
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: S-4922.4/04 4th draft

ATTY/TYPIST: LL:ads

BRIEF DESCRIPTION: Making supplemental transportation appropriations.

1 AN ACT Relating to transportation funding and appropriations;
2 amending RCW 70.94.996; amending 2003 1st sp.s. c 26 ss 506, 507, and
3 508 (uncodified); amending 2003 c 360 ss 102, 202, 203, 204, 205, 206,
4 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 219, 220, 221,
5 222, 223, 224, 225, 226, 227, 301, 303, 305, 308, 310, 401, 402, 403,
6 404, 405, 406, and 407 (uncodified); adding new sections to 2003 c 360
7 (uncodified); and declaring an emergency.

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

9 **GENERAL GOVERNMENT AGENCIES--OPERATING**

10 **Sec. 101.** 2003 c 360 s 102 (uncodified) is amended to read as
11 follows:

12 **FOR THE MARINE EMPLOYEES COMMISSION**

13 Puget Sound Ferry Operations Account--State

14 Appropriation ((~~\$352,000~~))
15 \$365,000

16 NEW SECTION. **Sec. 102.** A new section is added to 2003 c 360
17 (uncodified) to read as follows:

1 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--INITIATIVE MEASURE NO. 776**

2 **COSTS**

3	Motor Vehicle Account--State Appropriation	\$1,200,000
4	Motor Vehicle Account--Local Appropriation	\$2,100,000
5	TOTAL APPROPRIATION	\$3,300,000

6 The appropriations in this section are subject to the following
7 conditions and limitations: \$1,200,000 of the motor vehicle account--
8 state appropriation and \$2,100,000 of the motor vehicle account--local
9 appropriation are provided solely for the administrative costs
10 associated with issuing refunds resulting from *Pierce County et al. v.*
11 *State of Washington et al.* (Supreme Court Cause No. 73607-3), upholding
12 the Initiative Measure No. 776. Funds may not be expended unless the
13 King county superior court issues a final order requiring the repayment
14 of fees collected.

15 **TRANSPORTATION AGENCIES--OPERATING**

16 **Sec. 201.** 2003 c 360 s 202 (uncodified) is amended to read as
17 follows:

18 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

19	Rural Arterial Trust Account--State Appropriation	\$769,000
20	Motor Vehicle Account--State Appropriation	(\$1,927,000)
21		<u>\$1,936,000</u>
22	County Arterial Preservation Account--State Appropriation . .	\$719,000
23	TOTAL APPROPRIATION	(\$3,415,000)
24		<u>\$3,424,000</u>

25 **Sec. 202.** 2003 c 360 s 203 (uncodified) is amended to read as
26 follows:

27 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

28	Urban Arterial Trust Account--State Appropriation . . .	(\$1,611,000)
29		<u>\$1,613,000</u>
30	Transportation Improvement Account--State	
31	Appropriation	(\$1,620,000)
32		<u>\$1,622,000</u>
33	TOTAL APPROPRIATION	(\$3,231,000)
34		<u>\$3,235,000</u>

1 legislature, five citizen members with transportation-related expertise
2 who shall be nominated by professional associations chosen by the
3 board's legislative members and appointed by the governor, the
4 legislative auditor as an ex officio member, and one at-large member
5 appointed by the governor. The citizen members may not currently, or
6 within one year of their appointment, be employed by the Washington
7 state department of transportation, and shall include:

8 (A) One member with expertise in construction project planning,
9 including permitting and assuring regulatory compliance;

10 (B) One member with expertise in construction means and methods and
11 construction management, crafting and implementing environmental
12 mitigation plans, and administration;

13 (C) One member with expertise in construction engineering services,
14 including construction management, materials testing, materials
15 documentation, contractor payments, inspection, surveying, and project
16 oversight;

17 (D) One member with expertise in project management, including
18 design estimating, contract packaging, and procurement; and

19 (E) One member with expertise in transportation planning and
20 congestion management.

21 (b) Within the amount provided in this subsection, the legislative
22 transportation committee shall consider contracting with the joint
23 legislative audit and review committee to conduct a targeted
24 performance audit of the Washington state patrol. For this performance
25 audit, the joint legislative audit and review committee shall put its
26 highest priority on the following topics: (i) An assessment of the
27 types and categories of services, including a contrast of public
28 highway policing and general policing services provided by the patrol,
29 and the organizational structures used to deliver these services; (ii)
30 an evaluation of the patrol's fiscal policies and procedures, including
31 a differentiation between transportation and general fund expenditures;
32 and (iii) an evaluation of the linkages among expenditures,
33 organizational structures, service delivery, accountability, and
34 outcomes. If a contract is entered into under this subsection (b), the
35 joint legislative audit and review committee shall provide a progress
36 report to the appropriate committees of the legislature by December 31,
37 2003, and a final report, including findings and recommendations, by
38 September 30, 2004.

1 (3) The legislative transportation committee shall develop a
2 mission and organizational plan during the 2003 legislative interim
3 that:

4 (a) Reconciles any newly-mandated responsibilities (such as
5 performance auditing and benchmarking) with current statutory
6 responsibilities;

7 (b) Develops a process for adopting interim work plans, including
8 identifying subcommittees of the legislative transportation committee,
9 special studies or activities to be undertaken (which may include a
10 study of administrative costs funded with commute trip reduction funds
11 and how administrative cost savings can be achieved), deliverables
12 and/or expected outcomes, and resources required to accomplish the work
13 plan;

14 (c) Develops a long-range staffing plan to fit any new statutory
15 requirements and a redefined mission and organizational plan; and

16 (d) Ensures that all basic legislative transportation committee
17 functions and the adopted interim work plan are appropriately funded.

18 (4) The legislative transportation committee shall study the
19 feasibility of requiring that proof of insurance be provided as a
20 condition of vehicle registration renewal. At a minimum the committee
21 shall consult representatives from the department of licensing, county
22 auditors, vehicle subagents, the insurance industry, and interested
23 citizens. The committee shall report the findings of this study to the
24 transportation committees of the legislature by December 2004.

25 **Sec. 205.** 2003 c 360 s 206 (uncodified) is amended to read as
26 follows:

27 **FOR THE TRANSPORTATION COMMISSION**

28 Motor Vehicle Account--State Appropriation ((~~\$807,000~~))
29 \$814,000

30 **Sec. 206.** 2003 c 360 s 207 (uncodified) is amended to read as
31 follows:

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

33 Motor Vehicle Account--State Appropriation ((~~\$616,000~~))
34 \$625,000

1 proportionately in accordance with a cost allocation that
2 differentiates between highway traffic enforcement services and general
3 policing purposes.

4 (4) The patrol shall not account for or record locally provided DUI
5 cost reimbursement payments as expenditure credits to the state patrol
6 highway account. The patrol shall report the amount of expected
7 locally provided DUI cost reimbursements to the transportation
8 committees of the senate and house of representatives by December 31 of
9 each year.

10 (5) \$1,848,000 of the state patrol highway account--state
11 appropriation is provided solely for additional security personnel and
12 equipment necessary to comply with the ferry security plan submitted by
13 the Washington state ferries to the United States coast guard.

14 **Sec. 208.** 2003 c 360 s 209 (uncodified) is amended to read as
15 follows:

16 **FOR THE WASHINGTON STATE PATROL--SUPPORT SERVICES BUREAU**

17 State Patrol Highway Account--State Appropriation . . .	((\$69,993,000))
	<u>\$69,297,000</u>
18 State Patrol Highway Account--Private/Local Appropriation .	\$1,290,000
19 TOTAL APPROPRIATION	((\$71,283,000))
	<u>\$70,587,000</u>

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

24 (1) Under the direction of the legislative auditor, the patrol
25 shall update the pursuit vehicle life-cycle cost model developed in the
26 1998 Washington state patrol performance audit (JLARC Report 99-4).
27 The patrol shall utilize the updated model as a basis for determining
28 maintenance and other cost impacts resulting from the increase to
29 pursuit vehicle mileage above 110 thousand miles in the 2003-05
30 biennium. The patrol shall submit a report, that includes identified
31 cost impacts, to the transportation committees of the senate and house
32 of representatives by December 31, 2003.

33 (2) (~~The Washington state patrol shall assign~~) \$264,600 of the
34 state patrol highway account--state appropriation is provided solely
35 for two full-time detectives to work solely to investigate incidents of
36 identity fraud, drivers' license fraud, and identity theft. The

1 detectives, as part of their duty to police the public highways, shall
2 work cooperatively with the department of licensing's driver's special
3 investigation unit.

