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Brief Description: Making transportation appropriations for 2001-03.

Page and line numbering may vary depending on the printer used.

ELECTRONIC TRANSMITTAL

AN ACT Relating to transportation funding and appropriations; amending RCW 47.04.210 and 47.04.220; creating new sections; making appropriations; authorizing expenditures for capital improvements; and declaring an emergency.

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

NEW SECTION. **Sec. 1.** (1) The transportation budget of the state is hereby adopted and, subject to the provisions hereinafter set forth, the several amounts hereinafter specified, or as much thereof as may be necessary to accomplish the purposes designated, are hereby appropriated from the several accounts and funds hereinafter named to the designated state agencies and offices for employee compensation and other expenses, for capital projects, and for other specified purposes, including the payment of any final judgments arising out of such activities, for the period ending June 30, 2003.

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

(a) "Fiscal year 2002" or "FY 2002" means the fiscal year ending June 30, 2002.

(b) "Fiscal year 2003" or "FY 2003" means the fiscal year ending June 30, 2003.

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

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

(e) "Provided solely" means the specified amount may be spent only for the specified purpose.

(f) "Enacted in the form passed by the legislature" means the referenced bill, as identified by a four-digit number, was:

(i) Enacted either with no provisions vetoed by the governor or with only ministerial or de minimus changes resulting from a partial veto; or

(ii) Attached in full onto another bill as an amendment and the entire bill, including the amendment, was passed by the legislature and is enacted either with no provisions vetoed by the governor or with only ministerial or de minimus changes resulting from a partial veto.

PART I

GENERAL GOVERNMENT AGENCIES--OPERATING

NEW SECTION. **Sec. 101. FOR THE DEPARTMENT OF AGRICULTURE**

Motor Vehicle Account--State Appropriation \$ 305,000

The appropriation in this section is subject to the following conditions and limitations and specified amounts are provided solely for that activity:

The entire appropriation is provided solely for costs associated with the motor fuel quality program.

NEW SECTION. **Sec. 102. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM**

Motor Vehicle Account--State Appropriation \$ 641,000

NEW SECTION. **Sec. 103. FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

Grade Crossing Protective Account--State
Appropriation \$ 126,000

The appropriation in this section is subject to the following conditions and limitations and specified amounts are provided solely for that activity: The utilities and transportation commission shall develop a competitive rail grade crossing safety grant program which will fully fund selected safety projects to the extent allowable under chapter 81.53 RCW.

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

Motor Vehicle Account--State Appropriation \$ 819,000

The appropriation in this section is provided solely for road maintenance purposes.

NEW SECTION. **Sec. 105. FOR THE OFFICE OF THE STATE AUDITOR**

Motor Vehicle Account--State Appropriation \$ 126,000

The appropriation in this section is subject to the following conditions and limitations and specified amounts are provided solely for that activity: The appropriation is a one-time appropriation for the development of the local government finance project.

GENERAL GOVERNMENT AGENCIES--CAPITAL

NEW SECTION. **Sec. 106. FOR WASHINGTON STATE PARKS AND RECREATION--CAPITAL PROJECTS**

Motor Vehicle Account--State Appropriation \$ 763,000

The motor vehicle account--state appropriation is a one-time reappropriation and is provided solely for the projects specified in

this section. Any of the appropriations not expended by June 30, 2003, shall revert to the motor vehicle account--state.

(1) \$367,000 is provided solely for the Cama beach - Damon point project;

(2) \$56,000 is provided solely for the Ike Kinswa park study;

(3) \$250,000 is provided solely for the Beacon Rock state park entrance;

(4) \$90,000 is provided solely for Cama beach state park entrance.

