide to the
17 governor and the transportation committees of the legislature an
18 update on the work conducted by the policy committee and progress on
19 a recommendation for a coordinating entity. The report must also
20 include current activities and results relating to stakeholder
21 engagement, planning, and any federal funding application. As
22 applicable, the assessment should also be sent to the executive and
23 legislative branches of government in Oregon and appropriate
24 government bodies in the province of British Columbia.

25 **Sec. 223.** 2021 c 333 s 223 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**
28 **OPERATING**

29	Motor Vehicle Account—State Appropriation.	((\$11,954,000))
30		<u>\$12,964,000</u>
31	Motor Vehicle Account—Federal Appropriation.	\$2,567,000
32	Multiuse Roadway Safety Account—State Appropriation.	\$900,000
33	<u>Multimodal Transportation Account—State</u>	
34	<u>Appropriation.</u>	<u>\$250,000</u>
35	<u>Cooper Jones Active Transportation Safety Account—</u>	
36	<u>State Appropriation.</u>	<u>\$400,000</u>
37	TOTAL APPROPRIATION.	((\$15,421,000))
38		<u>\$17,081,000</u>

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

3 (1) The entire multiuse roadway safety account—state
4 appropriation is provided solely for grants under RCW 46.09.540,
5 subject to the following limitations:

6 (a) Twenty-five percent of the amounts provided are reserved for
7 counties that each have a population of fifteen thousand persons or
8 less; and

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

12 (ii) No county that receives a grant or grants under (a) of this
13 subsection may receive more than sixty thousand dollars in total
14 grants.

15 (2) \$1,023,000 of the motor vehicle account—state appropriation
16 is provided solely for the department, from amounts set aside out of
17 statewide fuel taxes distributed to counties according to RCW
18 46.68.120(3), to contract with the Washington state association of
19 counties to:

20 (a) In coordination with stakeholders, identify county-owned fish
21 passage barriers, and assess which barriers share the same stream
22 system as state-owned fish passage barriers;

23 (b) Streamline and update the county road administration board's
24 data dashboard, county reporting systems, and program management
25 software to provide a more detailed, more transparent, and user-
26 friendly platform for data management, reporting, and research by the
27 public and other interested parties; and

28 (c) Conduct a study of the use of county road right-of-way as a
29 potential source of revenue for county road operating and maintenance
30 needs with recommendations on their feasibility statewide.

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

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

37 ~~(ii) Cost-sharing models for operating and maintenance costs,~~
38 ~~which recognize the benefit of the ferry route to both Washington and~~
39 ~~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.)~~ \$600,000 of the
7 motor vehicle account—state is provided solely for the city of
8 Seattle's office of planning and community development in support of
9 an equitable development initiative to reconnect the South Park
10 neighborhood, currently divided by state route number 99.

11 (a) The project must include:

12 (i) A public engagement and visioning process led by a
13 neighborhood-based, community organization; and

14 (ii) A feasibility study of decommissioning state route number 99
15 in the South Park neighborhood, to include, but not be limited to
16 traffic studies, environmental impact analysis, and development of
17 alternatives, including the transfer of the land to a neighborhood-
18 led community land trust.

19 (b) The project must be conducted in coordination and partnership
20 with neighborhood residents, neighborhood industrial and commercial
21 representatives, the state department of transportation, and other
22 entities and neighborhoods potentially impacted by changes to the
23 operation of state route number 99.

24 (c) The city must provide a report on the plan that includes
25 recommendations to the Seattle city council, state department of
26 transportation, state transportation commission, and the
27 transportation committees of the legislature by January 1, 2025.

28 NEW SECTION. Sec. 224. A new section is added to 2021 c 333
29 (uncodified) to read as follows:

30 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION EQUIPMENT FUND—**
31 **PROGRAM E—OPERATING**

32 Motor Vehicle Account—State Appropriation. \$12,396,000

(End of part)

1 **TRANSPORTATION AGENCIES—CAPITAL**

2 **Sec. 301.** 2021 c 333 s 301 (uncodified) is amended to read as
3 follows:

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

5 Freight Mobility Investment Account—State
6 Appropriation. ((~~\$16,577,000~~))
7 \$17,769,000
8 Freight Mobility Multimodal Account—State
9 Appropriation. ((~~\$15,195,000~~))
10 \$14,004,000
11 TOTAL APPROPRIATION. ((~~\$31,772,000~~))
12 \$31,773,000

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

15 (1) Except as otherwise provided in this section, the entire
16 appropriations in this section are provided solely for the projects
17 by amount, as listed in the LEAP Transportation Document ((~~2021-2~~)
18 2022-2 ALL PROJECTS as developed ((~~April 23, 2021~~)) February 20,
19 2022, Freight Mobility Strategic Investment Board (FMSIB).

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

22 (3) It is the intent of the legislature to continue to make
23 strategic investments in a statewide freight mobility transportation
24 system with the help of the freight mobility strategic investment
25 board, including projects that mitigate the impact of freight
26 movement on local communities. To that end, and in coordination with
27 WSDOT as it updates its federally-compliant freight plan, the board
28 is directed to identify the highest priority freight investments for
29 the state, across freight modes, state and local jurisdictions, and
30 regions of the state. By December 1, 2021, the board must submit a
31 preliminary report providing a status update on the process and
32 methodology for identifying and prioritizing investments. By December
33 1, 2022, the board must submit a prioritized list of freight
34 investments that are geographically balanced across the state and can
35 proceed to construction in a timely manner. The prioritized freight
36 project list for the state portion of national highway freight
37 program funds must first address shortfalls in funding for connecting
38 Washington act projects.

1 (4) (a) For the 2021-2023 project appropriations, unless otherwise
2 provided in this act, the director of the office of financial
3 management may authorize a transfer of appropriation authority
4 between projects managed by the freight mobility strategic investment
5 board in order for the board to manage project spending and support
6 the efficient and timely delivery of all projects in the program. The
7 office of financial management may authorize a transfer of
8 appropriation authority between projects under the following
9 conditions and limitations:

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

13 (ii) Each transfer between projects may only occur if the
14 director of the office of financial management finds that any
15 resulting change will not hinder the completion of the projects on
16 the LEAP Transportation Document 2021-2 ALL PROJECT list;

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

24 (iv) Except for transfers made under (a) (iii) of this subsection,
25 transfers may only be made in fiscal year 2023.

26 (b) At the time the board submits a request to transfer funds
27 under this section, a copy of the request must be submitted to the
28 chairs and ranking members of the transportation committees of the
29 legislature.

30 (c) Before approval, the office of financial management shall
31 work with legislative staff of the house of representatives and
32 senate transportation committees to review the requested transfers in
33 a timely manner and consider any concerns raised by the chairs and
34 ranking members of the transportation committees.

35 (d) No fewer than 10 days after the receipt of a project transfer
36 request, the director of the office of financial management must
37 provide written notification to the board of any decision regarding
38 project transfers, with copies submitted to the transportation
39 committees of the legislature.

1	Coronavirus State Fiscal Recovery Fund—Federal	
2	Appropriation.	\$400,000,000
3	Motor Vehicle Account—Private/Local Appropriation.	((\$48,628,000))
4		<u>\$56,192,000</u>
5	Connecting Washington Account—State Appropriation. ((\$2,881,033,000))	
6		<u>\$2,156,569,000</u>
7	Special Category C Account—State Appropriation.	((\$105,363,000))
8		<u>\$86,198,000</u>
9	Multimodal Transportation Account—State	
10	Appropriation.	((\$10,784,000))
11		<u>\$10,792,000</u>
12	((State Route Number 520 Corridor Account—State	
13	 Appropriation.	(\$15,940,000))
14	Interstate 405 and State Route Number 167 Express	
15	Toll Lanes Account—State Appropriation.	((\$30,308,000))
16		<u>\$50,856,000</u>
17	<u>Puget Sound Gateway Facility Account—State</u>	
18	<u>Appropriation.</u>	<u>\$8,400,000</u>
19	TOTAL APPROPRIATION.	((\$4,089,878,000))
20		<u>\$3,499,277,000</u>

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

23 (1) Except as provided otherwise in this section, the entire
24 connecting Washington account—state appropriation and the entire
25 transportation partnership account—state appropriation are provided
26 solely for the projects and activities as listed by fund, project,
27 and amount in LEAP Transportation Document ((~~2021-1~~)) 2022-1
28 developed ((~~April 23, 2021~~)) February 20, 2022, Program - Highway
29 Improvements Program (I). However, limited transfers of specific
30 line-item project appropriations may occur between projects for those
31 amounts listed subject to the conditions and limitations in section
32 601 ((~~of this act~~)), chapter 333, Laws of 2021.

33 (2) Except as provided otherwise in this section, the entire
34 motor vehicle account—state appropriation and motor vehicle account—
35 federal appropriation are provided solely for the projects and
36 activities listed in LEAP Transportation Document ((~~2021-2~~)) 2022-2
37 ALL PROJECTS as developed ((~~April 23, 2021~~)) February 20, 2022,
38 Program - Highway Improvements Program (I). Any federal funds gained
39 through efficiencies, adjustments to the federal funds forecast, or

1 the federal funds redistribution process must then be applied to
2 highway and bridge preservation activities or fish passage barrier
3 corrections (OBI4001).

4 (3) Within the motor vehicle account—state appropriation,
5 connecting Washington account—state appropriation, and motor vehicle
6 account—federal appropriation, the department may transfer funds
7 between programs I and P, except for funds that are otherwise
8 restricted in this act. Ten days prior to any transfer, the
9 department must submit its request to the office of financial
10 management and the transportation committees of the legislature and
11 consider any concerns raised. The department shall submit a report on
12 fiscal year funds transferred in the prior fiscal year using this
13 subsection as part of the department's annual budget submittal. This
14 transfer authority allows the department to manage the appropriation
15 capacity most efficiently between the I and P programs consistent
16 with the 601 process.

17 (4) The connecting Washington account—state appropriation
18 includes up to (~~(\$2,230,636,000)~~) \$1,094,139,000 in proceeds from the
19 sale of bonds authorized in RCW 47.10.889.

20 (5) The special category C account—state appropriation includes
21 up to (~~(\$82,475,000)~~) \$51,460,000 in proceeds from the sale of bonds
22 authorized in RCW 47.10.812.

23 (6) The transportation partnership account—state appropriation
24 includes up to (~~(\$28,411,000)~~) \$124,636,000 in proceeds from the sale
25 of bonds authorized in RCW 47.10.873.

26 (7) \$60,450,000 of the transportation partnership account—state
27 appropriation, \$2,258,000 of the motor vehicle account—private/local
28 appropriation, and \$984,000 of the multimodal transportation account—
29 state appropriation are provided solely for the SR 99/Alaskan Way
30 Viaduct Replacement project (809936Z). It is the intent of the
31 legislature that any legal damages paid to the state as a result of a
32 lawsuit related to contractual provisions for construction and
33 delivery of the Alaskan Way viaduct replacement project be used to
34 repay project cost increases paid from the transportation partnership
35 account—state funds.