4 **Sec. 209.** 2003 c 360 s 210 (uncodified) is amended to read as
5 follows:

6 FOR THE DEPARTMENT OF LICENSING--MANAGEMENT AND SUPPORT SERVICES	
7 Marine Fuel Tax Refund Account--State Appropriation	((\$7,000))
8	<u>\$3,000</u>
9 Motorcycle Safety Education Account--State Appropriation	((\$85,000))
10	<u>\$98,000</u>
11 Wildlife Account--State Appropriation	((\$77,000))
12	<u>\$84,000</u>
13 <u>Highway Safety Account--Local Appropriation</u>	<u>\$6,000</u>
14 Highway Safety Account--State Appropriation	((\$8,286,000))
15	<u>\$8,374,000</u>
16 Motor Vehicle Account--State Appropriation	((\$4,623,000))
17	<u>\$4,451,000</u>
18 DOL Services Account--State Appropriation	((\$107,000))
19	<u>\$144,000</u>
20 TOTAL APPROPRIATION	((\$13,185,000))
21	<u>\$13,160,000</u>

22 The appropriations in this section are subject to the following
23 conditions and limitations: \$71,000 of the highway safety account--
24 state appropriation is provided solely to implement Engrossed
25 Substitute Senate Bill No. 5428 or House Bill No. 1681. Funds provided
26 in this subsection may not be expended unless the department of
27 licensing charges a convenience fee of \$1.00 to persons using the
28 internet driver's license or identicard renewal option to defray the
29 credit card costs associated with offering driver's license and
30 identicard renewals on-line. If Engrossed Senate Bill No. 5428 or
31 House Bill No. 1681 is not enacted by June 30, 2004, the amount
32 provided in this subsection shall lapse.

33 **Sec. 210.** 2003 c 360 s 211 (uncodified) is amended to read as
34 follows:

35 FOR THE DEPARTMENT OF LICENSING--INFORMATION SERVICES	
36 Marine Fuel Tax Refund Account--State Appropriation	\$2,000

1 Motorcycle Safety Education Account--State
 2 Appropriation ((~~\$133,000~~))
 3 \$144,000
 4 Wildlife Account--State Appropriation ((~~\$58,000~~))
 5 \$55,000
 6 Highway Safety Account--State Appropriation ((~~\$10,489,000~~))
 7 \$11,702,000
 8 Highway Safety Account--Federal Appropriation \$6,000
 9 Highway Safety Account--Local Appropriation \$60,000
 10 Motor Vehicle Account--State Appropriation ((~~\$6,569,000~~))
 11 \$6,319,000
 12 DOL Services Account--State Appropriation ((~~\$670,000~~))
 13 \$1,220,000
 14 TOTAL APPROPRIATION ((~~\$17,927,000~~))
 15 \$19,508,000

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

18 (1) The department shall submit a report to the transportation
 19 committees of the legislature detailing the progress made in
 20 transitioning off of the Unisys system by December 1, 2003, and each
 21 December 1 thereafter.

22 (2) \$55,000 of the highway safety account--state appropriation is
 23 provided solely to implement Engrossed Substitute Senate Bill No. 5428
 24 or House Bill No. 1681. Funds provided in this subsection may not be
 25 expended unless the department of licensing charges a convenience fee
 26 of \$1.00 to persons using the internet driver's license or identicard
 27 renewal option to defray the credit card costs associated with offering
 28 driver's license and identicard renewals on-line. If Engrossed Senate
 29 Bill No. 5428 or House Bill No. 1681 is not enacted by June 30, 2004,
 30 the amount provided in this subsection shall lapse.

31 (3) \$151,000 of the highway safety account--state appropriation is
 32 provided solely for the implementation of Senate Bill No. 5412. Within
 33 the amount provided, the department of licensing shall prepare to
 34 implement a "one-to-one" biometric matching system that compares the
 35 biometric identifier submitted to the individual applicant's record.
 36 If Senate Bill No. 5412 is not enacted by June 30, 2004, the amount
 37 provided in this subsection shall lapse.

1 license plate printing system. Within the amounts provided, the
 2 department shall fund the implementation of a digital license plate
 3 system including: The purchase of digital license plate printing
 4 equipment for correctional industries; the remodeling of space to
 5 provide climate control, ventilation, and power requirements, for the
 6 equipment that will be housed at correctional industries; and the
 7 purchase of digital license plate inventory. The department shall
 8 expend all of the license plate technology account--state appropriation
 9 before expending any of the motor vehicle account--state appropriation.
 10 By December 1, 2004, the department and correctional industries shall
 11 submit a joint report to the transportation committees of the
 12 legislature detailing a digital license plate printing system
 13 implementation plan. By January 1, 2005, the department and
 14 correctional industries shall submit a joint report to the
 15 transportation committees of the legislature concerning the cost of the
 16 consumables used in the digital license plate printing process.

17 (6) \$67,000 of the motor vehicle account--state appropriation is
 18 provided solely for the implementation of Substitute Senate Bill No.
 19 6325. If Substitute Senate Bill No. 6325 is not enacted by June 30,
 20 2004, the amount provided in this subsection shall lapse.

21 (7) \$192,000 of the motor vehicle account--state appropriation is
 22 provided solely for the implementation of Senate Bill No. 6110. If
 23 Senate Bill No. 6110 is not enacted by June 30, 2004, the amount
 24 provided in this subsection shall lapse.

25 **Sec. 212.** 2003 c 360 s 213 (uncodified) is amended to read as
 26 follows:

27 **FOR THE DEPARTMENT OF LICENSING--DRIVER SERVICES**

28	Motorcycle Safety Education Account--State Appropriation .	\$2,576,000
29	Highway Safety Account--State Appropriation	((\$84,809,000))
30		<u>\$86,721,000</u>
31	Highway Safety Account--Federal Appropriation	\$318,000
32	<u>Highway Safety Account--Local Appropriation</u>	<u>\$67,000</u>
33	TOTAL APPROPRIATION	((\$87,703,000))
34		<u>\$89,682,000</u>

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

1 (1) \$178,000 of the highway safety account--state appropriation is
2 provided solely for two temporary collision processing FTEs to
3 eliminate the backlog of collision reports. The department shall
4 report, informally, to the house of representatives and senate
5 transportation committees quarterly, beginning October 1, 2003, on the
6 progress made in eliminating the backlog.

7 (2) \$305,000 of the highway safety account--state appropriation is
8 provided solely to implement Engrossed Substitute Senate Bill No. 5428
9 or House Bill No. 1681. Funds provided in this subsection may not be
10 expended unless the department of licensing charges a convenience fee
11 of \$1.00 to persons using the internet driver's license or identicard
12 renewal option to defray the credit card costs associated with offering
13 driver's license and identicard renewals on-line. If Engrossed
14 Substitute Senate Bill No. 5428 or House Bill No. 1681 is not enacted
15 by June 30, 2004, the amount provided in this subsection shall lapse.

16 (3) \$282,000 of the highway safety account--state appropriation is
17 provided solely for the implementation of Third Substitute Senate Bill
18 No. 5412. Within the amount provided, the department of licensing
19 shall prepare to implement a "one-to-one" biometric matching system
20 that compares the biometric identifier submitted to the individual
21 applicant's record. If Third Substitute Senate Bill No. 5412 is not
22 enacted by June 30, 2004, the amount provided in this subsection shall
23 lapse.

24 **Sec. 213.** 2003 c 360 s 214 (uncodified) is amended to read as
25 follows:

26 **FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM**
27 **C**

28	Motor Vehicle Account--State Appropriation	((\$58,661,000))
29		<u>\$57,634,000</u>
30	Motor Vehicle Account--Federal Appropriation	\$5,163,000
31	Puget Sound Ferry Operations Account--State	
32	Appropriation	((\$6,583,000))
33		<u>\$7,038,000</u>
34	Multimodal Transportation Account--State Appropriation . . .	\$363,000
35	TOTAL APPROPRIATION	((\$70,770,000))
36		<u>\$70,198,000</u>

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

3 ~~(1) ((\$715,000 of the motor vehicle account--state appropriation is~~
4 ~~provided solely to retain an external consultant to provide an~~
5 ~~assessment of the department's review of current major information~~
6 ~~technology systems and planning for system and application~~
7 ~~modernization. The legislative transportation committee shall approve~~
8 ~~the statement of work before the consultant is hired. The consultant~~
9 ~~shall also work with the department to prepare an application~~
10 ~~modernization strategy and preliminary project plan.~~

11 ~~The department and the consultant shall work with the office of~~
12 ~~financial management and the department of information services to~~
13 ~~ensure that (a) the department's current and future system development~~
14 ~~is consistent with the overall direction of other key state systems;~~
15 ~~and (b) when possible, common statewide information systems are used or~~
16 ~~developed to encourage coordination and integration of information used~~
17 ~~by the department and other state agencies and to avoid duplication.~~
18 ~~The department shall provide a report on its proposed application~~
19 ~~modernization plan to the transportation committees of the legislature~~
20 ~~by June 30, 2004.)~~ \$850,000 of the motor vehicle account--state
21 appropriation is provided for the continued maintenance and support of
22 the transportation executive information system (TEIS). The TEIS shall
23 be enhanced during the 2004 interim to shift towards a monitoring and
24 reporting system capable of tracking and reporting on major project
25 milestones and measurements. The department shall work with the
26 legislature to identify and define meaningful milestones and measures
27 to be used in monitoring the scope, schedule, and cost of projects.