(End of part)

(3) The traffic safety commission shall use the following guidelines to administer the program:

(a) Traffic safety cameras may take pictures of the vehicle and vehicle license plate only;

(b) The law enforcement agency of the city or county government shall plainly mark the locations where the automated traffic enforcement system is used by placing signs on street locations that clearly indicate to a driver that he or she is entering a zone where traffic laws are enforced by an automated traffic enforcement system;

(c) Cities and counties using traffic safety cameras must provide periodic notice by mail to its citizens indicating the zones in which the traffic safety cameras will be used;

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

(e) The owner of the vehicle is not responsible for the violation if the owner of the vehicle, within fifteen days after notification of the violation, furnishes the officials or agents of the municipality that issued the citation with:

(i) An affidavit made under oath, stating that the vehicle involved was, at the time, stolen or in the care, custody, or control of some person other than the registered owner; or

(ii) Testimony in open court under oath that the person was not the operator of the vehicle at the time of the alleged violation;

(f) Infractions detected through the use of traffic safety cameras are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120; and

(g) By January 1, 2003, the traffic safety commission shall provide a report to the legislature regarding the use, public acceptance, outcomes, and other relevant issues regarding traffic safety cameras demonstrated by the pilot projects.

NEW SECTION. **Sec. 202. FOR THE BOARD OF PILOTAGE COMMISSIONERS**
Pilotage Account--State Appropriation \$ 306,000

NEW SECTION. **Sec. 205. FOR THE LEGISLATIVE TRANSPORTATION
COMMITTEE**

Motor Vehicle Account--State Appropriation . . . \$ 3,746,000

The appropriation in this section is subject to the following conditions and limitations and specified amounts are provided solely for that activity:

(1) \$2,823,000 of the motor vehicle account--state appropriation is provided solely for the house of representatives transportation committee.

(2) The house of representatives transportation committee shall conduct a study of the use of motorized scooters. The study shall, at a minimum, identify and analyze the safety issues associated with use of motorized scooters, including use by children, commuters, and the disabled. House of representatives transportation committee cochairs shall each appoint one member from their respective caucus to serve as cochair of the study group. The chair of the senate transportation committee may also appoint two members from the senate transportation committee, one from each caucus, to participate in the study. The study shall be staffed by house of representatives transportation committee staff. The study group shall report back to the house of representatives transportation committee by January 1, 2002.

(3) The house of representatives transportation committee shall conduct a study of the effect of the weight of fire-fighting apparatus on state roadways. The study shall determine, at a minimum, the various types of fire-fighting apparatus currently in use on state roadways; the size, weight and load effect of fire-fighting apparatus that are currently in use or that potentially could be in use on the state roadways, as well as on state bridges; and the effect on public safety. The study may examine state and federal laws that affect fire-fighting apparatuses. House of representatives transportation committee cochairs shall each appoint one member from their respective caucus to serve as cochair of the study group. The study shall be staffed by house of representatives

transportation committee staff. The study group will report back to the house of representatives transportation committee by January 1, 2002.

(4) The legislative transportation committee shall contract with an outside consulting firm to conduct a study on the preservation, replacement, or supplementation of the Eagle Harbor maintenance facility. The study must analyze: (a) The costs and benefits to preserve and maintain or relocate the facility; (b) the impact of Eagle Harbor employment on the local community and Kitsap county; and (c) a recommendation on future investment in the Eagle Harbor maintenance facility or possible alternatives. The contractor must report back to the legislature's transportation committees no later than December 10, 2001.

(5) The legislative transportation committee, in cooperation with an areawide transportation system or systems, shall undertake an evaluation of providing locally sponsored transit services in a local community supplemental to those services provided by an areawide system. The evaluation shall address:

(a) The costs and benefits of providing such services;

(b) The impact of such service on ridership on the areawide system and on any regional systems;

(c) Funding options for supplemental services; and

(d) Institutional arrangements affecting the institution of supplemental services.

The committee shall work with the department of transportation, areawide transit providers, community officials, private businesses, labor organizations, and others as appropriate in conducting the evaluation, and in developing a pilot project if feasible. The committee shall provide an interim progress report to the legislature by January 2002. The committee shall report its findings to the legislature not later than December 1, 2002.