36 (8) \$193,699,000 of the connecting Washington account—state
37 appropriation is provided solely for the US 395 North Spokane
38 Corridor project (M00800R). It is the intent of the legislature,

1 consistent with the move ahead WA proposal, to advance future funding
2 for this project to accelerate delivery by up to two years.

3 (9) (a) \$14,827,000 of the Interstate 405 and state route number
4 167 express toll lanes account—state appropriation is provided solely
5 for the I-405/SR 522 to I-5 Capacity Improvements project (L2000234)
6 for activities related to adding capacity on Interstate 405 between
7 state route number 522 and Interstate 5, with the goals of increasing
8 vehicle throughput and aligning project completion with the
9 implementation of bus rapid transit in the vicinity of the project.

10 (b) The department may advance the I-405/SR 522 to I-5 Capacity
11 Improvements project (L2000234) and construct the project earlier
12 than is scheduled in the LEAP transportation document referenced in
13 subsection (2) of this section if additional funding is identified
14 and submitted through the existing unanticipated receipts process by
15 September 1, 2021. The department and the state treasurer shall
16 pursue alternatives to toll revenue funding including but not limited
17 to federal loan and grant programs. The department shall explore
18 phasing and modifying the project to attempt to align project
19 completion with the anticipated deployment of bus rapid transit on
20 the corridor in the 2023-2025 biennium. The department shall report
21 back to the transportation committees of the legislature on this work
22 by September 15, 2021.

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

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

32 (11) \$382,880,000 of the connecting Washington account—state
33 appropriation, \$4,800,000 of the multimodal transportation account—
34 state appropriation, \$17,869,000 of the motor vehicle account—
35 private/local appropriation, and \$82,165,000 of the motor vehicle
36 account—federal appropriation are provided solely for the SR 167/SR
37 509 Puget Sound Gateway project (M00600R).

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

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

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

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

25 (e) Of the amounts provided in this subsection, \$2,500,000 of the
26 multimodal transportation account—state appropriation is provided
27 solely for segment 2 of the state route number 167 completion project
28 shared-use path to provide connections to the interchange of state
29 route number 167 at 54th to the intersection of state route number
30 509 and Taylor Way in Tacoma.

31 (12)(a) \$26,928,000 of the motor vehicle account—state
32 appropriation and \$1,671,000 of the motor vehicle account—private/
33 local appropriation are provided solely to support a project office
34 and the continued work toward the I-5 Interstate Bridge Replacement
35 project (L2000370).

36 (b) The project office must also study the possible different
37 governance structures for a bridge authority that would provide for
38 the joint administration of the bridges over the Columbia river
39 between Oregon and Washington. As part of this study, the project

1 office must examine the feasibility and necessity of an interstate
2 compact in conjunction with the national center for interstate
3 compacts.

4 (c) During the 2021-2023 biennium, the department shall have as a
5 goal to:

6 (i) Conduct all work necessary to prepare and publish a draft
7 SEIS;

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

10 (iii) Identify a locally preferred alternative; and

11 (iv) Begin preparing a final SEIS.

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

15 (d) The Washington members of the joint Oregon-Washington
16 legislative action committee must report back to the Washington state
17 legislature, by August 1, 2022, regarding the progress of the
18 committee and its work to advance the project to build a new
19 Interstate 5 bridge spanning the Columbia river. The report must
20 include a description of the locally preferred alternative ultimately
21 identified as part of the Interstate Bridge Replacement project.

22 (13)(a) ~~\$400,000,000 of the coronavirus state fiscal recovery~~
23 ~~fund—federal appropriation, ((\$529,577,000))~~ \$25,327,000 of the
24 connecting Washington account—state appropriation, ~~(((\$194,959,000))~~
25 \$178,186,000 of the motor vehicle account—federal appropriation,
26 ~~((and \$1,849,000))~~ \$9,016,000 of the transportation partnership
27 account—state appropriation, \$6,853,000 of the motor vehicle account
28 —state appropriation, and \$5,618,000 of the motor vehicle account—
29 private/local appropriation are provided solely for the Fish Passage
30 Barrier Removal project (OBI4001) with the intent of fully complying
31 with the federal *U.S. v. Washington* court injunction by 2030. ~~((Of~~
32 ~~the amounts provided in this subsection, \$400,000,000 of the~~
33 ~~connecting Washington account—state appropriation must be initially~~
34 ~~placed in unallotted status during the 2021-2023 fiscal biennium, and~~
35 ~~may only be released by the office of financial management for~~
36 ~~allotment by the department if it is determined that the Fish Passage~~
37 ~~Barrier Removal project (OBI4001) is not an eligible use of amounts~~
38 ~~received by the state pursuant to the federal American rescue plan~~
39 ~~act of 2021.))~~

1 (b) The department shall coordinate with the Brian Abbott fish
2 passage barrier removal board to use a watershed approach by
3 replacing both state and local culverts guided by the principle of
4 providing the greatest fish habitat gain at the earliest time. The
5 department shall deliver high habitat value fish passage barrier
6 corrections that it has identified, guided by the following factors:
7 Opportunity to bundle projects, tribal priorities, ability to
8 leverage investments by others, presence of other barriers, project
9 readiness, culvert conditions, other transportation projects in the
10 area, and transportation impacts. The department and Brian Abbott
11 fish barrier removal board must provide updates on the implementation
12 of the statewide culvert remediation plan to the legislature by
13 November 1, 2021, and June 1, 2022.

14 (c) The department must keep track of, for each barrier removed:
15 (i) The location; (ii) the amount of fish habitat gain; and (iii) the
16 amount spent to comply with the injunction.

17 (d) Of the amount provided in this subsection, \$142,923,000 of
18 the motor vehicle account—federal appropriation reflects the
19 department's portion of the unrestricted funds from the coronavirus
20 response and relief supplemental appropriations act of 2021. If the
21 final amount from this act changes while the legislature is not in
22 session, the department shall follow the existing unanticipated
23 receipt process and adjust the list referenced in subsection (1) of
24 this section accordingly, supplanting state funds with federal funds
25 if possible as directed in section 601 (~~(of this act)~~), chapter 333,
26 Laws of 2021.

27 (14) \$14,669,000 of the connecting Washington account—state
28 appropriation and \$3,037,000 of the motor vehicle account—private/
29 local appropriation are provided solely for the I-90/Barker to
30 Harvard - Improve Interchanges & Local Roads project (L2000122). The
31 connecting Washington account appropriation for the improvements that
32 fall within the city of Liberty Lake may only be expended if the city
33 of Liberty Lake agrees to cover any project costs within the city of
34 Liberty Lake above the \$20,900,000 of state appropriation provided
35 for the total project on the list referenced in subsection (1) of
36 this section.

37 (15) \$15,189,000 of the motor vehicle account—federal
38 appropriation, \$259,000 of the motor vehicle account—state
39 appropriation, and \$15,481,000 of the Interstate 405 and state route

1 number 167 express toll lanes account—state appropriation are
2 provided solely for the SR 167/SR 410 to SR 18 - Congestion
3 Management project (316706C).

4 (16) \$18,914,000 of the Special Category C account—state
5 appropriation is provided solely for the SR 18 Widening - Issaquah/
6 Hobart Rd to Raging River project (L1000199) for improving and
7 widening state route number 18 to four lanes from Issaquah-Hobart
8 Road to Raging River.

9 (17) (~~(\$1,000,000)~~) \$2,500,000 of the connecting Washington
10 account—state appropriation is provided solely for the North Lewis
11 County transportation study. The study shall examine new, alternate
12 routes for vehicular and truck traffic at the Harrison interchange
13 (Exit 82) in North Centralia and shall allow for a site and
14 configuration to be selected and feasibility to be conducted for
15 final design, permitting, and construction of the I-5/North Lewis
16 county Interchange project (L2000204). It is the intent of the
17 legislature to advance future funding for this project to accelerate
18 delivery by up to two years.

19 (18) \$1,090,000 of the motor vehicle account—state appropriation
20 is provided solely for the US 101/East Sequim Corridor Improvements
21 project (L2000343).

22 (19) \$12,139,000 of the motor vehicle account—state appropriation
23 and \$9,104,000 of the connecting Washington account—state
24 appropriation are provided solely for the SR 522/Paradise Lk Rd
25 Interchange & Widening on SR 522 (Design/Engineering) project
26 (NPARADI).

27 (20) \$1,378,000 of the motor vehicle account—federal
28 appropriation is provided solely for the US 101/Morse Creek Safety
29 Barrier project (L1000247).

30 (21) \$915,000 of the motor vehicle account—state appropriation is
31 provided solely for the SR 162/410 Interchange Design and Right of
32 Way project (L1000276).

33 (22) \$6,581,000 of the connecting Washington account—state
34 appropriation is provided solely for the US Hwy 2 Safety project
35 (N00200R).

36 (23) \$500,000 of the motor vehicle account—state appropriation is
37 provided solely for SR 162/SR 161 Additional Connectivity in South
38 Pierce County project (L1000312) to conduct a study on the need for

1 additional connectivity in the area between SR 162, south of Military
2 Road East and north of Orting, and SR 161 in South Pierce County.

3 (24) The department shall itemize all future requests for the
4 construction of buildings on a project list and submit them through
5 the transportation executive information system as part of the
6 department's annual budget submittal. It is the intent of the
7 legislature that new facility construction must be transparent and
8 not appropriated within larger highway construction projects.

9 ~~((24))~~ (25) Any advisory group that the department convenes
10 during the 2021-2023 fiscal biennium must consider the interests of
11 the entire state of Washington.

12 ~~((25))~~ (26) The legislature continues to prioritize the
13 replacement of the state's aging infrastructure and recognizes the
14 importance of reusing and recycling construction aggregate and
15 recycled concrete materials in our transportation system. To
16 accomplish Washington state's sustainability goals in transportation
17 and in accordance with RCW 70.95.805, the legislature reaffirms its
18 determination that recycled concrete aggregate and other
19 transportation building materials are natural resource construction
20 materials that are too valuable to be wasted and landfilled, and are
21 a commodity as defined in WAC 173-350-100.

22 Further, the legislature determines construction aggregate and
23 recycled concrete materials substantially meet widely recognized
24 international, national, and local standards and specifications
25 referenced in American society for testing and materials, American
26 concrete institute, Washington state department of transportation,
27 Seattle department of transportation, American public works
28 association, federal aviation administration, and federal highway
29 administration specifications, and are described as necessary and
30 desirable products for recycling and reuse by state and federal
31 agencies.