28 (2)(a) \$2,963,000 of the motor vehicle account--state appropriation
29 and \$2,963,000 of the motor vehicle account--federal appropriation are
30 provided solely for implementation of a new revenue collection system,
31 including the integration of the regional fare coordination system
32 (smart card), at the Washington state ferries. By December 1st of each
33 year, an annual update must be provided to the legislative
34 transportation committee concerning the status of implementing and
35 completing this project.

36 (b) ~~(\$400,000)~~ \$200,000 of the Puget Sound ferry operation
37 account--state appropriation is provided solely for implementation of
38 the smart card program. ~~(\$200,000 of this amount must be held in~~

1 ~~allotment reserve until a smart card report is delivered to the~~
2 ~~legislative transportation committee indicating that an agreement on~~
3 ~~which technology will be used throughout the state of Washington for~~
4 ~~the smart card program has been reached among smart card~~
5 ~~participants.))~~

6 (3) The department shall contract with the department of
7 information services to conduct a survey that identifies possible
8 opportunities and benefits associated with siting and use of technology
9 and wireless facilities located on state right of way authorized by RCW
10 47.60.140. The department shall submit a report regarding the survey
11 to the appropriate legislative committees by December 1, 2004.

12 **Sec. 214.** 2003 c 360 s 215 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF TRANSPORTATION--FACILITY MAINTENANCE, OPERATIONS**
15 **AND CONSTRUCTION--PROGRAM D--OPERATING**
16 Motor Vehicle Account--State Appropriation ((~~\$31,048,000~~))
17 \$31,068,000

18 **Sec. 215.** 2003 c 360 s 216 (uncodified) is amended to read as
19 follows:

20 **FOR THE DEPARTMENT OF TRANSPORTATION--AVIATION--PROGRAM F**
21 Aeronautics Account--State Appropriation ((~~\$5,107,000~~))
22 \$5,355,000
23 Aeronautics Account--Federal Appropriation ((~~\$650,000~~))
24 \$2,150,000
25 Aircraft Search and Rescue Safety and Education
26 Account--State Appropriation ((~~\$282,000~~))
27 \$160,000
28 TOTAL APPROPRIATION ((~~\$6,039,000~~))
29 \$7,665,000

30 The appropriations in this section are subject to the following
31 conditions and limitations: ((~~\$1,381,000~~)) \$1,129,000 of the
32 aeronautics account--state appropriation is provided solely for
33 additional preservation grants to airports. ((~~\$122,000 of the aircraft~~
34 ~~search and rescue safety and education account--state appropriation is~~
35 ~~provided for additional search and rescue and safety and education~~

1 activities-)) If Senate Bill No. 6056 is not enacted by June 30, 2003,
2 the amounts provided shall lapse.

3 **Sec. 216.** 2003 c 360 s 217 (uncodified) is amended to read as
4 follows:

5 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM DELIVERY MANAGEMENT AND**
6 **SUPPORT--PROGRAM H**

7	Motor Vehicle Account--State Appropriation	((\$49,010,000))
8		<u>\$49,056,000</u>
9	Motor Vehicle Account--Federal Appropriation	\$400,000
10	TOTAL APPROPRIATION	((\$49,410,000))
11		<u>\$49,456,000</u>

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

14 (1) \$14,310,000 of the motor vehicle account--state appropriation
15 is provided solely for the staffing, activities, and overhead of the
16 department's environmental affairs office. This funding is provided in
17 lieu of funding provided in sections 305 and 306 of this act.

18 (2) \$3,100,000 of the motor vehicle account--state appropriation is
19 provided solely for the staffing and activities of the transportation
20 permit efficiency and accountability committee.

21 (3) \$300,000 of the motor vehicle account--state appropriation is
22 provided to the department in accordance with RCW 46.68.110(2) and
23 46.68.120(3) and shall be used by the department solely for the
24 purposes of providing contract services to the association of
25 Washington cities and Washington state association of counties to
26 implement section 2(3)(c), (5), and (6), chapter 8 (ESB 5279), Laws of
27 2003 for activities of the transportation permit efficiency and
28 accountability committee.

29 **Sec. 217.** 2003 c 360 s 219 (uncodified) is amended to read as
30 follows:

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

32	Motor Vehicle Account--State Appropriation	((\$283,350,000))
33		<u>\$283,672,000</u>
34	Motor Vehicle Account--Federal Appropriation	\$1,426,000
35	Motor Vehicle Account--Private/Local Appropriation	\$4,253,000
36	TOTAL APPROPRIATION	((\$289,029,000))

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

(1) If portions of the appropriations in this section are required to fund maintenance work resulting from major disasters not covered by federal emergency funds such as fire, flooding, and major slides, supplemental appropriations must be requested to restore state funding for ongoing maintenance activities.

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

(3) The department shall request an unanticipated receipt for any private or local funds received for reimbursements of third party damages that are in excess of the motor vehicle account--private/local appropriation.

(4) Funding is provided for maintenance on the state system to allow for a continuation of the level of service targets included in the 2001-03 biennium. In delivering the program, the department should concentrate on the following areas:

(a) Meeting or exceeding the target for structural bridge repair on a statewide basis;

(b) Eliminating the number of activities delivered in the "f" level of service at the region level;

(c) Reducing the number of activities delivered in the "d" level of service by increasing the resources directed to those activities on a statewide and region basis; and

(d) Evaluating, analyzing, and potentially redistributing resources within and among regions to provide greater consistency in delivering the program statewide and in achieving overall level of service targets.

(5) The appropriation authority under this section includes spending authority to administer the motorist information sign panel program until such time as the temporary injunction issued on January 5, 2004, by the Thurston County Superior Court, cause no. 03-2-02326-1, prohibiting the department from contracting out this program, as per

1 RCW 47.36.325, is lifted. The department shall increase the fees
2 charged for these services so that all costs to administer this program
3 are recovered.

4 **Sec. 218.** 2003 c 360 s 220 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
7 **OPERATING**

8 Motor Vehicle Account--State Appropriation	((\$38,869,000))
9	<u>\$38,924,000</u>
10 Motor Vehicle Account--Private/Local Appropriation	\$125,000
11 TOTAL APPROPRIATION	((\$38,994,000))
12	<u>\$39,049,000</u>

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

15 (1) A maximum of \$8,800,000 of the motor vehicle account--state
16 appropriation may be expended for the incident response program,
17 including the service patrols. The department and the Washington state
18 patrol shall continue to consult and coordinate with private sector
19 partners, such as towing companies, media, auto, insurance and trucking
20 associations, and the legislative transportation committees to ensure
21 that limited state resources are used most effectively. No funds shall
22 be used to purchase tow trucks.

23 (2) \$4,400,000 of the motor vehicle account--state appropriation is
24 provided solely for low-cost enhancements. The department shall give
25 priority to low-cost enhancement projects that improve safety or
26 provide congestion relief. The department shall prioritize low-cost
27 enhancement projects on a statewide rather than regional basis.

28 (3) At a frequency determined by the department, the interstate-5
29 variable message signs shall display a message advising slower traffic
30 to keep right.

31 **Sec. 219.** 2003 c 360 s 221 (uncodified) is amended to read as
32 follows:

33 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND**
34 **SUPPORT--PROGRAM S**

35 Motor Vehicle Account--State Appropriation	((\$24,852,000))
36	<u>\$24,888,000</u>

1	Motor Vehicle Account--Federal Appropriation	\$636,000
2	Puget Sound Ferry Operations Account--State Appropriation .	\$1,093,000
3	Multimodal Transportation Account--State Appropriation . . .	\$973,000
4	TOTAL APPROPRIATION	((\$27,554,000))
5		<u>\$27,590,000</u>

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

8 (1) \$627,000 of the motor vehicle account--state appropriation is
9 provided solely for the implementation of Substitute Senate Bill No.
10 5248. If Substitute Senate Bill No. 5248 is not enacted by June 30,
11 2003, the amount provided in this subsection shall lapse. The agency
12 may transfer between programs funds provided in this subsection.