NEW SECTION. Sec. 206. FOR THE MARINE EMPLOYEES COMMISSION

Puget Sound Ferry Operations Account--State

Appropriation \$ 332,000

NEW SECTION. **Sec. 207. FOR THE TRANSPORTATION COMMISSION**

Motor Vehicle Account--State Appropriation . . . \$ 773,000

NEW SECTION. **Sec. 208. FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**

Motor Vehicle Account--State Appropriation . . . \$ 728,000

The appropriation in this section is subject to the following conditions and limitations and specified amounts are provided solely for that activity: \$100,000 of the motor vehicle account--state appropriation is provided solely for a comprehensive, long-term, statewide freight needs analysis. These funds represent 20 percent of the biennial cost and shall lapse if the additional 80 percent funding is not secured from partners.

NEW SECTION. **Sec. 209. FOR THE WASHINGTON STATE PATROL--FIELD OPERATIONS BUREAU**

State Patrol Highway Account--State
Appropriation \$ 161,872,000
State Patrol Highway Account--Federal
Appropriation \$ 7,084,000
State Patrol Highway Account--Private/Local
Appropriation \$ 169,000
TOTAL APPROPRIATION \$ 169,125,000

The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for the activities of the field operations bureau:

(1) As a result of the elimination of the vehicle inspection number (VIN) program, no permanent Washington state patrol employee shall be displaced from employment without the opportunity to fill a vacant patrol position for which he or she has a preference and meets the minimum qualifications. For the purpose of the VIN program elimination, the guidelines under chapter 356-26 WAC

(Registers-Certifications) shall be suspended for those employees holding the classification of VIN 1 or 2.

(2) To the extent possible, the agency shall transfer displaced VIN personnel into the 20 newly created school bus inspection and motor carrier safety assistance program positions. The agency shall fill existing vacant positions within the commercial vehicle division with displaced VIN personnel. The agency shall report by December 31, 2001, to the senate and house of representatives transportation committees on efforts to relocate displaced VIN personnel.

NEW SECTION. Sec. 210. FOR THE WASHINGTON STATE PATROL--SUPPORT SERVICES BUREAU

State Patrol Highway Account--State		
Appropriation	\$	71,175,000
State Patrol Highway Account--Private/Local		
Appropriation	\$	735,000
TOTAL APPROPRIATION	\$	71,910,000

The appropriations in this section are subject to the following conditions and limitations: \$40,000 of the state patrol highway account--state appropriation is provided solely for the development of a uniform impound authorization and inventory form as provided for in RCW 46.55.075. All law enforcement agencies must use this form for all vehicle impounds after June 30, 2001.

NEW SECTION. Sec. 211. FOR THE DEPARTMENT OF LICENSING--MANAGEMENT AND SUPPORT SERVICES

Marine Fuel Tax Refund Account--State		
Appropriation	\$	7,000
Motorcycle Safety Education Account--State		
Appropriation	\$	114,000
Wildlife Account--State Appropriation	\$	89,000
Highway Safety Account--State Appropriation ...	\$	7,912,000
Motor Vehicle Account--State Appropriation	\$	4,348,000

TOTAL APPROPRIATION \$ 12,470,000

The appropriations in this section are subject to the following conditions and limitations: \$58,000 of the motor vehicle account--state appropriation is provided solely for the implementation of House Bill No. 2029, as enacted in the form passed by the legislature. If House Bill No. 2029 is not enacted in the form passed by the legislature by June 30, 2001, this amount shall lapse.

NEW SECTION. Sec. 212. FOR THE DEPARTMENT OF LICENSING-- INFORMATION SYSTEMS

Marine Fuel Tax Refund Account--State

Appropriation	\$	2,000
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Motorcycle Safety Education Account--State

Appropriation	\$	51,000
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Wildlife Account--State Appropriation

	\$	35,000
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Highway Safety Account--State Appropriation ...