32 As these recyclable materials have well established markets, are
33 substantially a primary or secondary product of necessary
34 construction processes and production, and are managed as an item of
35 commercial value, construction aggregate and recycled concrete
36 materials are exempt from chapter 173-350 WAC.

37 **Sec. 306.** 2021 c 333 s 307 (uncodified) is amended to read as
38 follows:

39 **FOR THE DEPARTMENT OF TRANSPORTATION—PRESERVATION—PROGRAM P**

1	Recreational Vehicle Account—State Appropriation.	\$1,520,000
2	Transportation 2003 Account (Nickel Account)—State	
3	Appropriation.	(\$49,105,000)
4		<u>\$53,911,000</u>
5	Transportation Partnership Account—State	
6	Appropriation.	(\$15,183,000)
7		<u>\$21,441,000</u>
8	Motor Vehicle Account—State Appropriation.	(\$85,444,000)
9		<u>\$111,174,000</u>
10	Motor Vehicle Account—Federal Appropriation.	(\$489,602,000)
11		<u>\$545,560,000</u>
12	Motor Vehicle Account—Private/Local Appropriation.	(\$10,792,000)
13		<u>\$13,735,000</u>
14	Connecting Washington Account—State Appropriation.	(\$159,043,000)
15		<u>\$222,548,000</u>
16	State Route Number 520 Corridor Account—State	
17	Appropriation.	(\$1,891,000)
18		<u>\$2,143,000</u>
19	Tacoma Narrows Toll Bridge Account—State	
20	Appropriation.	(\$9,730,000)
21		<u>\$5,676,000</u>
22	Alaskan Way Viaduct Replacement Project Account—	
23	State Appropriation.	(\$314,000)
24		<u>\$391,000</u>
25	Interstate 405 and State Route Number 167 Express	
26	Toll Lanes Account—State Appropriation.	(\$26,039,000)
27		<u>\$12,830,000</u>
28	TOTAL APPROPRIATION.	(\$848,663,000)
29		<u>\$990,929,000</u>

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

32 (1) Except as provided otherwise in this section, the entire
33 connecting Washington account—state appropriation and the entire
34 transportation partnership account—state appropriation are provided
35 solely for the projects and activities as listed by fund, project,
36 and amount in LEAP Transportation Document ~~((2021-1))~~ 2022-1 as
37 developed ~~((April 23, 2021))~~ February 20, 2022, Program - Highway
38 Preservation Program (P). However, limited transfers of specific
39 line-item project appropriations may occur between projects for those

1 amounts listed subject to the conditions and limitations in section
2 601 (~~of this act~~), chapter 333, Laws of 2021.

3 (2) Except as provided otherwise in this section, the entire
4 motor vehicle account—state appropriation and motor vehicle account—
5 federal appropriation are provided solely for the projects and
6 activities listed in LEAP Transportation Document (~~(2021-2)~~) 2022-2
7 ALL PROJECTS as developed (~~(April 23, 2021)~~) February 20, 2022,
8 Program - Highway Preservation Program (P). Any federal funds gained
9 through efficiencies, adjustments to the federal funds forecast, or
10 the federal funds redistribution process must then be applied to
11 highway and bridge preservation activities or fish passage barrier
12 corrections (OBI4001).

13 (3) Within the motor vehicle account—state appropriation,
14 connecting Washington account—state appropriation, and motor vehicle
15 account—federal appropriation, the department may transfer funds
16 between programs I and P, except for funds that are otherwise
17 restricted in this act. Ten days prior to any transfer, the
18 department must submit its request to the office of financial
19 management and the transportation committees of the legislature and
20 consider any concerns raised. The department shall submit a report on
21 fiscal year funds transferred in the prior fiscal year using this
22 subsection as part of the department's annual budget submittal. This
23 transfer authority allows the department to manage the appropriation
24 capacity most efficiently between the I and P programs consistent
25 with the 601 process.

26 (4) \$5,166,000 of the connecting Washington account—state
27 appropriation is provided solely for the land mobile radio upgrade
28 (G2000055) and is subject to the conditions, limitations, and review
29 provided in section 701 (~~of this act~~), chapter 333, Laws of 2021.
30 The land mobile radio project is subject to technical oversight by
31 the office of the chief information officer. The department, in
32 collaboration with the office of the chief information officer, shall
33 identify where existing or proposed mobile radio technology
34 investments should be consolidated, identify when existing or
35 proposed mobile radio technology investments can be reused or
36 leveraged to meet multiagency needs, increase mobile radio
37 interoperability between agencies, and identify how redundant
38 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) \$5,000,000 of the motor vehicle account—state appropriation
4 is provided solely for extraordinary costs incurred from litigation
5 awards, settlements, or dispute mitigation activities not eligible
6 for funding from the self-insurance fund (L2000290). 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) \$11,679,000 of the motor vehicle account—federal
17 appropriation is provided solely for preservation projects within
18 project L1100071 that ensure the reliable movement of freight on the
19 national highway freight system. The department shall give priority
20 to those projects that can be advertised by September 30, 2021.

21 (7) The appropriation in this section includes funding for
22 starting planning, engineering, and construction of the Elwha River
23 bridge replacement. To the greatest extent practicable, the
24 department shall maintain public access on the existing route.

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

32 (9) \$1,700,000 of the motor vehicle account—state appropriation
33 is provided solely for the SR 109/88 Corner Roadway project
34 (G2000106).

35 **Sec. 307.** 2021 c 333 s 308 (uncodified) is amended to read as
36 follows:

37 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
38 **CAPITAL**

1	Motor Vehicle Account—State Appropriation.	((\$8,273,000))
2		<u>\$9,618,000</u>
3	Motor Vehicle Account—Federal Appropriation.	((\$5,289,000))
4		<u>\$11,215,000</u>
5	Motor Vehicle Account—Private/Local Appropriation.	\$500,000
6	Interstate 405 and State Route Number 167 Express	
7	Toll Lanes Account—State Appropriation.	\$900,000
8	TOTAL APPROPRIATION.	((\$14,962,000))
9		<u>\$22,233,000</u>

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

12 (1) \$579,000 of the motor vehicle account—state appropriation is
13 provided solely for the SR 99 Aurora Bridge ITS project (L2000338).

14 (2) \$1,000,000 of the motor vehicle account—state appropriation
15 is provided solely for the Challenge Seattle project (000009Q). The
16 department shall provide a progress report on this project to the
17 transportation committees of the legislature by January 15, 2022.

18 **Sec. 308.** 2021 c 333 s 309 (uncodified) is amended to read as
19 follows:

20 **FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES**
21 **CONSTRUCTION—PROGRAM W**

22	Puget Sound Capital Construction Account—State	
23	Appropriation.	((\$128,759,000))
24		<u>\$167,033,000</u>
25	Puget Sound Capital Construction Account—Federal	
26	Appropriation.	((\$139,188,000))
27		<u>\$174,571,000</u>
28	Puget Sound Capital Construction Account—	
29	Private/Local Appropriation.	((\$312,000))
30		<u>\$2,181,000</u>
31	Transportation Partnership Account—State	
32	Appropriation.	((\$8,410,000))
33		<u>\$9,432,000</u>
34	Connecting Washington Account—State Appropriation.	((\$75,640,000))
35		<u>\$99,141,000</u>
36	Capital Vessel Replacement Account—State	
37	Appropriation.	((\$152,453,000))
38		<u>\$45,668,000</u>

1	<u>Motor Vehicle Account—State Appropriation.</u>	<u>\$1,000</u>
2	<u>Transportation 2003 Account (Nickel Account)—State</u>	
3	<u>Appropriation.</u>	<u>\$987,000</u>
4	TOTAL APPROPRIATION.	((\$504,762,000))
5		<u>\$499,014,000</u>

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 appropriations in this section are provided solely for the projects
10 and activities as listed in LEAP Transportation Document ((~~2021-2~~))
11 2022-2 ALL PROJECTS as developed ((~~April 23, 2021~~)) February 20,
12 2022, Program - Washington State Ferries Capital Program (W).

13 (2) For the 2021-2023 biennium, the marine division shall provide
14 to the office of financial management and the legislative
15 transportation committees the following reports on ferry capital
16 projects:

17 (a) On a semiannual basis the report must include a status update
18 on projects with funding provided in subsections (4), (5), (6), and
19 (8) of this section including, but not limited to, the following:

- 20 (i) Anticipated cost increases and cost savings;
- 21 (ii) Anticipated cash flow and schedule changes; and
- 22 (iii) Explanations for the changes.

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

- 26 (i) What work has been done;
- 27 (ii) How have schedules shifted; and
- 28 (iii) Associated changes in funding among projects, accompanied
29 by explanations for the changes.

30 (c) On an annual basis the report must include an update on the
31 implementation of the maintenance management system with
32 recommendations for using the system to improve the efficiency of
33 project reporting under this subsection.

34 (3) ((~~\$5,000,000~~)) \$12,232,000 of the Puget Sound capital
35 construction account—state appropriation is provided solely for
36 emergency capital repair costs (999910K). Funds may only be spent
37 after approval by the office of financial management.

38 (4) ((~~\$1,277,000~~)) \$2,385,000 of the Puget Sound capital
39 construction account—state appropriation is provided solely for the

1 ORCA card next generation project (L2000300). The ferry system shall
2 work with Washington technology solutions and the tolling division on
3 the development of a new, interoperable ticketing system.

4 (5) (~~(\$24,750,000)~~) \$28,134,000 of the Puget Sound capital
5 construction account—state appropriation is provided solely for the
6 conversion of up to two Jumbo Mark II vessels to electric hybrid
7 propulsion (G2000084). The department shall seek additional funds for
8 the purposes of this subsection. The department may spend from the
9 Puget Sound capital construction account—state appropriation in this
10 section only as much as the department receives in Volkswagen
11 settlement funds for the purposes of this subsection.

12 (6) (~~(\$152,453,000)~~) \$45,668,000 of the capital vessel
13 replacement account—state appropriation is provided solely for the
14 acquisition of a 144-car hybrid-electric vessel (L2000329). Of the
15 amounts appropriated in this subsection, \$200,000 is provided solely
16 for hiring an independent owner's representative to perform quality
17 oversight, manage the change order process, and ensure contract
18 compliance. In 2019 the legislature amended RCW 47.60.810 to direct
19 the department to modify an existing vessel construction contract to
20 provide for an additional five ferries. As such, it is the intent of
21 the legislature that the department award the contract for the hybrid
22 electric Olympic class vessel #5(L2000329) in a timely manner. In
23 addition, the legislature intends to minimize costs and maximize
24 construction efficiency by providing sufficient funding for
25 construction of all five vessels, including funding for long lead
26 time materials procured at the lowest possible prices. The
27 commencement of construction of new vessels for the ferry system is
28 important not only for safety reasons, but also to keep skilled
29 marine construction jobs in the Puget Sound region and to sustain the
30 capacity of the region to meet the ongoing construction and
31 preservation needs of the ferry system fleet of vessels. The
32 legislature has determined that the current vessel procurement
33 process must move forward with all due speed, balancing the interests
34 of both the taxpayers and shipyards. To accomplish construction of
35 vessels in accordance with RCW 47.60.810, the prevailing shipbuilder,
36 for vessels initially funded after July 1, 2020, is encouraged to
37 follow the historical practice of subcontracting the construction of
38 ferry superstructures to a separate nonaffiliated contractor located

1 within the Puget Sound region, that is qualified in accordance with
2 RCW 47.60.690.