13 (2) The department shall transfer at no cost to the Washington
14 state patrol the title to the Walla Walla colocation facility.

15 **Sec. 220.** 2003 c 360 s 222 (uncodified) is amended to read as
16 follows:

17 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**
18 **AND RESEARCH--PROGRAM T**

19	Motor Vehicle Account--State Appropriation	((\$30,064,000))
20		<u>\$30,205,000</u>
21	Motor Vehicle Account--Federal Appropriation	\$14,814,000
22	Multimodal Transportation Account--State Appropriation . .	\$1,021,000
23	Multimodal Transportation Account--Federal Appropriation .	\$2,000,000
24	TOTAL APPROPRIATION	((\$47,899,000))
25		<u>\$48,040,000</u>

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

28 (1) \$3,800,000 of the motor vehicle account--state appropriation is
29 provided solely for a study of regional congestion relief solutions for
30 Puget Sound (including state route 169), Spokane, and Vancouver. The
31 study must include proposals to alleviate congestion consistent with
32 population and land use expectations under the growth management act,
33 and must include measurement of all modes of transportation.

34 (2) \$100,000 of the motor vehicle account--state appropriation is
35 provided solely for further study and project definition of state route
36 169 if the study referenced in subsection (1) of this section finds
37 that further review is merited.

1 (3) \$2,000,000 of the motor vehicle account--state appropriation is
2 provided solely for additional assistance to support regional
3 transportation planning organizations and long-range transportation
4 planning efforts.

5 (~~(3)~~) (4) \$3,000,000 of the motor vehicle account--state
6 appropriation is provided solely for the costs of the regional
7 transportation investment district (RTID) election and department of
8 transportation project oversight. These funds are provided as a loan
9 to the RTID and shall be repaid to the state motor vehicle account
10 within one year following the certification of the election results
11 related to the RTID.

12 (~~(4)~~) (5) \$650,000 of the motor vehicle account--state
13 appropriation is provided to the department in accordance with RCW
14 46.68.110(2) and 46.68.120(3) and shall be used by the department to
15 support the processing and analysis of the backlog of city and county
16 collision reports.

17 (~~(5)~~) (6) The department shall contribute to the report required
18 in section 208(1) of this act in the form of an analysis of the cost
19 impacts incurred by the department as the result of the policy
20 implemented in section 208(1) of this act. The analysis shall contrast
21 overtime costs charged by the patrol prior to July 1, 2003, with
22 contract costs for similar services after July 1, 2003.

23 (~~(6)~~) (7) \$60,000 of the distribution under RCW 46.68.110(2) and
24 46.68.120(3) is provided solely to the department for the Washington
25 strategic freight transportation analysis.

26 **Sec. 221.** 2003 c 360 s 223 (uncodified) is amended to read as
27 follows:

28 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**
29 **PROGRAM U**

30 Motor Vehicle Account--State Appropriation (~~(\$61,082,000)~~)
31 \$56,219,000

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

34 (1) (~~(\$50,799,000)~~) \$45,280,000 of the motor vehicle fund--state
35 appropriation is provided solely for the liabilities attributable to
36 the department of transportation. The office of financial management

1 must provide a detailed accounting of the revenues and expenditures of
2 the self-insurance fund to the transportation committees of the
3 legislature on December 31st and June 30th of each year.

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

6 (a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT DIVISION OF RISK
7 MANAGEMENT FEES ((\$989,000))
8 \$848,000

9 (b) FOR PAYMENT OF COSTS OF THE OFFICE OF
10 THE STATE AUDITOR ((\$823,000))
11 \$819,000

12 (c) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL ADMINISTRATION
13 FACILITIES AND SERVICES AND CONSOLIDATED MAIL SERVICES . . \$3,850,000

14 (d) FOR PAYMENT OF COSTS OF THE
15 DEPARTMENT OF PERSONNEL ((\$2,252,000))
16 \$2,786,000

17 (e) FOR PAYMENT OF SELF-INSURANCE LIABILITY PREMIUMS AND
18 ADMINISTRATION ((\$50,799,000))
19 \$45,280,000

20 (f) FOR PAYMENT OF THE DEPARTMENT OF GENERAL ADMINISTRATION CAPITAL
21 PROJECTS SURCHARGE \$1,846,000

22 (g) FOR ARCHIVES AND RECORDS MANAGEMENT ((\$523,000))
23 \$538,000

24 (h) FOR PAYMENT OF COSTS OF THE OFFICE OF MINORITY AND WOMEN'S
25 BUSINESS ENTERPRISES \$252,000

26 **Sec. 222.** 2003 c 360 s 224 (uncodified) is amended to read as
27 follows:

28 **FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM V**
29 Multimodal Transportation Account--State Appropriation . . \$46,457,000
30 Multimodal Transportation Account--Federal Appropriation . \$2,574,000
31 Multimodal Transportation Account--Private/Local
32 Appropriation \$155,000
33 TOTAL APPROPRIATION \$49,186,000

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

36 (1) ~~(\$4,000,000 of the multimodal transportation account state~~
37 ~~appropriation is provided solely for a grant program for nonprofit~~

1 providers of transportation for persons with special transportation
2 needs. \$14,000,000 of the multimodal transportation account state
3 appropriation is provided solely for a grant program for transit
4 agencies to transport persons with special transportation needs.
5 Moneys shall be to provide additional service only and may not be used
6 to supplant current funding. Grants shall only be used by nonprofit
7 providers and transit agencies for capital and operating costs directly
8 associated with adding additional service. Grants for nonprofit
9 providers shall be based on need, including the availability of other
10 providers of service in the area, efforts to coordinate trips among
11 providers and riders, and the cost effectiveness of trips provided.
12 Grants for transit agencies shall be prorated based on the amount
13 expended for demand response service and route deviated service in
14 calendar year 2001 as reported in the "Summary of Public Transportation
15 — 2001" published by the department of transportation. No transit
16 agency may receive more than thirty percent of these distributions.))
17 \$18,000,000 of the multimodal transportation account--state
18 appropriation is provided solely for a grant program for special needs
19 transportation provided by transit agencies and nonprofit providers of
20 transportation. Funds are provided for additional service only and
21 shall only be used by nonprofit providers and transit agencies for
22 capital and operating costs directly associated with adding additional
23 service. However, for fiscal year 2005 only, up to forty percent of
24 the funds may be used by nonprofit providers and transit agencies for
25 capital and operating expenses associated with existing service.

26 (a) \$4,000,000 of the amount provided in this subsection is
27 provided solely for grants to nonprofit providers of special needs
28 transportation. Grants for nonprofit providers shall be based on need,
29 including the availability of other providers of service in the area,
30 efforts to coordinate trips among providers and riders, and the cost
31 effectiveness of trips provided.

32 (b) \$14,000,000 of the amount provided in this subsection is
33 provided solely for grants to transit agencies to transport persons
34 with special transportation needs, and may not be used to supplant
35 current funding. Grants for transit agencies shall be prorated based
36 on the amount expended for demand response service and route deviated
37 service in calendar year 2001 as reported in the "Summary of Public

1 Transportation - 2001" published by the department of transportation.
2 No transit agency may receive more than thirty percent of these
3 distributions.

4 (2) \$1,500,000 of the multimodal transportation account--state
5 appropriation is provided solely for grants to implement section 9 of
6 Engrossed Substitute House Bill No. 2228.

7 (3) Funds are provided for the rural mobility grant program as
8 follows:

9 (a) \$6,000,000 of the multimodal transportation account--state
10 appropriation is provided solely for grants for those transit systems
11 serving small cities and rural areas as identified in the Summary of
12 Public Transportation - 2001 published by the department of
13 transportation. Noncompetitive grants must be distributed to the
14 transit systems serving small cities and rural areas in a manner
15 similar to past disparity equalization programs.

16 (b) \$4,000,000 of the multimodal transportation account--state
17 appropriation is provided solely to providers of rural mobility service
18 in areas not served or underserved by transit agencies through a
19 competitive grant process.

20 (4) \$4,000,000 of the multimodal transportation account--state
21 appropriation is provided solely for a vanpool grant program for: (a)
22 Public transit agencies to add vanpools; and (b) incentives for
23 employers to increase employee vanpool use. The grant program for
24 public transit agencies will cover capital costs only; no operating
25 costs for public transit agencies are eligible for funding under this
26 grant program. ~~((Only grants that add vanpools are eligible, no))~~ No
27 additional employees may be hired for the vanpool grant program, and
28 supplanting of transit funds currently funding vanpools is not allowed.
29 Additional criteria for selecting grants will include leveraging funds
30 other than state funds. The commute trip reduction task force shall
31 determine the cost effectiveness of the grants, including vanpool
32 system coordination, regarding the use of the funds.