	\$	5,867,000
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Motor Vehicle Account--State Appropriation

	\$	3,522,000
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TOTAL APPROPRIATION

	\$	9,477,000
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The appropriations in this section are subject to the following conditions and limitations: \$33,000 of the motor vehicle account--state appropriation is provided solely for the implementation of House Bill No. 2029, as enacted in the form passed by the legislature. If House Bill No. 2029 is not enacted in the form passed by the legislature by June 30, 2001, this amount shall lapse.

NEW SECTION. Sec. 213. FOR THE DEPARTMENT OF LICENSING--VEHICLE SERVICES

Marine Fuel Tax Refund Account--State

Appropriation	\$	26,000
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Wildlife Account--State Appropriation

	\$	578,000
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Motor Vehicle Account--State Appropriation

	\$	57,299,000
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Licensing Service Account--State

Appropriation	\$	3,538,000
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TOTAL APPROPRIATION

	\$	61,441,000
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Aeronautics Account--State Appropriation	\$
4,852,000	
Aircraft Search and Rescue Safety and	
Education Account--State Appropriation\$	160,000
TOTAL APPROPRIATION \$	5,012,000

NEW SECTION. Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION--
IMPROVEMENTS--PROGRAM I

Motor Vehicle Account--State Appropriation\$	462,161,000
Motor Vehicle Account--Federal Appropriation ...\$	230,360,000
Motor Vehicle Account--Private/Local	
Appropriation \$	38,491,000
Special Category C Account--State	
Appropriation \$	61,000,000
Multimodal Transportation Account--State	
Appropriation \$	4,880,000
TOTAL APPROPRIATION \$	796,892,000

The appropriations in this section are provided for the location, design, right of way acquisition, or construction of state highway projects designated as improvements under RCW 47.05.030. The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for that activity:

(1) The special category C account--state appropriation of \$61,000,000 includes \$56,500,000 in proceeds from the sale of bonds authorized by RCW 47.10.812. The transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

(2) The department shall report December 1st and June 1st of each year to the transportation committees of the legislature and the office of financial management on the timing and the scope of work being performed for the regional transit authority known as sound transit. This report shall provide a description of all department

activities related to the regional transit authority including investments in state-owned infrastructure.

(3) The motor vehicle account--federal appropriation in this section is transferrable to the multimodal transportation account to ensure efficient funds management and program delivery.

(4) The motor vehicle account--state appropriation includes \$378,952,000 in proceeds from the sale of bonds authorized by RCW 47.10.843. The transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

(5) The department, in delivering the highway construction program, shall, to the extent possible, maximize the use of temporary and overtime full time equivalent positions and, where appropriate, seasonal employees. The department shall report quarterly on program delivery and related workforce adjustments.

(6) Savings generated from the application of new project delivery tools and efficiencies shall be reinvested into high priority construction activities. These savings shall be documented with savings from other programs and reported to the office of financial management and the transportation committees of the legislature.

(7) The motor vehicle account--state appropriation includes \$3,898,000 in unexpended proceeds from the January 2001 bond sale authorized in RCW 47.10.834.

(8) \$2,500,000 of the motor vehicle account--state appropriation is provided solely for the predesign of the northeast 44th street interchange on I-405. The amount represents one-third of the biennial cost and shall be spent equally with funds provided by the city of Renton and the developer.

**NEW SECTION. Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION--
TRANSPORTATION ECONOMIC PARTNERSHIPS--PROGRAM K--OPERATING**
Motor Vehicle Account--State Appropriation . . . \$ 1,153,000

The appropriations in this section are subject to the following conditions and limitations and the specified amount is provided solely for that activity:

(1) The motor vehicle account--state appropriation includes funds distributed under RCW 46.68.110(2). \$500,000 of these funds are to be used solely by the department of transportation to collect and enter collision reports into the statewide collision reporting system for local roadway planning and safety analysis.

(2) The motor vehicle account--state appropriation includes funds distributed under RCW 46.68.110(2). \$500,000 of these funds are provided solely to the department of transportation for the Washington strategic freight transportation analysis. The department shall work with the transportation research center to conduct an origin and destination study to determine the impacts of trade-related truck traffic and other truck impacts on the highway system. The department may also conduct other research elements, including, but not limited to, freight corridor identification, strategic resource access, and road network review.