3 (7) The capital vessel replacement account—state appropriation
4 includes up to (~~(\$152,453,000)~~) \$45,668,000 in proceeds from the sale
5 of bonds authorized in RCW 47.10.873.

6 (8) \$4,200,000 of the connecting Washington account—state
7 appropriation and \$2,200,000 of the Puget Sound (~~(operating)~~) capital
8 construction account (~~([Puget Sound capital construction account])~~)—
9 federal appropriation are provided solely for ferry vessel and
10 terminal preservation (L2000110). The funds provided in this
11 subsection must be used for unplanned preservation needs before
12 shifting funding from other preservation projects.

13 **Sec. 309.** 2021 c 333 s 310 (uncodified) is amended to read as
14 follows:

15	FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL	
16	Essential Rail Assistance Account—State	
17	Appropriation.	((\$550,000))
18		<u>\$1,108,000</u>
19	Transportation Infrastructure Account—State	
20	Appropriation.	((\$5,456,000))
21		<u>\$6,218,000</u>
22	Multimodal Transportation Account—State	
23	Appropriation.	((\$82,493,000))
24		<u>\$118,320,000</u>
25	Multimodal Transportation Account—Federal	
26	Appropriation.	((\$41,219,000))
27		<u>\$6,567,000</u>
28	<u>Multimodal Transportation Account—Private/Local</u>	
29	<u>Appropriation.</u>	<u>\$13,000</u>
30	<u>Motor Vehicle Account—State Appropriation.</u>	<u>\$1,810,000</u>
31	<u>Carbon Emissions Reduction Account—State</u>	
32	<u>Appropriation.</u>	<u>\$50,000,000</u>
33	TOTAL APPROPRIATION.	((\$129,718,000))
34		<u>\$184,036,000</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 ((2021-2)) 2022-2 ALL PROJECTS as developed ((April 23,
3 2021)) February 20, 2022, Program - Rail Program (Y).

4 (2) \$5,089,000 of the transportation infrastructure account—state
5 appropriation is provided solely for new low-interest loans approved
6 by the department through the freight rail investment bank (FRIB)
7 program. The department shall issue FRIB program loans with a
8 repayment period of no more than ten years, and charge only so much
9 interest as is necessary to recoup the department's costs to
10 administer the loans. The department shall report annually to the
11 transportation committees of the legislature and the office of
12 financial management on all FRIB loans issued. FRIB program loans may
13 be recommended by the department for 2022 supplemental transportation
14 appropriations up to the amount provided in this appropriation that
15 has not been provided for the projects listed in 2021-2 ALL PROJECTS,
16 as referenced in subsection (1) of this section. The department shall
17 submit a prioritized list for any loans recommended to the office of
18 financial management and the transportation committees of the
19 legislature by November 15, 2021.

20 (3) ((~~\$6,817,000~~)) \$7,041,000 of the multimodal transportation
21 account—state appropriation is provided solely for new statewide
22 emergent freight rail assistance projects identified in the LEAP
23 transportation document referenced in subsection (1) of this section.

24 (4) \$367,000 of the transportation infrastructure account—state
25 appropriation and \$1,100,000 of the multimodal transportation account
26 —state appropriation are provided solely to reimburse Highline Grain,
27 LLC for approved work completed on Palouse River and Coulee City
28 (PCC) railroad track in Spokane county between the BNSF Railway
29 Interchange at Cheney and Geiger Junction and must be administered in
30 a manner consistent with freight rail assistance program projects.
31 The value of the public benefit of this project is expected to meet
32 or exceed the cost of this project in: Shipper savings on
33 transportation costs; jobs saved in rail-dependent industries; and/or
34 reduced future costs to repair wear and tear on state and local
35 highways due to fewer annual truck trips (reduced vehicle miles
36 traveled). The amounts provided in this subsection are not a
37 commitment for future legislatures, but it is the legislature's
38 intent that future legislatures will work to approve biennial

1 appropriations until the full \$7,337,000 cost of this project is
2 reimbursed.

3 (5) (a) (~~(\$550,000)~~) \$1,008,000 of the essential rail assistance
4 account—state appropriation is provided solely for the purpose of the
5 rehabilitation and maintenance of the Palouse river and Coulee City
6 railroad line (F01111B).

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

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

12 (ii) Revenues from trackage rights agreement fees paid by
13 shippers; and

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

18 (6) The department shall issue a call for projects for the
19 freight rail assistance program, and shall evaluate the applications
20 in a manner consistent with past practices as specified in section
21 309, chapter 367, Laws of 2011. By November 15, 2022, the department
22 shall submit a prioritized list of recommended projects to the office
23 of financial management and the transportation committees of the
24 legislature.

25 (7) (~~(\$33,964,000)~~) \$32,996,000 of the multimodal transportation
26 account—state appropriation (~~(and \$37,500,000 of the multimodal~~
27 ~~transportation account federal appropriation are)~~) is provided solely
28 for Passenger Rail Equipment Replacement (~~(project 700010C.)~~)
29 (project 700010C). The (~~(appropriations)~~) appropriation in this
30 subsection include insurance proceeds received by the state. The
31 department must use these funds only to purchase replacement
32 equipment that has been competitively procured and for service
33 recovery needs and corrective actions related to the December 2017
34 derailment.

35 (8) \$223,000 of the multimodal transportation account—state
36 appropriation is provided solely for contingency funding for emergent
37 freight rail assistance projects funded in subsection (3) of this
38 section. Project sponsors may apply to the department for contingency
39 funds needed due to unforeseeable cost increases. The department

1 shall submit a report of any contingency funds provided under this
2 subsection as part of the department's annual budget submittal.

3 (9) 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 (10) \$50,000,000 of the carbon emissions reduction account—state
12 appropriation is provided solely for state match contributions to
13 support the department's application for pending federal grant
14 opportunities. These funds are to remain in unallotted status and are
15 available only upon receipt of federal funds. The department must
16 provide draft applications for federal grant opportunities to the
17 transportation committees of the legislature for review and comment
18 prior to submission. If amounts are appropriated for this specific
19 purpose in House Bill No. 2118 (additive transportation funding) or
20 Senate Bill No. 5975 (additive transportation funding) by June 30,
21 2022, this subsection lapses.

22 (11) \$500,000 of the multimodal transportation account—state
23 appropriation is provided solely for the Chelatchie Prairie railroad
24 for track improvement activities on the northern part of the railroad
25 (L1000311).

26 **Sec. 310.** 2021 c 333 s 311 (uncodified) is amended to read as
27 follows:

28 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**
29 **CAPITAL**

30 Highway Infrastructure Account—State Appropriation.	((\$793,000))
	<u>\$1,744,000</u>
32 Highway Infrastructure Account—Federal Appropriation	
33	((\$1,600,000))
	<u>\$2,935,000</u>
35 Transportation Partnership Account—State	
36 Appropriation.	((\$750,000))
	<u>\$1,000,000</u>
38 Motor Vehicle Account—State Appropriation.	((\$11,064,000))

1 2022, on the status of projects funded as part of the pedestrian
2 safety/safe routes to school grant program. The report must include,
3 but is not limited to, a list of projects selected and a brief
4 description of each project's status. In its December 1, 2021, report
5 the department must also include recommended changes to the
6 pedestrian safety/safe routes to school grant program application and
7 selection processes to increase utilization by a greater diversity of
8 jurisdictions.

9 (4) (~~(\$6,561,000)~~) \$11,987,000 of the multimodal transportation
10 account—state appropriation is provided solely for bicycle and
11 pedestrian projects listed in the LEAP transportation document
12 referenced in subsection (1) of this section.

13 (5) It is the expectation of the legislature that the department
14 will be administering a local railroad crossing safety grant program
15 for \$7,000,000 in federal funds during the 2021-2023 fiscal biennium.

16 (6) (~~(\$12,500,000)~~) \$17,438,000 of the motor vehicle account—
17 federal appropriation is provided solely for national highway freight
18 network projects identified on the project list submitted in
19 accordance with section 218(4)(b), chapter 14, Laws of 2016 on
20 October 31, 2016 (L1000169).

21 (7) When the department updates its federally-compliant freight
22 plan, it shall consult the freight mobility strategic investment
23 board on the freight plan update and on the investment plan component
24 that describes how the estimated funding allocation for the national
25 highway freight program for federal fiscal years 2022-2025 will be
26 invested and matched. The investment plan component for the state
27 portion of national highway freight program funds must first address
28 shortfalls in funding for connecting Washington act projects. The
29 department shall complete the freight plan update in compliance with
30 federal requirements and deadlines and shall provide an update on the
31 development of the freight plan, including the investment plan
32 component, when submitting its 2022 supplemental appropriations
33 request.

34 (8) (~~(\$11,679,000)~~) \$35,411,000 of the motor vehicle account—
35 federal appropriation is provided solely for acceleration of local
36 preservation projects that ensure the reliable movement of freight on
37 the national highway freight system (G2000100). The department will
38 identify projects through its current national highway system asset
39 management call for projects with applications due in February 2021.

1 The department shall give priority to those projects that can be
2 obligated by September 30, 2021.

3 (9) \$6,890,000 of the climate emissions reduction account—state
4 appropriation is provided solely for the projects and activities as
5 listed in LEAP Transportation Document 2022-NL-2 as developed
6 February 8, 2022. If amounts are appropriated for this specific
7 purpose in House Bill No. 2118 (additive transportation funding) or
8 Senate Bill No. 5975 (additive transportation funding) by June 30,
9 2022, the amount provided in this subsection lapses.

10 (10) \$5,640,000 of the climate emission reductions account—state
11 appropriation is provided solely for newly selected pedestrian and
12 bicycle safety program grants. If amounts are appropriated for this
13 specific purpose in House Bill No. 2118 (additive transportation
14 funding) or Senate Bill No. 5975 (additive transportation funding) by
15 June 30, 2022, the amount provided in this subsection lapses.

16 (11) \$6,830,000 of the climate emission reductions account—state
17 appropriation is provided solely for safe routes to school program
18 grants. If amounts are appropriated for this specific purpose in
19 House Bill No. 2118 (additive transportation funding) or Senate Bill
20 No. 5975 (additive transportation funding) by June 30, 2022, the
21 amount provided in this subsection lapses.