33 (5) \$3,000,000 of the multimodal transportation account--state
34 appropriation is provided to the city of Seattle for the Seattle
35 streetcar project on South Lake Union.

36 **Sec. 223.** 2003 c 360 s 225 (uncodified) is amended to read as
37 follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X**
2 Puget Sound Ferry Operations Account--State
3 Appropriation ((\$309,580,000))
4 \$312,011,000
5 Multimodal Transportation Account--State
6 Appropriation ((\$5,120,000))
7 \$4,509,000
8 TOTAL APPROPRIATION ((\$314,700,000))
9 \$316,520,000

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

12 (1) The appropriation is based on the budgeted expenditure of
13 ((~~\$34,701,000~~) \$35,264,000 for vessel operating fuel in the 2003-2005
14 biennium. If the actual cost of fuel is less than this budgeted
15 amount, the excess amount may not be expended. If the actual cost
16 exceeds this amount, the department shall request a supplemental
17 appropriation.

18 (2) The appropriation provides for the compensation of ferry
19 employees. The expenditures for compensation paid to ferry employees
20 during the 2003-2005 biennium may not exceed ((~~\$207,757,000~~)
21 \$208,125,000, \$178,900 of which is provided solely for vessel security
22 officers, plus a dollar amount, as prescribed by the office of
23 financial management, that is equal to any insurance benefit increase
24 granted general government employees in excess of \$495.30 a month
25 annualized per eligible marine employee multiplied by the number of
26 eligible marine employees for fiscal year 2004 and \$567.67 a month
27 annualized per eligible marine employee multiplied by the number of
28 eligible marine employees for fiscal year 2005, a dollar amount as
29 prescribed by the office of financial management for costs associated
30 with pension amortization charges, and a dollar amount prescribed by
31 the office of financial management for salary increases during the
32 2003-2005 biennium. For the purposes of this section, the expenditures
33 for compensation paid to ferry employees shall be limited to salaries
34 and wages and employee benefits as defined in the office of financial
35 management's policies, regulations, and procedures named under objects
36 of expenditure "A" and "B" (7.2.6.2).

37 The prescribed salary increase or decrease dollar amount that shall
38 be allocated from the governor's compensation appropriations is in

1 addition to the appropriation contained in this section and may be used
2 to increase or decrease compensation costs, effective July 1, 2003, and
3 thereafter, as established in the 2003-2005 general fund operating
4 budget.

5 ~~(3) ((\$4,234,000 of the multimodal transportation account--state~~
6 ~~appropriation and \$800,000 of the Puget Sound ferry operations~~
7 ~~account--state appropriation are provided solely for operating costs~~
8 ~~associated with the Vashon to Seattle passenger only ferry. The~~
9 ~~Washington state ferries will develop a plan to increase passenger only~~
10 ~~farebox recovery to at least forty percent by July 1, 2003, with an~~
11 ~~additional goal of eighty percent, through increased fares, lower~~
12 ~~operation costs, and other cost saving measures as appropriate. In~~
13 ~~order to implement the plan, ferry system management is authorized to~~
14 ~~negotiate changes in work hours (requirements for split shift work),~~
15 ~~but only with respect to operating passenger only ferry service, to be~~
16 ~~included in a collective bargaining agreement in effect during the~~
17 ~~2003-05 biennium that differs from provisions regarding work hours in~~
18 ~~the prior collective bargaining agreement. The department must report~~
19 ~~to the transportation committees of the legislature by December 1,~~
20 ~~2003.))~~ No more than \$500,000 of the Puget Sound ferry operations
21 account--state appropriation and \$1,000,000 of the multimodal
22 transportation account--state appropriation may be spent in fiscal year
23 2005 on operational costs for the passenger-only ferry service from
24 Vashon to Seattle. It is the intent of the legislature to eliminate
25 passenger-only ferry service after these funds have been expended and
26 to explore and encourage cost-effective alternatives to state run
27 passenger-only ferry service that will address the transportation needs
28 of existing passengers.

29 (4) \$805,000 of the Puget Sound ferry operations account--state
30 appropriation is provided solely for ferry security operations. The
31 department shall track security costs and expenditures. Ferry security
32 operations costs shall not be included as part of the operational costs
33 that are used to calculate farebox recovery. The amount provided in
34 this subsection includes the \$178,900 specified in subsection (2) of
35 this section.

36 (5) \$866,000 of the multimodal transportation account--state
37 appropriation and \$200,000 of the Puget Sound ferry operations

1 account--state appropriation are provided solely for operating costs
2 associated with the Bremerton to Seattle passenger-only ferry service
3 for thirteen weeks.

4 ~~((+5))~~ (6) The department shall study the potential for private or
5 public partners, including but not limited to King county, to provide
6 passenger-only ferry service from Vashon to Seattle. The department
7 shall report to the legislative transportation committees by December
8 31, 2003.

9 ~~((+6))~~ (7) The Washington state ferries shall continue to provide
10 service to Sidney, British Columbia.

11 ~~((+7))~~ (8) When augmenting the existing ferry fleet, the
12 department of transportation ferry capital program shall explore cost-
13 effective options to include the leasing of ferries from private-sector
14 organizations.

15 ~~((+8))~~ (9) The Washington state ferries shall work with the
16 department of general administration, office of state procurement to
17 improve the existing fuel procurement process and solicit, identify,
18 and evaluate, purchasing alternatives to reduce the overall cost of
19 fuel and mitigate the impact of market fluctuations and pressure on
20 both short- and long-term fuel costs. Consideration shall include, but
21 not be limited to, long-term fuel contracts, partnering with other
22 public entities, and possibilities for fuel storage in evaluating
23 strategies and options. The department shall report back to the
24 transportation committees of the legislature by December 1, 2003, on
25 the options, strategies, and recommendations for managing fuel
26 purchases and costs.

27 ~~((+9))~~ (10) The department must provide a separate accounting of
28 passenger-only ferry service costs and auto ferry service costs, and
29 must provide periodic reporting to the legislature on the financial
30 status of both passenger-only and auto ferry service in Washington
31 state.

32 ~~((+10))~~ (11) The Washington state ferries must work with the
33 department's information technology division to implement a new revenue
34 collection system, including the integration of the regional fare
35 coordination system (smart card). Each December, annual updates are to
36 be provided to the transportation committees of the legislature
37 concerning the status of implementing and completing this project, with

1 updates concluding the first December after full project
2 implementation.

3 ~~((11))~~ (12) The Washington state ferries shall evaluate the
4 benefits and costs of selling the depreciation rights to ferries
5 purchased by the state in the future through sale and lease-back
6 agreements, as permitted under RCW 47.60.010. The department is
7 authorized to issue a request for proposal to solicit proposals from
8 potential buyers. The department must report to the transportation
9 committees of the legislature by December 1, 2004, on the options,
10 strategies, and recommendations for sale/lease-back agreements on
11 existing ferry boats as well as future ferry boat purchases.

12 **Sec. 224.** 2003 c 360 s 226 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING**
15 Multimodal Transportation Account--State
16 Appropriation (~~(\$35,075,000)~~)
17 \$34,205,000

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

20 (1) \$30,831,000 of the multimodal transportation account--state
21 appropriation is provided solely for the Amtrak service contract and
22 Talgo maintenance contract associated with providing and maintaining
23 the state-supported passenger rail service.

24 (2) No Amtrak Cascade runs may be eliminated.

25 (3) The department is directed to explore scheduling changes that
26 will reduce the delay in Seattle when traveling from Portland to
27 Vancouver B.C.

28 (4) The department is directed to explore opportunities with
29 British Columbia (B.C.) concerning the possibility of leasing an
30 existing Talgo trainset to B.C. during the day for a commuter run when
31 the Talgo is not in use during the Bellingham layover.

32 (5) The department shall undertake an origin and destination study
33 to provide data that may be used for a new passenger train cost sharing
34 agreement with the state of Oregon. The study shall be delivered to
35 the transportation committees of the legislature before July 1, 2004.

1 **Sec. 225.** 2003 c 360 s 227 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
4 **OPERATING**

5	Motor Vehicle Account--State Appropriation	(((\$7,057,000)))
6		<u>\$7,067,000</u>
7	Motor Vehicle Account--Federal Appropriation	\$2,569,000
8	TOTAL APPROPRIATION	(((\$9,626,000)))
9		<u>\$9,636,000</u>

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

12 (1) Up to \$75,000 of the total appropriation is provided in
13 accordance with RCW 46.68.110(2) and 46.68.120(3) to fund the state's
14 share of the 2004 Washington marine cargo forecast study. Public port
15 districts, acting through their association, must provide funding to
16 cover the remaining cost of the forecast.