NEW SECTION. Sec. 226. FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--PROGRAM U

(1) FOR PAYMENT OF DEPARTMENT OF GENERAL ADMINISTRATION OFFICE OF RISK MANAGEMENT FEES

Motor Vehicle Account--State Appropriation	\$	464,000
Puget Sound Ferry Operations Account--State Appropriation	\$	154,000
TOTAL APPROPRIATION	\$	618,000

(2) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE AUDITOR

Motor Vehicle Account--State Appropriation	\$	731,000
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(3) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL ADMINISTRATION FACILITIES AND SERVICES AND CONSOLIDATED MAIL SERVICES

Motor Vehicle Account--State Appropriation	\$	4,128,000
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(4) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF PERSONNEL

Motor Vehicle Account--State Appropriation . . . \$ 2,240,000

(5) FOR PAYMENT OF SELF-INSURANCE LIABILITY PREMIUMS AND ADMINISTRATION

Motor Vehicle Account--State Appropriation . . . \$ 13,892,000

Puget Sound Ferry Operations Account--State Appropriation \$ 4,204,000

TOTAL APPROPRIATION \$ 18,096,000

(6) FOR PAYMENT OF COSTS OF OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

Motor Vehicle Account--State Appropriation . . . \$ 278,000

(7) FOR PAYMENT OF THE DEPARTMENT OF GENERAL ADMINISTRATION CAPITAL PROJECTS SURCHARGE

Motor Vehicle Account--State Appropriation . . . \$ 1,547,000

(8) FOR ARCHIVES AND RECORDS MANAGEMENT

Motor Vehicle Account--State Appropriation . . . \$ 469,000

NEW SECTION. **Sec. 227. FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM V**

Multimodal Transportation Account--State Appropriation \$ 11,160,000

Multimodal Transportation Account--Federal Appropriation \$ 3,074,000

Multimodal Transportation Account--Private/Local Appropriation \$ 205,000

TOTAL APPROPRIATION \$ 14,439,000

NEW SECTION. **Sec. 228. FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES CONSTRUCTION--PROGRAM W**

Motor Vehicle Account--State Appropriation . . . \$ 142,630,000

Motor Vehicle Account--Federal Appropriation . . . \$ 37,472,000

Passenger Ferry Account--State Appropriation . . . \$ 1,500,000

Passenger Ferry Account--Federal Appropriation \$ 4,000,000

TOTAL APPROPRIATION \$ 185,602,000

The appropriations in this section are provided for improving the Washington state ferry system, including, but not limited to, vessel acquisition, vessel construction, major and minor vessel improvements, and terminal construction and improvements. The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for that activity:

(1) The motor vehicle account--state appropriation includes \$50,000,000 in proceeds from the sale of bonds authorized by RCW 47.10.843. The transportation commission may authorize the use of current revenues available to the motor vehicle account in lieu of bond proceeds for any part of the state appropriation.

(2) \$150,000 of the motor vehicle account--state appropriation is provided solely for a feasibility study of potential for economic partnerships between the Washington state ferries and local government entities, including but not limited to port districts. The study shall, at a minimum, identify the market, physical, and economic factors that should be examined in determining whether an economic or commercial development partnership project on or around Washington state ferry terminals is likely to produce revenue for the partners. The study shall apply those factors to an analysis of each terminal used by Washington state ferries and recommend whether further exploration of state and local partnerships would be of potential economic benefit to the partners. The entity selected to perform the study through the request for proposals process will report back to the transportation committees of the legislature by December 1, 2001.

(3) Appropriations in this section include funding for the purchase or lease-purchase of one passenger ferry and assume the proceeds of the sale of the MV Kalama and MV Skagit passenger ferries shall be deposited in the passenger ferry account.