22 **Sec. 311.** 2021 c 333 s 313 (uncodified) is amended to read as
23 follows:

24 **QUARTERLY REPORTING REQUIREMENTS FOR CAPITAL PROGRAM**

25 On a quarterly basis, the department of transportation shall
26 provide to the office of financial management and the legislative
27 transportation committees a report for all capital projects, except
28 for ferry projects subject to the reporting requirements established
29 in section 309 (~~of this act~~), chapter 333, Laws of 2021, that must
30 include:

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

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

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

4 (4) Risk reserves and contingency amounts for all projects
5 consistent with the structure of the most recently enacted budget.

(End of part)

1 TRANSFERS AND DISTRIBUTIONS

2 Sec. 401. 2021 c 333 s 401 (uncodified) is amended to read as
3 follows:

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

8	Transportation Partnership Account—State	
9	Appropriation.	((\$904,000))
10		<u>\$795,000</u>
11	Connecting Washington Account—State Appropriation.	((\$11,153,000))
12		<u>\$5,584,000</u>
13	Special Category C Account—State Appropriation.	((\$412,000))
14		<u>\$257,000</u>
15	Highway Bond Retirement Account—State	
16	Appropriation.	((\$1,483,793,000))
17		<u>\$1,424,896,000</u>
18	Ferry Bond Retirement Account—State Appropriation.	\$17,150,000
19	Transportation Improvement Board Bond Retirement	
20	Account—State Appropriation.	((\$11,770,000))
21		<u>\$17,566,000</u>
22	Nondebt-Limit Reimbursable Bond Retirement Account—	
23	State Appropriation.	((\$29,323,000))
24		<u>\$26,278,000</u>
25	Toll Facility Bond Retirement Account—State	
26	Appropriation.	\$76,376,000
27	TOTAL APPROPRIATION.	((\$1,630,881,000))
28		<u>\$1,568,177,000</u>

29 The appropriations in this section are subject to the following
30 conditions and limitations: Up to \$6,451,550 of the transportation
31 improvement board bond retirement account—state appropriation is
32 provided solely for the prepayment of certain outstanding bonds and
33 debt service.

34 Sec. 402. 2021 c 333 s 402 (uncodified) is amended to read as
35 follows:

1 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**
2 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**
3 **FISCAL AGENT CHARGES**

4 Transportation Partnership Account—State
5 Appropriation. ((~~\$181,000~~))
6 \$150,000
7 Connecting Washington Account—State Appropriation. . . ((~~\$2,231,000~~))
8 \$1,117,000
9 Special Category C Account—State Appropriation. ((~~\$82,000~~))
10 \$51,000
11 Transportation Improvement Account—State
12 Appropriation. \$20,000
13 TOTAL APPROPRIATION. ((~~\$2,494,000~~))
14 \$1,315,000

15 **Sec. 403.** 2021 c 333 s 403 (uncodified) is amended to read as
16 follows:

17 **FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

18 Motor Vehicle Account—State Appropriation: For motor
19 vehicle fuel tax statutory distributions to
20 cities and counties. ((~~\$467,390,000~~))
21 \$474,003,000
22 Multimodal Transportation Account—State
23 Appropriation: For distribution to cities and
24 counties. \$26,786,000
25 Motor Vehicle Account—State Appropriation: For
26 distribution to cities and counties. \$23,438,000

27 **Sec. 404.** 2021 c 333 s 404 (uncodified) is amended to read as
28 follows:

29 **FOR THE STATE TREASURER—TRANSFERS**

30 Motor Vehicle Account—State Appropriation: For motor
31 vehicle fuel tax refunds and statutory
32 transfers. ((~~\$1,974,599,000~~))
33 \$2,000,419,000

34 **Sec. 405.** 2021 c 333 s 405 (uncodified) is amended to read as
35 follows:

36 **FOR THE DEPARTMENT OF LICENSING—TRANSFERS**

1 Motor Vehicle Account—State Appropriation: For motor
2 vehicle fuel tax refunds and transfers. (~~(\$235,675,000)~~)
3 \$240,330,000

4 **Sec. 406.** 2021 c 333 s 406 (uncodified) is amended to read as
5 follows:

6 **FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS**

7 (1) Highway Safety Account—State Appropriation:
8 For transfer to the State Patrol Highway
9 Account—State. \$47,000,000

10 (2) (a) Transportation Partnership Account—State
11 Appropriation: For transfer to the Capital Vessel
12 Replacement Account—State. (~~(\$152,453,000)~~)
13 \$45,668,000

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

16 (3) (a) Transportation Partnership Account—State
17 Appropriation: For transfer to the Tacoma Narrows Toll Bridge Account
18 —State. \$30,293,000

19 (b) It is the intent of the legislature that this transfer is
20 temporary, for the purpose of minimizing the impact of toll
21 increases. An equivalent reimbursing transfer is to occur after the
22 debt service and deferred sales tax on the Tacoma Narrows bridge
23 construction costs are fully repaid in accordance with chapter 195,
24 Laws of 2018.

25 (4) (a) Motor Vehicle Account—State Appropriation:
26 For transfer to Alaskan Way Viaduct Account
27 —State. \$6,000,000

28 (b) The funds provided in (a) of this subsection are a loan to
29 the Alaskan Way viaduct replacement project account—state, and the
30 legislature assumes that these funds will be reimbursed to the motor
31 vehicle account—state at a later date when traffic on the toll
32 facility has recovered from the COVID-19 pandemic.

33 (5) Motor Vehicle Account—State Appropriation:
34 For transfer to the County Arterial Preservation
35 Account—State. \$7,666,000

36 (6) Motor Vehicle Account—State Appropriation:
37 For transfer to the Freight Mobility Investment
38 Account—State. \$5,511,000

1 (7) Motor Vehicle Account—State Appropriation:
2 For transfer to the Rural Arterial Trust Account—State. . . \$9,331,000
3 (8) Motor Vehicle Account—State Appropriation:
4 For transfer to the Transportation Improvement
5 Account—State. \$9,688,000
6 (9) Rural Mobility Grant Program Account—State
7 Appropriation: For transfer to the Multimodal
8 Transportation Account—State. \$3,000,000
9 (10) (a) State Route Number 520 Civil Penalties
10 Account—State Appropriation: For transfer to the
11 Motor Vehicle Account—State
12 \$2,000,000
13 (b) The transfer in this subsection is to repay moneys loaned to
14 the state route number 520 civil penalties account in the 2019-2021
15 fiscal biennium.
16 (11) State Route Number 520 Civil Penalties
17 Account—State Appropriation: For transfer to the
18 State Route Number 520 Corridor Account—State. \$1,532,000
19 (12) Capital Vessel Replacement Account—State
20 Appropriation: For transfer to the Connecting
21 Washington Account—State. \$35,000,000
22 (13) (a) Capital Vessel Replacement Account—State
23 Appropriation: For transfer to the Transportation
24 Partnership Account—State. (~~(\$10,305,000)~~)
25 \$1,542,000
26 (b) The amount transferred in this subsection represents
27 repayment of debt service incurred for the construction of the Hybrid
28 Electric Olympic Class (144-auto) Vessel #5 project (L2000329).
29 (14) Multimodal Transportation Account—State
30 Appropriation: For transfer to the Complete Streets
31 Grant Program Account—State. \$14,670,000
32 (15) Multimodal Transportation Account—State
33 Appropriation: For transfer to the Connecting
34 Washington Account—State. \$200,000,000
35 (16) Multimodal Transportation Account—State
36 Appropriation: For transfer to the Freight Mobility
37 Multimodal Account—State. \$4,011,000
38 (17) Multimodal Transportation Account—State
39 Appropriation: For transfer to the Ignition Interlock

1 Device Revolving Account—State. \$600,000
 2 (18) Multimodal Transportation Account—State
 3 Appropriation: For transfer to the Pilotage
 4 Account—State. (~~(\$1,500,000)~~)
 5 \$2,000,000
 6 (19) Multimodal Transportation Account—State
 7 Appropriation: For transfer to the Puget Sound
 8 Capital Construction Account—State. \$60,000,000
 9 (20) Multimodal Transportation Account—State
 10 Appropriation: For transfer to the Regional Mobility
 11 Grant Program Account—State. \$27,679,000
 12 (21) Multimodal Transportation Account—State
 13 Appropriation: For transfer to the Rural Mobility
 14 Grant Program Account—State. \$15,223,000
 15 (22) (a) Alaskan Way Viaduct Replacement Project
 16 Account—State Appropriation: For transfer to the
 17 Transportation Partnership Account—State. \$22,884,000
 18 (b) The amount transferred in this subsection represents
 19 repayment of debt service incurred for the construction of the SR 99/
 20 Alaskan Way Viaduct Replacement project (809936Z).
 21 (23) Tacoma Narrows Toll Bridge Account—State
 22 Appropriation: For transfer to the Motor Vehicle
 23 Account—State. \$950,000
 24 (24) Puget Sound Ferry Operations Account—State
 25 Appropriation: For transfer to the Puget Sound
 26 Capital Construction Account—State. \$60,000,000
 27 (25) (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~~), chapter 333, Laws of 2021.

(End of part)

1 **COMPENSATION**

2 **Sec. 501.** 2021 c 333 s 502 (uncodified) is amended to read as
3 follows:

4 **COLLECTIVE BARGAINING AGREEMENTS**

5 Sections 503 through 520 (~~of this act~~), chapter 333, Laws of
6 2021 represent the results of the 2021-2023 collective bargaining
7 process required under chapters 41.80, 47.64, and 41.56 RCW.
8 Provisions of the collective bargaining agreements contained in
9 sections 503 through 520 (~~of this act~~), chapter 333, Laws of 2021
10 are described in general terms. Only major economic terms are
11 included in the descriptions. These descriptions do not contain the
12 complete contents of the agreements. The collective bargaining
13 agreements contained in sections 503 through 520 (~~of this act~~),
14 chapter 333, Laws of 2021 may also be funded by expenditures from
15 nonappropriated accounts. If positions are funded with lidded grants
16 or dedicated fund sources with insufficient revenue, additional
17 funding from other sources is not provided.

18 **Sec. 502.** 2021 c 333 s 503 (uncodified) is amended to read as
19 follows:

20 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
21 **AGREEMENTS—OPEIU**

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

31 (2) An agreement has been reached between the governor and the
32 office and professional employees international union local eight
33 (OPEIU) pursuant to chapter 47.64 RCW for fiscal year 2023. The
34 agreement includes and funding is provided for a general wage
35 increase of 3.25 percent for fiscal year 2023 and a lump sum payment
36 for employees hired before July 1, 2022.