17 (2) \$300,000 of the motor vehicle account--state appropriation is
18 provided in accordance with RCW 46.68.110(2) and 46.68.120(3) solely to
19 fund a study of the threats posed by flooding to the state and other
20 infrastructure near the Interstate 5 crossing of the Skagit River.
21 This funding is contingent on the receipt of federal matching funds.

22 (3) In addition to other gubernatorial appointees, the state
23 historic preservation officer shall be appointed to any steering
24 committee that makes the final selection of projects funded from the
25 surface transportation program flexible funds or a similar program
26 anticipated to be authorized in the extension or reauthorization of the
27 transportation equity act for the 21st century (TEA-21).

28 **TRANSPORTATION AGENCIES--CAPITAL**

29 **Sec. 301.** 2003 c 360 s 301 (uncodified) is amended to read as
30 follows:

31 **FOR THE WASHINGTON STATE PATROL**

32	State Patrol Highway Account--State Appropriation	(((\$2,205,000)))
33		<u>\$2,705,000</u>

34 The appropriation in this section is subject to the following
35 conditions and limitations: \$625,000 of the state patrol highway

1 account appropriation is provided solely for the patrol's share of the
2 Shelton area water and sewer regional plan. However, this amount is
3 contingent on general fund--state funding of the Washington corrections
4 center's portion of the Shelton area water and sewer regional plan. If
5 general fund--state funding is not provided, the amount provided in
6 this subsection shall lapse.

7 **Sec. 302.** 2003 c 360 s 303 (uncodified) is amended to read as
8 follows:

9 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

10	Urban Arterial Trust Account--State Appropriation	\$99,201,000
11	Transportation Improvement Account--State Appropriation .	\$98,215,000
12	<u>Freight Mobility Account--Federal Appropriation</u>	<u>\$23,000,000</u>
13	TOTAL APPROPRIATION	(\$197,416,000)
14		<u>\$220,416,000</u>

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

17 (1) The transportation improvement account--state appropriation
18 includes \$23,955,000 in proceeds from the sale of bonds authorized in
19 RCW 47.26.500. The transportation improvement board may authorize the
20 use of current revenues available to the agency in lieu of bond
21 proceeds for any part of the state appropriation.

22 (2) The transportation improvement board shall maintain grant
23 funding currently approved for the SR 3/SR 303 Interchange (Waaga Way).

24 (3) \$16,057,000 of the transportation improvement account--state
25 appropriation in this section is provided solely for the following
26 freight projects, with the specific funding listed provided solely for
27 the respective project: SR 397 Ainsworth Ave. Grade Crossing,
28 \$6,180,000; Colville Alternate Truck Route, \$2,200,000; Port of
29 Kennewick Road (Exten. of Piert Rd.), \$1,400,000; Duwamish Intelligent
30 Transportation Systems (ITS), \$2,500,000; Bigelow Gulch Road - Urban
31 Boundary to Argonne Rd., \$2,000,000; and Pacific Hwy E / Port of Tacoma
32 Rd to Alexander Ave, \$2,290,000.

33 **Sec. 303.** 2003 c 360 s 305 (uncodified) is amended to read as
34 follows:

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

36 Transportation 2003 Account (Nickel Account)--State

1	Appropriation	((\$565,300,000))
2		<u>\$558,465,076</u>
3	((Transportation 2003 Account (Nickel Account) Federal	
4	Appropriation	\$950,000
5	Transportation 2003 Account (Nickel Account) Local	
6	Appropriation	\$3,434,000))
7	Motor Vehicle Account--State Appropriation	((\$157,374,000))
8		<u>\$161,643,885</u>
9	Motor Vehicle Account--Federal Appropriation	((\$192,940,000))
10		<u>\$194,338,895</u>
11	Motor Vehicle Account--Local Appropriation	((\$13,258,000))
12		<u>\$30,007,848</u>
13	Special Category C Account--State Appropriation	\$50,279,000
14	Tacoma Narrows Toll Bridge Account Appropriation	((\$613,300,000))
15		<u>\$603,992,000</u>
16	TOTAL APPROPRIATION	((\$1,596,835,000))
17		<u>\$1,598,726,704</u>

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

20 (1) ~~((~~\$157,374,000~~ of the motor vehicle account state~~
21 ~~appropriation, ~~\$192,940,000~~ of the motor vehicle account federal~~
22 ~~appropriation, ~~\$13,258,000~~ of the motor vehicle account local~~
23 ~~appropriation, and ~~\$50,279,000~~ of the special category C account state~~
24 ~~appropriation are provided solely to implement the activities and~~
25 ~~projects included in the Legislative 2003 Transportation Project List~~
26 ~~— Current Law report as transmitted to LEAP on April 27, 2003.))~~ The
27 entire transportation 2003 account (nickel account) appropriation is
28 provided solely for the projects and activities as listed by project,
29 biennium, and amount in the 2003 Transportation (Nickel) Program List
30 under the heading "Nickel Funds" as transmitted to LEAP on March 11,
31 2004. Limited transfers of allocations between projects may occur for
32 those amounts listed for the 2003-05 biennium subject to conditions and
33 limitations in section 503 of this act.

34 (2) \$87,202,487 of the motor vehicle account--state appropriation,
35 \$39,330,766 of the motor vehicle account--federal appropriation, and
36 \$11,288,422 of the motor vehicle account--local appropriation are
37 provided solely to implement the projects as indicated in the 2003

1 Transportation (Nickel) Program List under the heading "Pre-Existing
2 Revenues" as transmitted to LEAP on March 11, 2004.

3 (3) The motor vehicle account--state appropriation includes
4 ~~(((\$78,000,000))~~ \$93,615,000 in proceeds from the sale of bonds
5 authorized by RCW 47.10.843. The transportation commission may
6 authorize the use of current revenues available to the department of
7 transportation in lieu of bond proceeds for any part of the state
8 appropriation. The motor vehicle account--state appropriation includes
9 ~~(((\$18,038,000))~~ \$17,380,000 in unexpended proceeds from bond sales
10 authorized in RCW 47.10.843 for mobility and economic initiative
11 improvement projects.

12 ~~((+3))~~ (4) \$37,609,749 of the motor vehicle account--state
13 appropriation, \$149,990,632 of the motor vehicle account--federal
14 appropriation, \$17,800,021 of the motor vehicle account--local
15 appropriation, and \$50,279,000 of the special category C account--state
16 appropriation are provided solely to implement the projects included in
17 the 2003 Transportation Program List - Current Law Funds List under the
18 heading "Improvement Projects" as transmitted to LEAP on March 11,
19 2004. The department shall manage all projects on the list within the
20 overall expenditure authority provided in this subsection and shall
21 report quarterly on project delivery and expenditures in the format
22 provided by the list.

23 (5) A maximum of \$28,224,364 of the motor vehicle account--state
24 appropriation and \$419,243 of the motor vehicle account--federal
25 appropriation are provided for direct project support costs, including,
26 but not limited to, direct project support, property management, scenic
27 byways, and other administration.

28 (6) A maximum of \$7,203,687 of the motor vehicle account--state
29 appropriation, \$3,735,039 of the motor vehicle account--federal
30 appropriation, and \$250,405 of the motor vehicle account--local
31 appropriation are provided for environmental retrofit improvement
32 projects.

33 (7) \$600,000 of the motor vehicle account--state appropriation is
34 provided solely for the I-5 Salmon creek noisewall project.

35 (8) A maximum of \$1,403,598 of the motor vehicle account--state
36 appropriation, \$863,215 of the motor vehicle account--federal
37 appropriation, and \$669,000 of the motor vehicle account--local

1 appropriation are provided for improvement projects programmed through
2 the transportation commission's priority programming process.

3 (9) The Tacoma Narrows toll bridge account--state appropriation
4 includes (~~(\$567,000,000)~~) \$603,992,000 in proceeds from the sale of
5 bonds authorized by RCW 47.10.843. The Tacoma Narrows toll bridge
6 account--state appropriation includes \$46,300,000 in unexpended
7 proceeds from the January 2003 bond sale authorized in RCW 47.10.843
8 for the Tacoma Narrows bridge project.

9 (~~(+4)~~) (10) The special category C account--state appropriation
10 includes \$44,000,000 in proceeds from the sale of bonds authorized by
11 RCW 47.10.812. The transportation commission may authorize the use of
12 current revenues available in the special category C account in lieu of
13 bond proceeds for any part of the state appropriation.