NEW SECTION. **Sec. 229. FOR THE DEPARTMENT OF TRANSPORTATION--
MARINE--PROGRAM X**

Puget Sound Ferry Operations Account--State

Appropriation\$ 321,673,000

The appropriation in this section is subject to the following conditions and limitations and specified amounts are provided solely for that activity:

(1) The appropriation is based on the budgeted expenditure of \$46,881,000 for vessel operating fuel in the 2001-2003 biennium. If the actual cost of fuel is less than this budgeted amount, the excess amount may not be expended. If the actual cost exceeds this amount, the department shall request a supplemental appropriation.

(2) The appropriation provides for the compensation of ferry employees. The expenditures for compensation paid to ferry employees during the 2001-2003 biennium may not exceed \$206,696,000 plus a dollar amount, as prescribed by the office of financial management, that is equal to any insurance benefit increase granted general government employees in excess of \$432.82 a month annualized per eligible marine employee multiplied by the number of eligible marine employees for the respective fiscal year, a dollar amount as prescribed by the office of financial management for costs associated with pension amortization charges, and a dollar amount prescribed by the office of financial management for salary increases during the 2001-2003 biennium. For the purposes of this section, the expenditures for compensation paid to ferry employees shall be limited to salaries and wages and employee benefits as defined in the office of financial management's policies, regulations, and procedures named under objects of expenditure "A" and "B" (7.2.6.2).

The prescribed salary and insurance benefit increase or decrease dollar amount that shall be allocated from the governor's compensation appropriations is in addition to the appropriation contained in this section and may be used to increase or decrease

compensation costs, effective July 1, 2001, and thereafter, as established in the 2001-2003 general fund operating budget.

(3) The department shall issue a request for information from entities interested in purchasing advertising on board Washington state ferry vessels. The department shall evaluate the proposals and report back to the legislature's transportation committees in January 2002 regarding the potential for revenue from different types of advertising.

(4) The department may enter into contracts with private vendors to sell ferry tickets and medium at locations other than Washington state ferry terminals or facilities.

(a) The department may enter into the contracts only (i) with private vendors that are already established businesses offering goods for sale to the general public; and (ii) if it determines that the vendor's established location has the potential to serve a significant percentage of the customers using a particular ferry route.

(b) The department may adopt necessary rules and procedures to allow the use of credit and debit cards to purchase ferry tickets or medium from a private vendor who has contracted with the department to sell ferry tickets or medium. The department may establish a convenience fee to be paid by all persons purchasing ferry tickets and medium at locations other than Washington state ferry terminals or facilities. The convenience fee must be sufficient to offset the charges imposed on the department by the credit and debit card companies. In no event may the use of credit or debit cards authorized by this section create a loss of revenue to the state. The use of a personal credit card does not rely upon the credit of the state as prohibited by Article VIII, section 5 of the state Constitution.

NEW SECTION. Sec. 230. FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING

Multimodal Transportation Account--State

Appropriation \$ 32,704,000

NEW SECTION. **Sec. 231. FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--CAPITAL**

Essential Rail Assistance Account--State		
Appropriation	\$	200,000
Multimodal Transportation Account--State		
Appropriation	\$	12,783,000
Multimodal Transportation Account--Federal		
Appropriation	\$	9,630,000
TOTAL APPROPRIATION	\$	22,613,000

NEW SECTION. **Sec. 232. FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--OPERATING**

Motor Vehicle Account--State Appropriation	\$	5,868,000
Motor Vehicle Account--Federal Appropriation	\$	2,569,000
TOTAL APPROPRIATION	\$	8,437,000

The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for that activity: \$250,000 of the motor vehicle account--state appropriation is provided solely for a study of concurrency issues in urban areas marked by multiple contiguous jurisdictions. The study, lead by the city of Bellevue, will focus on the jurisdictions of Bellevue, Kirkland, Issaquah, and Redmond and will look at existing and unused methodologies for including development in neighboring jurisdictions in concurrency calculations. The study will also investigate what changes in state and local laws are needed in order to provide a more effective way of dealing with concurrency issues. By November 1, 2003, a report of the findings will be made to the transportation committees of the legislature.