1 **Sec. 503.** 2021 c 333 s 504 (uncodified) is amended to read as
2 follows:

3 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
4 **AGREEMENTS—FASPAA**

5 (1) An agreement has been reached between the governor and the
6 ferry agents, supervisors, and project administrators association
7 pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium.
8 Funding is provided to fund the agreement, which does not include
9 wage increases but does include furloughs. The agreement provides
10 that positions designated by the employer as not requiring backfill
11 take 24 furlough days during the biennium.

12 (2) An agreement has been reached between the governor and the
13 ferry agents, supervisors, and project administrators association
14 pursuant to chapter 47.64 RCW for fiscal year 2023. The agreement
15 includes and funding is provided for a general wage increase of 3.25
16 percent for fiscal year 2023 and a lump sum payment for employees
17 hired before July 1, 2022.

18 **Sec. 504.** 2021 c 333 s 505 (uncodified) is amended to read as
19 follows:

20 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
21 **AGREEMENTS—SEIU LOCAL 6**

22 (1) An agreement has been reached between the governor and the
23 service employees international union local 6 pursuant to chapter
24 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to
25 fund the agreement, which does not include wage increases but does
26 include furloughs. The agreement provides that positions designated
27 by the employer as not requiring backfill take 24 furlough days
28 during the biennium.

29 (2) An agreement has been reached between the governor and the
30 service employees international union local 6 pursuant to chapter
31 47.64 RCW for fiscal year 2023. The agreement includes and funding is
32 provided for a general wage increase of 3.25 percent for fiscal year
33 2023 and a lump sum payment for employees hired before July 1, 2022.

34 **Sec. 505.** 2021 c 333 s 506 (uncodified) is amended to read as
35 follows:

36 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
37 **AGREEMENTS—CARPENTERS**

1 (1) An agreement has been reached between the governor and the
2 Pacific Northwest regional council of carpenters pursuant to chapter
3 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to
4 fund the agreement, which does not include wage increases but does
5 include furloughs. The agreement provides that positions designated
6 by the employer as not requiring backfill take 24 furlough days
7 during the biennium.

8 (2) An agreement has been reached between the governor and the
9 Pacific Northwest regional council of carpenters pursuant to chapter
10 47.64 RCW for fiscal year 2023. The agreement includes and funding is
11 provided for a general wage increase of 3.25 percent for fiscal year
12 2023 and a lump sum payment for employees hired before July 1, 2022.

13 **Sec. 506.** 2021 c 333 s 507 (uncodified) is amended to read as
14 follows:

15 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
16 **AGREEMENTS—METAL TRADES**

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

24 (2) An agreement has been reached between the governor and the
25 Puget Sound metal trades council pursuant to chapter 47.64 RCW for
26 fiscal year 2023. The agreement includes and funding is provided for
27 a general wage increase of 3.25 percent for fiscal year 2023 and a
28 lump sum payment for employees hired before July 1, 2022.

29 **Sec. 507.** 2021 c 333 s 508 (uncodified) is amended to read as
30 follows:

31 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
32 **AGREEMENTS—MEBA-UL**

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

1 (2) An agreement has been reached between the governor and the
2 marine engineers' beneficial association unlicensed engine room
3 employees pursuant to chapter 47.64 RCW for fiscal year 2023. The
4 agreement includes and funding is provided for a general wage
5 increase of 3.25 percent for fiscal year 2023 and a lump sum payment
6 for employees hired before July 1, 2022.

7 **Sec. 508.** 2021 c 333 s 509 (uncodified) is amended to read as
8 follows:

9 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
10 **AGREEMENTS—MEBA-L**

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

16 (2) An agreement has been reached between the governor and the
17 marine engineers' beneficial association licensed engineer officers
18 pursuant to chapter 47.64 RCW for fiscal year 2023. The agreement
19 includes and funding is provided for a general wage increase of 3.25
20 percent for fiscal year 2023 and a lump sum payment for employees
21 hired before July 1, 2022.

22 **Sec. 509.** 2021 c 333 s 510 (uncodified) is amended to read as
23 follows:

24 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
25 **AGREEMENTS—MEBA—PORT ENGINEERS**

26 (1) An agreement has been reached between the governor and the
27 marine engineers' beneficial association port engineers pursuant to
28 chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is
29 provided to fund the agreement, which does not include wage increases
30 but does include furloughs. The agreement provides that positions
31 designated by the employer as not requiring backfill take 24 furlough
32 days during the biennium.

33 (2) An agreement has been reached between the governor and the
34 marine engineers' beneficial association port engineers pursuant to
35 chapter 47.64 RCW for fiscal year 2023. The agreement includes and
36 funding is provided for a general wage increase of 3.25 percent for
37 fiscal year 2023 and a lump sum payment for employees hired before
38 July 1, 2022.

1 **Sec. 510.** 2021 c 333 s 511 (uncodified) is amended to read as
2 follows:

3 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
4 **AGREEMENTS—MM&P MATES**

5 (1) An agreement has been reached between the governor and the
6 masters, mates, and pilots - mates pursuant to chapter 47.64 RCW for
7 the 2021-2023 fiscal biennium. Funding is provided to fund the
8 agreement, which includes a two percent wage increase for second
9 mates, and does not include the furlough requirement.

10 (2) An agreement has been reached between the governor and the
11 masters, mates, and pilots - mates pursuant to chapter 47.64 RCW for
12 fiscal year 2023. The agreement includes and funding is provided for
13 a general wage increase of 3.25 percent for fiscal year 2023 and a
14 lump sum payment for employees hired before July 1, 2022.

15 **Sec. 511.** 2021 c 333 s 512 (uncodified) is amended to read as
16 follows:

17 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
18 **AGREEMENTS—MM&P MASTERS**

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

24 (2) An agreement has been reached between the governor and the
25 masters, mates, and pilots - masters pursuant to chapter 47.64 RCW
26 for fiscal year 2023. The agreement includes and funding is provided
27 for a general wage increase of 3.25 percent for fiscal year 2023 and
28 a lump sum payment for employees hired before July 1, 2022.

29 **Sec. 512.** 2021 c 333 s 513 (uncodified) is amended to read as
30 follows:

31 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
32 **AGREEMENTS—MM&P WATCH CENTER SUPERVISORS**

33 (1) An agreement has been reached between the governor and the
34 masters, mates, and pilots - watch center supervisors pursuant to
35 chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is
36 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 (2) An agreement has been reached between the governor and the
4 masters, mates, and pilots - watch center supervisors pursuant to
5 chapter 47.64 RCW for fiscal year 2023. The agreement includes and
6 funding is provided for a general wage increase of 3.25 percent for
7 fiscal year 2023 and a lump sum payment for employees hired before
8 July 1, 2022.

9 **Sec. 513.** 2021 c 333 s 514 (uncodified) is amended to read as
10 follows:

11 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
12 **AGREEMENTS—IBU**

13 (1) An agreement has been reached between the governor and the
14 inlandboatmen's union of the Pacific pursuant to chapter 47.64 RCW
15 through an interest arbitration award for the 2021-2023 fiscal
16 biennium. Funding is provided to fund the agreement, which does not
17 include wage increases, but does include furlough days for employees
18 in positions that do not require the position to be backfilled.

19 (2) An agreement has been reached between the governor and the
20 inlandboatmen's union of the Pacific pursuant to chapter 47.64 RCW
21 for fiscal year 2023. The agreement includes and funding is provided
22 for a general wage increase of 3.25 percent for fiscal year 2023 and
23 a lump sum payment for employees hired before July 1, 2022.

24 **Sec. 514.** 2021 c 333 s 519 (uncodified) is amended to read as
25 follows:

26 **COLLECTIVE BARGAINING AGREEMENT—WSP TROOPERS ASSOCIATION**

27 (1) An agreement has been reached between the governor and the
28 Washington state patrol troopers association under the provisions of
29 chapter 41.56 RCW for the 2021-2023 fiscal biennium. Funding is
30 provided to fund the agreement, which does not include general wages
31 increases but does provide the ability to request to reopen the
32 compensation article for the purpose of bargaining base rate of pay
33 for fiscal year 2023.

34 (2) An agreement has been reached between the governor and the
35 Washington state patrol troopers association under the provisions of
36 chapter 41.56 RCW for fiscal year 2023. The agreement includes and
37 funding is provided for a general wage increase of 10 percent for
38 fiscal year 2023.

1 **Sec. 515.** 2021 c 333 s 520 (uncodified) is amended to read as
2 follows:

3 **COLLECTIVE BARGAINING AGREEMENT—WSP LIEUTENANTS AND CAPTAINS**
4 **ASSOCIATION**

5 (1) An agreement has been reached between the governor and the
6 Washington state patrol lieutenants and captains association under
7 the provisions of chapter 41.56 RCW for the 2021-2023 fiscal
8 biennium. Funding is provided to fund the agreement, which does not
9 include general wages increases but does provide the ability to
10 request to reopen the compensation article for the purpose of
11 bargaining base rate of pay for fiscal year 2023.

12 (2) An agreement has been reached between the governor and the
13 Washington state patrol lieutenants and captains association under
14 the provisions of chapter 41.56 RCW for fiscal year 2023. The
15 agreement includes and funding is provided for a general wage
16 increase of 10 percent for fiscal year 2023.

17 **Sec. 516.** 2021 c 333 s 521 (uncodified) is amended to read as
18 follows:

19 **COMPENSATION—REPRESENTED EMPLOYEES—HEALTH CARE—COALITION—INSURANCE**
20 **BENEFITS**

21 An agreement was reached for the 2021-2023 biennium between the
22 governor and the health care coalition under the provisions of
23 chapter 41.80 RCW. Appropriations in this act for state agencies,
24 including institutions of higher education, are sufficient to
25 implement the provisions of the 2021-2023 collective bargaining
26 agreement, which maintains the provisions of the 2019-2021 agreement,
27 and are subject to the following conditions and limitations:

28 The monthly employer funding rate for insurance benefit premiums,
29 public employees' benefits board administration, and the uniform
30 medical plan, shall not exceed \$936 per eligible employee for fiscal
31 year 2022. For fiscal year 2023, the monthly employer funding rate
32 shall not exceed (~~(\$1091)~~) \$1130 per eligible employee.

33 The board shall collect a \$25 per month surcharge payment from
34 members who use tobacco products and a surcharge payment of not less
35 than \$50 per month from members who cover a spouse or domestic
36 partner where the spouse or domestic partner has chosen not to enroll
37 in another employer-based group health insurance that has benefits
38 and premiums with an actuarial value of not less than 95 percent of
39 the actuarial value of the public employees' benefits board plan with

1 the largest enrollment. The surcharge payments shall be collected in
2 addition to the member premium payment if directed by the
3 legislature.