14 (~~(+5)~~ ~~The entire transportation 2003 account (nickel account)~~
15 ~~appropriation is provided solely for the projects and activities as~~
16 ~~indicated in the Legislative 2003 Transportation Project List New Law~~
17 ~~report transmitted to LEAP on April 27, 2003.~~

18 (+6)) (11) The (~~(motor vehicle account)~~) transportation 2003
19 account (nickel account)--state appropriation includes (~~(\$280,000,000)~~)
20 \$270,000,000 in proceeds from the sale of bonds authorized by Senate
21 Bill No. 6062. The transportation commission may authorize the use of
22 current revenues available to the department of transportation in lieu
23 of bond proceeds for any part of the state appropriation.

24 (~~(+7)~~) (12) \$11,000,000 of the (~~(motor vehicle account)~~)
25 transportation 2003 account (nickel account)--state appropriation is
26 provided solely for the environmental impact statement on the SR 520
27 Evergreen floating bridge.

28 (~~(+8)~~) (13) \$250,000 of the transportation 2003 account (Nickel
29 Account)--state appropriation and an equal amount from the city of
30 Seattle are provided solely for an analysis of the impacts that an
31 expansion of the SR 520 Evergreen floating bridge will have on the
32 streets of North Capitol Hill, Roanoke Park, and Montlake. An advisory
33 committee with two members each from Portage Bay/Roanoke Park Community
34 Council, Montlake Community Council, and the North Capitol Hill
35 community organization along with the secretary of transportation is
36 established. The seven-member committee shall hire and oversee the
37 contract with a transportation consulting organization to: (a) Perform
38 an analysis of such impacts; and (b) design a traffic and circulation

1 plan that mitigates the adverse consequences of such impacts. If the
2 city of Seattle does not agree to provide \$250,000 by January 1, 2004,
3 the amount provided in this subsection shall lapse.

4 (14) \$100,000 of the motor vehicle account--state appropriation is
5 provided solely for the department to hire a consultant to complete a
6 cost-benefit analysis comparing the efficiency of having high-occupancy
7 vehicle (HOV) lanes in the right lane versus the left lane. The study
8 shall compare the costs, and the traffic efficiencies of building HOV
9 lanes in the right and left lanes. The study shall be completed and
10 submitted to the transportation committees of the legislature by
11 December 1, 2004.

12 ((+9)) (15)(a) \$500,000 of the motor vehicle account--state
13 appropriation is provided solely for a study to provide the legislature
14 with information regarding the feasibility of pursuing a Washington
15 commerce corridor. The department shall retain outside experts to
16 conduct the study. The study must include the following conditions:

17 (i) The Washington commerce corridor must be a north-south corridor
18 starting in the vicinity of Lewis county and extending northerly to the
19 vicinity of the Canadian border. The corridor must be situated east of
20 state route number 405 and west of the Cascades. The corridor may
21 include any of the following features:

22 (A) Ability to carry long-haul freight;

23 (B) Ability to provide for passenger auto travel;

24 (C) Freight rail;

25 (D) Passenger rail;

26 (E) Public utilities; and

27 (F) Other ancillary facilities as may be desired to maximize use of
28 the corridor;

29 (ii) The Washington commerce corridor must be developed, financed,
30 designed, constructed, and operated by private sector consortiums; and

31 (iii) The Washington commerce corridor must be subject to a joint
32 permitting process involving federal, state, and local agencies with
33 jurisdiction.

34 (b) The legislative transportation committee shall form a working
35 group to work with the department and the outside consultant on the
36 study.

37 ~~((10) \$8,000,000 of the motor vehicle account--state appropriation~~

1 ~~is provided for the SR 522, University of Washington Bothell campus~~
2 ~~access project. This amount will cover approximately one half of the~~
3 ~~construction costs.~~

4 ~~((11))~~ (16) The transportation permit efficiency and accountability
5 committee (TPEAC) shall select from the project list under ~~((this))~~
6 subsection (1) of this section ten projects that have not yet secured
7 state permits. TPEAC shall select projects from both urban and rural
8 areas representing a wide variety of locations within the state. These
9 projects shall be designated "Department of Transportation Permit
10 Drafting Pilot Projects" and shall become a part of the work plan of
11 TPEAC required under section 2(1)(b), chapter 8 (ESB 5279), Laws of
12 2003.

13 ~~((12))~~ (17) Of the amounts appropriated in this section and
14 section 306 of this act, no more than \$124,000 is provided for
15 increased project costs due to the enactment of Substitute Senate Bill
16 No. 5457.

17 ~~((14))~~ (18) To manage some projects more efficiently, federal
18 funds may be transferred from program Z to program I to replace those
19 federal funds in a dollar-for-dollar match. However, funds may not be
20 transferred between federal programs. Fund transfers authorized under
21 this subsection shall not affect project prioritization status.
22 Appropriations shall initially be allotted as appropriated in this act.
23 The department shall not transfer funds as authorized under this
24 subsection without approval of the transportation commission and the
25 director of financial management. The department shall submit a report
26 on those projects receiving fund transfers to the transportation
27 committees of the senate and house of representatives by December 1,
28 2004.

29 (19) The department shall, on a quarterly basis, provide to the
30 legislature status reports on each project in the project lists
31 submitted to LEAP on March 11, 2004. The department shall work with
32 the transportation committees of the legislature to agree on report
33 formatting and elements. Elements shall include, but not be limited
34 to, project scope, schedule, and costs.

35 NEW SECTION. Sec. 304. A new section is added to 2003 c 360
36 (uncodified) to read as follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--**
2 **PROGRAM K**

3 Motor Vehicle Account--State Appropriation \$400,000

4 The appropriation in this section is subject to the following
5 conditions and limitations: \$400,000 of the motor vehicle account--
6 state appropriation is provided solely for a traffic and economic study
7 of the Mount Saint Helens tourist and recreational area. The study
8 shall analyze existing and potential traffic patterns in the area and
9 develop funding strategies sufficient to fund construction of a
10 connection between state route number 504 and forest service road
11 number 99. The study shall also include an analysis of potential
12 partnership funding plans involving the use of tolls in order to
13 determine the potential to pay for ongoing maintenance and operations
14 requirements of visitor centers, roads, and other amenities provided to
15 tourists. The purpose and results of this study shall be made
16 available to citizens, businesses, and community organizations in the
17 affected area. The study shall be completed and submitted to the
18 transportation committees of the legislature by December 31, 2004.

19 **Sec. 305.** 2003 1st sp.s. c 26 s 506 (uncodified) is amended to
20 read as follows:

21 **FOR THE DEPARTMENT OF TRANSPORTATION--PRESERVATION--PROGRAM P**

22	Transportation 2003 Account (Nickel Account)	\$2,000,000
23	Motor Vehicle Account--State Appropriation	(\$178,909,000)
24		<u>\$207,829,152</u>
25	Motor Vehicle Account--Federal Appropriation	(\$457,467,000)
26		<u>\$499,066,771</u>
27	Motor Vehicle Account--Local Appropriation	\$12,666,000
28	Multimodal Account--State Appropriation	\$1,690,000
29	((Multimodal Account--Federal Appropriation	\$4,247,000))
30	<u>Puyallup Tribal Settlement Account--State</u>	
31	<u>Appropriation</u>	<u>\$10,625,000</u>
32	TOTAL APPROPRIATION	(\$656,979,000)
33		<u>\$733,876,923</u>

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

36 (1) ~~(\$178,909,000 of the motor vehicle account state~~
37 ~~appropriation, \$457,467,000 of the motor vehicle account federal~~

1 ~~appropriation, \$12,666,000 of the motor vehicle account local~~
2 ~~appropriation, \$1,690,000 of the multimodal transportation account~~
3 ~~state appropriation, and \$4,247,000 of the multimodal transportation~~
4 ~~account federal appropriation are provided solely to implement the~~
5 ~~activities and projects included in the Legislative 2003 Transportation~~
6 ~~Project List Current Law report transmitted to LEAP on April 27,~~
7 ~~2003.)) The entire 2003 transportation account (nickel account)~~
8 ~~appropriation is provided solely for the projects and activities as~~
9 ~~listed by project, biennium, and amount in the 2003 transportation~~
10 ~~(nickel) program list under the heading "Nickel Funds" as transmitted~~
11 ~~to LEAP on March 11, 2004. Limited transfers of allocations between~~
12 ~~projects may occur for those amounts listed for the 2003-05 biennium~~
13 ~~subject to conditions and limitations in section 503 of this act.~~

14 (2) \$8,348,145 of the motor vehicle account--state appropriation,
15 \$30,106,512 of the motor vehicle account--federal appropriation,
16 \$7,349,630 of the motor vehicle account--local appropriation, and
17 \$10,625,000 of the Puyallup tribal settlement account--state
18 appropriation are provided solely to implement the projects included in
19 the 2003 Transportation Program List - Current Law Funds List under the
20 heading "Bridge Improvements" as transmitted to LEAP on March 11, 2004.