NEW SECTION. **Sec. 233. FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--CAPITAL**

Motor Vehicle Account--State Appropriation	\$	77,371,000
Highway Infrastructure Account--State		

Appropriation	\$	234,000
Highway Infrastructure Account--Federal		
Appropriation	\$	1,500,000
Urban Arterial Trust Account--State		
Appropriation	\$	4,674,000
Multimodal Transportation Account--State		
Appropriation	\$	10,150,000
TOTAL APPROPRIATION	\$	93,929,000

The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for that activity:

(1) The motor vehicle account--state appropriation includes \$12,000,000 in proceeds from the sale of bonds authorized by RCW 47.10.843 in addition to \$16,420,000 in unexpended proceeds from the January 2001 bond sale. The transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

(2) \$4,159,000 of the motor vehicle account--state appropriation is provided solely for additional small city pavement preservation program grants, to be administered by the department's highways and local programs division.

(3) \$2,000,000 of the motor vehicle account--state appropriation is provided solely for additional traffic and pedestrian safety improvements near schools. The highways and local programs division within the department of transportation shall administer this program. Funds should be used for traffic and pedestrian improvements near schools, including roadway channelization and signalization.

(4) No federal enhancement funds may be disbursed for the east lake Sammamish trail until an interlocal agreement between King county and the cities of Sammamish, Redmond, and Issaquah has been finalized for the portions of the trail within each of these affected jurisdictions. These agreements shall address safety,

security, public parking, design, public facilities, and public access to the trail; maintain King county as the lead agency on the development of the trail; and preserve the railbanking status of the railroad right-of-way according to federal law.

(5) \$10,000,000 of the multimodal transportation account--state appropriation is provided solely to fund the first phase of a multiphase cooperative project with the state of Oregon to dredge the Columbia river. The department shall not expend the appropriation in this section unless agreement on ocean disposal sites has been reached which protects the state's commercial crab fishery. The amount provided in this subsection shall lapse unless the state of Oregon provides a matching appropriation to fund its share of the project.

(End of part)

(10) \$915,000 of the motor vehicle fund--state is provided for Plymouth port of entry weigh in motion.

(11) \$915,000 of the motor vehicle fund--state is provided for Everett South I-5 weigh in motion.

(12) \$978,000 of the motor vehicle fund--state is provided for Cle Elum East I-90 weigh in motion.

NEW SECTION. **Sec. 302. FOR THE DEPARTMENT OF TRANSPORTATION--
PROGRAM D (DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)--CAPITAL**
Motor Vehicle Account--State Appropriation . . . \$ 13,046,000

(End of part)

PART IV
TRANSFERS AND DISTRIBUTIONS

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

Highway Bond Retirement Account Appropriation ...		\$
203,785,000		
Ferry Bond Retirement Account Appropriation ...	\$	62,720,000
Transportation Improvement Board Bond Retirement Account--State Appropriation	\$	40,856,000
Motor Vehicle Account--State Appropriation	\$	4,498,000
Special Category C Account--State Appropriation	\$	565,000
Transportation Improvement Account--State Appropriation	\$	473,000
TOTAL APPROPRIATION	\$	312,897,000

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

Motor Vehicle Account Appropriation		\$
444,000		
Special Category C Account Appropriation		\$
92,000		
Transportation Improvement Account Appropriation	\$	136,000
TOTAL APPROPRIATION	\$	672,000

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

indebtedness, there is also appropriated such further amounts as may be required or available for these purposes under any statutory formula or under any proper bond covenant made under law.

NEW SECTION. **Sec. 406.** The department of transportation is authorized to undertake federal advance construction projects under the provisions of 23 U.S.C. Sec. 115 in order to maintain progress in meeting approved highway construction and preservation objectives. The legislature recognizes that the use of state funds may be required to temporarily fund expenditures of the federal appropriations for the highway construction and preservation programs for federal advance construction projects prior to conversion to federal funding.