4 **Sec. 517.** 2021 c 333 s 522 (uncodified) is amended to read as
5 follows:

6 **COMPENSATION—REPRESENTED EMPLOYEES OUTSIDE HEALTH CARE COALITION—**
7 **INSURANCE BENEFITS**

8 Appropriations for state agencies in this act are sufficient for
9 represented employees outside the coalition for health benefits, and
10 are subject to the following conditions and limitations: The monthly
11 employer funding rate for insurance benefit premiums, public
12 employees' benefits board administration, and the uniform medical
13 plan, may not exceed \$936 per eligible employee for fiscal year 2022.
14 For fiscal year 2023, the monthly employer funding rate may not
15 exceed (~~(\$1091)~~) \$1130 per eligible employee.

16 NEW SECTION. **Sec. 518.** The following acts or parts of acts are
17 each repealed:

- 18 (1) 2021 c 333 s 526 (uncodified);
- 19 (2) 2021 c 333 s 527 (uncodified);
- 20 (3) 2021 c 333 s 528 (uncodified);
- 21 (4) 2021 c 333 s 529 (uncodified);
- 22 (5) 2021 c 333 s 530 (uncodified);
- 23 (6) 2021 c 333 s 531 (uncodified);
- 24 (7) 2021 c 333 s 532 (uncodified); and
- 25 (8) 2021 c 333 s 537 (uncodified).

(End of part)

1 **IMPLEMENTING PROVISIONS**

2 **Sec. 601.** 2021 c 333 s 601 (uncodified) is amended to read as
3 follows:

4 **MANAGEMENT OF TRANSPORTATION FUNDS WHEN THE LEGISLATURE IS NOT IN**
5 **SESSION**

6 (1) The 2005 transportation partnership projects or improvements
7 and 2015 connecting Washington projects or improvements are listed in
8 the LEAP Transportation Document (~~(2021-1)~~) 2022-1 as developed
9 (~~(April 23, 2021)~~) February 20, 2022, which consists of a list of
10 specific projects by fund source and amount over a sixteen-year
11 period. Current fiscal biennium funding for each project is a line-
12 item appropriation, while the outer year funding allocations
13 represent a sixteen-year plan. The department of transportation is
14 expected to use the flexibility provided in this section to assist in
15 the delivery and completion of all transportation partnership account
16 and connecting Washington account projects on the LEAP transportation
17 document referenced in this subsection. For the 2021-2023 project
18 appropriations, unless otherwise provided in this act, the director
19 of the office of financial management may provide written
20 authorization for a transfer of appropriation authority between
21 projects funded with transportation partnership account
22 appropriations or connecting Washington account appropriations to
23 manage project spending and efficiently deliver all projects in the
24 respective program under the following conditions and limitations:

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

27 (b) Transfers from a project may not be made as a result of the
28 reduction of the scope of a project or be made to support increases
29 in the scope of a project;

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

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

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

- 1 (f) Transfers may not be made while the legislature is in
2 session;
- 3 (g) Transfers to a project may not be made with funds designated
4 as attributable to practical design savings as described in RCW
5 47.01.480;
- 6 (h) Except for transfers made under (l) of this subsection,
7 transfers may only be made in fiscal year 2023;
- 8 (i) The total amount of transfers under this section may not
9 exceed \$50,000,000;
- 10 (j) Except as otherwise provided in (l) of this subsection,
11 transfers made to a single project may not cumulatively total more
12 than \$20,000,000 per biennium;
- 13 (k) Each transfer between projects may only occur if the director
14 of the office of financial management finds that any resulting change
15 will not hinder the completion of the projects as approved by the
16 legislature; and
- 17 (l) Transfers between projects may be made by the department of
18 transportation without the formal written approval provided under
19 this subsection (1), provided that the transfer amount to a single
20 project does not exceed two hundred fifty thousand dollars or ten
21 percent of the total project per biennium, whichever is less. These
22 transfers must be reported quarterly to the director of the office of
23 financial management and the chairs of the house of representatives
24 and senate transportation committees.
- 25 (2) The department of transportation must submit quarterly all
26 transfers authorized under this section in the transportation
27 executive information system. The office of financial management must
28 maintain a legislative baseline project list identified in the LEAP
29 transportation documents referenced in this act, and update that
30 project list with all authorized transfers under this section,
31 including any effects to the total project budgets and schedules
32 beyond the current biennium.
- 33 (3) At the time the department submits a request to transfer
34 funds under this section, a copy of the request must be submitted to
35 the chairs and ranking members of the transportation committees of
36 the legislature.
- 37 (4) Before approval, the office of financial management shall
38 work with legislative staff of the house of representatives and
39 senate transportation committees to review the requested transfers in

1 a timely manner and address any concerns raised by the chairs and
2 ranking members of the transportation committees.

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

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

12 (7)(a) If the department of transportation receives federal
13 funding not appropriated in this act, the department shall apply such
14 funds to any of the following activities in lieu of state funds, if
15 compliant with federal funding restrictions, and in the order that
16 most reduces administrative burden and minimizes the use of bond
17 proceeds:

18 (i) Projects on LEAP Transportation Document ((~~2021-2~~)) 2022-2
19 ALL PROJECTS as developed ((~~April 23, 2021~~)) February 20, 2022; or

20 (ii) Other department of transportation operating or capital
21 expenditures funded by appropriations from state accounts in this
22 act.

23 (b) However, if the funds received may not be used for any of the
24 purposes enumerated in this section and must be obligated before the
25 next regular legislative session, then the department may program the
26 funds for other transportation-related activities, provided that
27 these actions do not initiate any new programs, policies, or
28 expenditure levels requiring additional one-time or ongoing state
29 funds that have not been expressly authorized by the legislature. The
30 department shall follow the existing unanticipated receipt process to
31 notify the legislative standing committees on transportation and the
32 office of financial management of the amount of federal funds
33 received in addition to those appropriated in this act and the
34 projects or activities receiving funding through this process.

35 **Sec. 602.** 2021 c 333 s 606 (uncodified) is amended to read as
36 follows:

37 **TRANSIT, BICYCLE, AND PEDESTRIAN ELEMENTS REPORTING**

38 (1) By November 15th of each year, the department of
39 transportation must report on amounts expended to benefit transit,

1 bicycle, or pedestrian elements within all connecting Washington
2 projects in programs I, P, and Z identified in LEAP Transportation
3 Document ((2021-2)) 2022-2 ALL PROJECTS as developed ((April-23,
4 2021)) February 20, 2022. The report must address each modal category
5 separately and identify if eighteenth amendment protected funds have
6 been used and, if not, the source of funding.

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

11 NEW SECTION. Sec. 603. A new section is added to 2021 c 333
12 (uncodified) to read as follows:

13 **INFRASTRUCTURE INVESTMENT AND JOBS ACT FUNDS ALLOCATIONS**

14 The legislature acknowledges that the manner in which the
15 allocation of formula program funding from federal funding
16 authorization acts between the state and local governments has been
17 determined in the past by work groups composed of a number of
18 stakeholders to advise the governor and the legislature. It is the
19 intent of the legislature that a similar process be undertaken for
20 the allocation of formula program funds from the infrastructure
21 investment and jobs act for federal fiscal years after 2023, as
22 provided in section 204(13) of this act. For the purposes of federal
23 fiscal year 2023 and for the purposes of ensuring the efficient and
24 timely obligation of federal funds, the legislature finds that a
25 schedule of formula program allocations be applied, as provided in
26 this section, based on a modification of the allocation schedule
27 under the fixing America's surface transportation act.

28 (1) Amounts received by the state of Washington from the federal
29 infrastructure investment and jobs act for federal fiscal year 2023
30 are assumed to be allocated in the following manner:

31 (a) Eighty-seven percent of national highway performance program
32 funds is allocated to the state and 13 percent is allocated to local
33 governments;

34 (b) Thirty percent of highway safety improvement grants is
35 allocated to the state and 70 percent is allocated to local
36 governments;

37 (c) One hundred percent of national highway freight program funds
38 is allocated to the state;

1 (d) One hundred percent of statewide planning & research funds is
2 allocated to the state;

3 (e) Eighty-five percent of bridge replacement program funds is
4 allocated to the state and 15 percent is allocated to local
5 governments;

6 (f) Thirty-five percent of carbon reduction program funds is
7 allocated to the state and 65 percent is allocated to local
8 governments;

9 (g) One hundred percent of national vehicle electric funds is
10 allocated to the state; and

11 (h) One hundred percent of promoting resilient operations for
12 transformative, efficient, and cost-saving transportation grant
13 program funds is allocated to the state.

14 (2) Additionally, amounts received by the state of Washington
15 from the federal infrastructure investment and jobs act for federal
16 fiscal year 2023 for the surface transportation block grant
17 subprograms are assumed to be allocated in the following manner:

18 (a) One hundred percent of the surface transportation block
19 grant program amounts for off-system bridges is allocated to local
20 governments;

21 (b) One hundred percent of the surface transportation block
22 bridge grant program amounts for distribution based on population is
23 allocated to local governments;

24 (c) Eighty-six percent of the surface transportation block grant
25 program amounts for distribution to any area of the state is
26 allocated to the state and 14 percent is allocated to local
27 governments.

(End of part)

1 **MISCELLANEOUS 2021-2023 FISCAL BIENNIUM**

2 **Sec. 701.** 2021 c 333 s 701 (uncodified) is amended to read as
3 follows:

4 **INFORMATION TECHNOLOGY OVERSIGHT**

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

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

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

32 (i) Fund sources;

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

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

37 (iv) Object and subobject codes of expenditures;

38 (v) Anticipated deliverables;

39 (vi) Historical budget and expenditure detail by fiscal year; and

1 (vii) Maintenance and operations costs by fiscal year for at
2 least five years as a separate worksheet.

3 (c) If a project technology budget changes and a revised
4 technology budget is completed, a comparison of the revised
5 technology budget to the last approved technology budget must be
6 posted to the dashboard, to include a narrative rationale on what
7 changed, why, and how that impacts the project in scope, budget, and
8 schedule.

9 (3) (a) Each project must have an investment plan that includes:

10 (i) An organizational chart of the project management team that
11 identifies team members and their roles and responsibilities;

12 (ii) The office of the chief information officer staff assigned
13 to the project;

14 (iii) An implementation schedule covering activities, critical
15 milestones, and deliverables at each stage of the project for the
16 life of the project at each agency affected by the project;

17 (iv) Performance measures used to determine that the project is
18 on time, within budget, and meeting expectations for quality of work
19 product;

20 (v) Ongoing maintenance and operations cost of the project post
21 implementation and close out delineated by agency staffing,
22 contracted staffing, and service level agreements; and

23 (vi) Financial budget coding to include at least discrete
24 financial coding for the project.

25 (4) Projects with estimated costs greater than \$100,000,000 from
26 initiation to completion and implementation may be divided into
27 discrete subprojects as determined by the office of the state chief
28 information officer. Each subproject must have a technology budget
29 and investment plan as provided in this section.