NEW SECTION. **Sec. 407. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--TRANSFERS**

Motor Vehicle Fund--State Patrol Highway Account:

For transfer to the Department of Retirement
Systems Expense Fund \$ 211,000

NEW SECTION. **Sec. 408.** The department of transportation shall transfer all unexpended funds in the high capacity transportation account, the passenger ferry account, the public transportation systems account, and the transportation account on June 30, 2001, to the multimodal transportation account.

(End of part)

PART V

PROVISIONS NECESSARY TO IMPLEMENT APPROPRIATIONS

Sec. 501. RCW 47.04.210 and 1997 c 94 s 1 are each amended to read as follows:

Federal funds that are administered by the department of transportation and are passed through to municipal corporations or political subdivisions of the state and moneys that are received as total reimbursement for goods, services, or projects constructed by the department of transportation are removed from the transportation budget. To process and account for these expenditures a new treasury trust account is created to be used for all department of transportation one hundred percent federal and local reimbursable transportation expenditures. This new account is nonbudgeted and nonappropriated. At the same time, federal and private local appropriations and full-time equivalents in subprograms R2, R3, T6, Y6, and Z2 processed through this new account are removed from the department of transportation's 1997-99 budget.

The department of transportation may make expenditures from the account before receiving federal and local reimbursements. However, at the end of each biennium, the account must maintain a zero or positive cash balance. In the twenty-fourth month of each biennium the department of transportation shall calculate and transfer sufficient cash from either the motor vehicle fund or the multimodal transportation ((fund)) account to cover any negative cash balances.

The amount transferred is calculated based on expenditures from each fund. In addition, any interest charges accruing to the new account must be distributed to the motor vehicle fund and the multimodal transportation ((fund)) account.

The department of transportation shall provide an annual report to the legislative transportation committee and the office of financial management on expenditures and full-time equivalents

processed through the new account. The report must also include recommendations for process changes, if needed.

Sec. 502. RCW 47.04.220 and 1997 c 94 s 2 are each amended to read as follows:

(1) The miscellaneous transportation programs account is created in the custody of the state treasurer.

(2) Moneys from the account may be used only for the costs of:

(a) Miscellaneous transportation services provided by the department that are reimbursed by other public and private entities;

(b) Local transportation projects for which the department is a conduit for federal reimbursement to a municipal corporation or political subdivision; or

(c) Other reimbursable activities as recommended by the legislative transportation committee and approved by the office of financial management.

(3) Moneys received as reimbursement for expenditures under subsection (2) of this section must be deposited into the account.

(4) No appropriation is required for expenditures from this account. This fund is not subject to allotment procedures provided under chapter 43.88 RCW.

(5) Only the secretary of transportation or the secretary's designee may authorize expenditures from the account.

(6) It is the intent of the legislature that this account maintain a zero or positive cash balance at the end of each biennium. Toward this purpose the department may make expenditures from the account before receiving reimbursements under subsection (2) of this section. Before the end of the biennium, the department shall transfer sufficient cash to cover any negative cash balances from the motor vehicle fund and the multimodal transportation (~~(funds)~~) account to the miscellaneous transportation programs account for unrecovered reimbursements. The department shall calculate the distribution of this transfer based on expenditures. In the ensuing biennium the department shall transfer the reimbursements received in the miscellaneous transportation programs

account back to the motor vehicle fund and the multimodal transportation ((funds)) account to the extent of the cash transferred at biennium end. The department shall also distribute any interest charges accruing to the miscellaneous transportation programs account to the motor vehicle fund and the multimodal transportation ((funds)) account. Adjustments for any indirect cost recoveries may also be made at this time.

(7) The department shall provide an annual report to the legislative transportation committee and the office of financial management on the expenditures and full-time equivalents processed through the miscellaneous transportation programs account. The report must also include recommendations for changes to the process, if needed.

NEW SECTION. **Sec. 503.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 504.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

(End of part)

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