30 (5) (a) The office of the chief information officer shall maintain
31 an information technology project dashboard that provides updated
32 information each fiscal month on projects subject to this section.
33 This includes, at least:

34 (i) Project changes each fiscal month;

35 (ii) Noting if the project has a completed market requirements
36 document, and when it was completed;

37 (iii) Financial status of information technology projects under
38 oversight;

39 (iv) Coordination with agencies;

40 (v) Monthly quality assurance reports, if applicable;

1 (vi) Monthly office of the chief information officer status
2 reports;

3 (vii) Historical project budget and expenditures through fiscal
4 year 2021;

5 (viii) Budget and expenditures each fiscal month;

6 (ix) Estimated annual maintenance and operations costs by fiscal
7 year; and

8 (x) Posting monthly project status assessments on scope,
9 schedule, budget, and overall by the:

10 (A) Office of the chief information officer;

11 (B) Agency project team; and

12 (C) Quality assurance vendor, if applicable to the project.

13 (b) The dashboard must retain a roll up of the entire project
14 cost, including all subprojects, that can display subproject detail.
15 This includes coalition projects that are active.

16 (6) If the project affects more than one agency:

17 (a) A separate technology budget and investment plan must be
18 prepared for each agency; and

19 (b) The dashboard must contain a statewide project technology
20 budget roll up that includes each affected agency at the subproject
21 level.

22 (7) For any project that exceeds \$2,000,000 in total funds to
23 complete, requires more than one biennium to complete, or is financed
24 through financial contracts, bonds, or other indebtedness:

25 (a) Quality assurance for the project must report independently
26 to the office of the chief information officer;

27 (b) The office of the chief information officer must review, and,
28 if necessary, revise the proposed project to ensure it is flexible
29 and adaptable to advances in technology;

30 (c) The technology budget must specifically identify the uses of
31 any financing proceeds. No more than 30 percent of the financing
32 proceeds may be used for payroll-related costs for state employees
33 assigned to project management, installation, testing, or training;

34 (d) The agency must consult with the office of the state
35 treasurer during the competitive procurement process to evaluate
36 early in the process whether products and services to be solicited
37 and the responsive bids from a solicitation may be financed; and

38 (e) The agency must consult with the contracting division of the
39 department of enterprise services for a review of all contracts and

1 agreements related to the project's information technology
2 procurements.

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

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

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

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

27 (a) For the Washington state patrol: Aerial criminal
28 investigation tools;

29 (b) For the department of licensing: Website accessibility and
30 usability; and

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

35 **Sec. 702.** 2021 c 333 s 702 (uncodified) is amended to read as
36 follows:

37 **ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS**

38 (1) The department of transportation is authorized, subject to
39 the conditions in section 305(2) (~~(of this act)~~), chapter 333, Laws

1 of 2021, to enter into a financing contract pursuant to chapter 39.94
2 RCW through the state treasurer's lease-purchase program for the
3 purposes indicated. The department may use any funds, appropriated or
4 nonappropriated, in not more than the principal amounts indicated,
5 plus financing expenses and required reserves, if any. Expenditures
6 made by the department of transportation for the indicated purposes
7 before the issue date of the authorized financing contract and any
8 certificates of participation therein may be reimbursed from proceeds
9 of the financing contract and any certificates of participation
10 therein to the extent provided in the agency's financing plan
11 approved by the state finance committee.

12 (2) Department of transportation: Enter into a financing contract
13 for up to \$32,500,000 plus financing expenses and required reserves
14 pursuant to chapter 39.94 RCW to renovate the existing office
15 building at 15700 Dayton Ave N, Shoreline. If the department of
16 transportation has entered into a financing agreement for the
17 purposes specified in this subsection prior to June 30, 2021, this
18 subsection has no force and effect.

19 **Sec. 703.** RCW 46.68.410 and 2010 c 161 s 812 are each amended to
20 read as follows:

21 (1) The vehicle identification number inspection fee collected
22 under RCW 46.17.130 must be distributed as follows:

23 ~~((1) Fifteen dollars))~~ (a) \$15 to the state patrol highway
24 account created in RCW 46.68.030; and

25 ~~((2) Fifty dollars))~~ (b) \$50 to the motor vehicle fund created
26 in RCW 46.68.070.

27 (2) During the 2021-2023 fiscal biennium, the entire vehicle
28 identification number inspection fee collected under RCW 46.17.130
29 must be distributed to the state patrol highway account created in
30 RCW 46.68.030.

31 **Sec. 704.** RCW 46.68.480 and 2020 c 224 s 2 are each amended to
32 read as follows:

33 The Cooper Jones active transportation safety account is created
34 in the state treasury. All receipts from penalties collected under
35 RCW 46.63.170(6)(e) shall be deposited into the account. Expenditures
36 from the account may be used only to fund grant projects or programs
37 for bicycle, pedestrian, and nonmotorist safety improvement
38 administered by the Washington traffic safety commission. For the

1 2021-2023 biennium, expenditures from the account may also be used to
2 fund grant projects or programs for bicycle, pedestrian, and
3 nonmotorist safety improvement administered by the Washington state
4 department of transportation. The account is subject to allotment
5 procedures under chapter 43.88 RCW. Moneys in the account may be
6 spent only after appropriation.

7 **Sec. 705.** RCW 47.12.063 and 2015 3rd sp.s. c 13 s 2 are each
8 amended to read as follows:

9 (1) It is the intent of the legislature to continue the
10 department's policy giving priority consideration to abutting
11 property owners in agricultural areas when disposing of property
12 through its surplus property program under this section.

13 (2) Whenever the department determines that any real property
14 owned by the state of Washington and under the jurisdiction of the
15 department is no longer required for transportation purposes and that
16 it is in the public interest to do so, the department may sell the
17 property or exchange it in full or part consideration for land or
18 building improvements or for construction of highway improvements at
19 fair market value to any person through the solicitation of written
20 bids through public advertising in the manner prescribed under RCW
21 47.28.050 or in the manner prescribed under RCW 47.12.283.

22 (3) The department may forego the processes prescribed by RCW
23 47.28.050 and 47.12.283 and sell the real property to any of the
24 following entities or persons at fair market value, except as
25 specified in subsection (9) of this section during the 2021-2023
26 fiscal biennium:

27 (a) Any other state agency;

28 (b) The city or county in which the property is situated;

29 (c) Any other municipal corporation;

30 (d) Regional transit authorities created under chapter 81.112
31 RCW;

32 (e) The former owner of the property from whom the state acquired
33 title;

34 (f) In the case of residentially improved property, a tenant of
35 the department who has resided thereon for not less than six months
36 and who is not delinquent in paying rent to the state;

37 (g) Any abutting private owner but only after each other abutting
38 private owner (if any), as shown in the records of the county
39 assessor, is notified in writing of the proposed sale. If more than

1 one abutting private owner requests in writing the right to purchase
2 the property within fifteen days after receiving notice of the
3 proposed sale, the property shall be sold at public auction in the
4 manner provided in RCW 47.12.283;

5 (h) To any other owner of real property required for
6 transportation purposes;

7 (i) In the case of property suitable for residential use, any
8 nonprofit organization dedicated to providing affordable housing to
9 very low-income, low-income, and moderate-income households as
10 defined in RCW 43.63A.510 and is eligible to receive assistance
11 through the Washington housing trust fund created in chapter 43.185
12 RCW; (~~to~~)

13 (j) During the 2021-2023 fiscal biennium, any nonprofit
14 organization that identifies real property to be sold or conveyed as
15 a substitute for real property owned by the nonprofit within the city
16 of Seattle to be redeveloped for the purpose of affordable housing;
17 or

18 (k) A federally recognized Indian tribe within whose reservation
19 boundary the property is located.

20 (4) When selling real property pursuant to RCW 47.12.283, the
21 department may withhold or withdraw the property from an auction when
22 requested by one of the entities or persons listed in subsection (3)
23 of this section and only after the receipt of a nonrefundable deposit
24 equal to (~~ten~~) 10 percent of the fair market value of the real
25 property or (~~five thousand dollars~~) \$5,000, whichever is less. This
26 subsection does not prohibit the department from exercising its
27 discretion to withhold or withdraw the real property from an auction
28 if the department determines that the property is no longer surplus
29 or chooses to sell the property through one of the other means listed
30 in subsection (2) of this section. If a transaction under this
31 subsection is not completed within (~~sixty~~) 60 days, the real
32 property must be put back up for sale.

33 (5) Sales to purchasers may, at the department's option, be for
34 cash, by real estate contract, or exchange of land or highway
35 improvements. Transactions involving the construction of improvements
36 must be conducted pursuant to chapter 47.28 RCW and Title 39 RCW, as
37 applicable, and must comply with all other applicable laws and rules.

38 (6) Conveyances made pursuant to this section shall be by deed
39 executed by the secretary of transportation and shall be duly
40 acknowledged.

1 (7) Unless otherwise provided, all moneys received pursuant to
2 the provisions of this section less any real estate broker
3 commissions paid pursuant to RCW 47.12.320 shall be deposited in the
4 motor vehicle fund.

5 (8) The department may not enter into equal value exchanges or
6 property acquisitions for building improvements without first
7 consulting with the office of financial management and the joint
8 transportation committee.

9 (9) During the 2021-2023 fiscal biennium, the department may sell
10 or convey surplus property at less than its fair market value when
11 the department finds that it is in the public interest to do so
12 because:

13 (a) The surplus property will be used as a substitute for
14 property to be redeveloped to provide the public benefit of
15 affordable housing; and

16 (b) The development of affordable housing on that property would
17 not otherwise be adequately compensated.

18 **Sec. 706.** RCW 46.01.385 and 2021 c 32 s 2 are each amended to
19 read as follows:

20 The agency financial transaction account is created in the state
21 treasury. Receipts directed by law to the account from cost recovery
22 charges for credit card and other financial transaction fees must be
23 deposited into the account. Moneys in the account may be spent only
24 after appropriation. Expenditures from the account may be used only
25 for paying credit card and financial transaction fees, and other
26 related costs incurred by state agencies. During the 2021-2023 fiscal
27 biennium, expenditures from the account may also be used for
28 additional information technology costs related to supporting the
29 department of licensing operations and addressing staffing shortages.

(End of part)

1 **MISCELLANEOUS**

2 NEW SECTION. **Sec. 801.** If any provision of this act or its
3 application to any person or circumstance is held invalid, the
4 remainder of the act or the application of the provision to other
5 persons or circumstances is not affected.

6 NEW SECTION. **Sec. 802.** This act is necessary for the immediate
7 preservation of the public peace, health, or safety, or support of
8 the state government and its existing public institutions, and takes
9 effect immediately.

(End of part)

(End of Bill)

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