21 (a) Within the amounts provided in this subsection, \$1,000,000 of
22 the motor vehicle account--state appropriation is provided solely for
23 the Purdy creek bridge project. The 2005-07 biennium appropriations
24 for this project are expected to be \$5,074,000.

25 (b) Within the amounts provided in this subsection, \$2,480,000 of
26 the motor vehicle account--state appropriation is provided solely for
27 the SR 28 east end of the George Sellar bridge - phase 1 project.
28 Future biennia appropriations for this project are expected to be
29 \$6,510,000.

30 (c) Within the amounts provided in this subsection, \$10,625,000 of
31 the Puyallup tribal settlement account--state appropriation is provided
32 solely for traffic mitigation costs associated with the Murray
33 Morgan/11st Street Bridge demolition. The department may negotiate
34 with the city of Tacoma for the purpose of transferring ownership of
35 the Murray Morgan/11th Street Bridge to the city. The department is
36 allowed to use the Puyallup tribal settlement account appropriation, as
37 well as any funds appropriated in the current biennium and planned in
38 future biennia for the demolition and mitigation for the demolition of

1 the bridge to rehabilitate or replace the bridge, if agreed to by the
2 city. In no event will the department's participation exceed
3 \$26,500,000 and no funds may be expended unless the city of Tacoma
4 agrees to take ownership of the bridge in its entirety and provide that
5 the payment of these funds extinguishes any real or implied agreements
6 regarding future expenditures on the bridge.

7 (3) A maximum of \$40,497,134 of the motor vehicle account--state
8 appropriation, \$171,087,876 of the motor vehicle account--federal
9 appropriation, \$2,260,450 of the motor vehicle account--local
10 appropriation, and \$1,690,000 of the multimodal account--state
11 appropriation are provided for roadway preservation projects.

12 (4) A maximum of \$8,720,763 of the motor vehicle account--state
13 appropriation, \$46,616,130 of the motor vehicle account--federal
14 appropriation, and \$1,056,600 of the motor vehicle account--local
15 appropriation are provided for bridge repair projects.

16 (5) A maximum of \$12,559,338 of the motor vehicle account--state
17 appropriation, \$39,003,084 of the motor vehicle account--federal
18 appropriation, and \$577,781 of the motor vehicle account--local
19 appropriation are provided for other facilities preservation projects.

20 (6) A maximum of \$12,470,140 of the motor vehicle account--state
21 appropriation, \$26,498,400 of the motor vehicle account--federal
22 appropriation, and \$1,421,539 of the motor vehicle account--local
23 appropriation are provided for other preservation projects programmed
24 through the transportation commission's priority programming process.

25 (7) A maximum of \$44,086,563 of the motor vehicle account--state
26 appropriation and \$12,651,240 of the motor vehicle account--federal
27 appropriation are provided for direct project support costs, including,
28 but not limited to, direct project support, property management, scenic
29 byways, and other administration.

30 (8) \$81,147,069 of the motor vehicle account--state appropriation
31 and \$173,103,529 of the motor vehicle account--federal appropriation
32 are provided solely for the Hood Canal bridge project.

33 (9) The motor vehicle account--state appropriation includes
34 ((~~\$2,850,000~~)) \$3,066,000 in proceeds from the sale of bonds authorized
35 in RCW 47.10.761 and 47.10.762 for emergency purposes.

36 ((~~+3~~)) (10) The motor vehicle account--state appropriation
37 includes ((~~\$77,700,000~~)) \$77,822,000 in proceeds from the sale of bonds
38 authorized by RCW 47.10.843. The transportation commission may

1 authorize the use of current revenues available to the department of
2 transportation in lieu of bond proceeds for any part of the state
3 appropriation.

4 ~~((4) The entire transportation 2003 account (nickel account)~~
5 ~~appropriation is provided solely for the projects and activities as~~
6 ~~indicated in the Legislative 2003 Transportation Project List New Law~~
7 ~~report transmitted to LEAP on April 27, 2003.~~

8 (+5)) (11) The department of transportation shall continue to
9 implement the lowest life cycle cost planning approach to pavement
10 management throughout the state to encourage the most effective and
11 efficient use of pavement preservation funds. Emphasis should be
12 placed on increasing the number of roads addressed on time and reducing
13 the number of roads past due.

14 ((+6)) (12) Of the amounts appropriated in this section and
15 section 305 of this act, no more than \$124,000 is provided for
16 increased project costs due to the enactment of Substitute Senate Bill
17 No. 5457.

18 ((+7)) (13) To manage some projects more efficiently, federal
19 funds may be transferred from program Z to program P to replace those
20 federal funds in a dollar-for-dollar match. However, funds may not be
21 transferred between federal programs. Fund transfers authorized under
22 this subsection shall not affect project prioritization status.
23 Appropriations shall initially be allotted as appropriated in this act.
24 The department shall not transfer funds as authorized under this
25 subsection without approval of the transportation commission and the
26 director of financial management. The department shall submit a report
27 on those projects receiving fund transfers to the transportation
28 committees of the senate and house of representatives by December 1,
29 2004.

30 (14) The department shall, on a quarterly basis, provide to the
31 legislature status reports on each project in the project lists
32 submitted to LEAP on March 11, 2004. The department is to work with
33 the legislature to agree on report formatting and elements. Elements
34 shall include, but not be limited to, project scope, schedule, and
35 costs.

36 **Sec. 306.** 2003 1st sp.s. c 26 s 507 (uncodified) is amended to
37 read as follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM**
 2 **Q--CAPITAL**

3	Motor Vehicle Account--State Appropriation	\$14,688,000
4	Motor Vehicle Account--Federal Appropriation	\$14,510,000
5	TOTAL APPROPRIATION	\$29,198,000

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

8 (1) The amounts provided in this section are provided solely to
 9 implement the activities and projects included in the ((Legislative))
 10 2003 Transportation ((Project)) Program List - Current Law report
 11 transmitted to LEAP on ((April 27, 2003)) March 11, 2004.

12 (2) The motor vehicle account--state appropriation includes
 13 \$9,408,000 for state matching funds for federally selected competitive
 14 grant or congressional earmark projects other than the commercial
 15 vehicle information systems and network. These moneys shall be placed
 16 into reserve status until such time as federal funds are secured that
 17 require a state match.

18 **Sec. 307.** 2003 c 360 s 308 (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--	
23	State Appropriation	((\$129,066,000))
24		<u>\$108,427,000</u>
25	Puget Sound Capital Construction Account--	
26	Federal Appropriation	((\$34,400,000))
27		<u>\$69,881,000</u>
28	<u>Puget Sound Capital Construction Account--</u>	
29	<u>Local Appropriation</u>	<u>\$249,000</u>
30	Multimodal Transportation Account--State	
31	Appropriation	((\$13,381,000))
32		<u>\$11,977,000</u>
33	Transportation 2003 Account (nickel account)	
34	Appropriation	\$5,749,000
35	TOTAL APPROPRIATION	((\$182,596,000))
36		<u>\$196,283,000</u>

1 The appropriations in this section are provided for improving the
2 Washington state ferry system, including, but not limited to, vessel
3 construction, major and minor vessel (~~(improvements)~~) preservation, and
4 terminal preservation, construction, and improvements. The
5 appropriations in this section are subject to the following conditions
6 and limitations:

7 (1) The multimodal transportation account--state appropriation
8 includes \$11,772,000 in proceeds from the sale of bonds authorized by
9 Senate Bill No. 6062. The transportation commission may authorize the
10 use of current revenues available to the department of transportation
11 in lieu of bond proceeds for any part of the state appropriation.

12 ~~(2) ((\$129,066,000 of the Puget Sound capital construction~~
13 ~~account--state appropriation and \$34,400,000 of the Puget Sound capital~~
14 ~~construction account--federal appropriation are provided solely for~~
15 ~~capital projects as listed in the Legislative 2003 Transportation~~
16 ~~Project List--Current Law as transmitted to the LEAP on April 27,~~
17 ~~2003.~~

18 ~~(3) \$17,521,000 of the transportation 2003 account (nickel~~
19 ~~account)--state appropriation is provided solely for capital projects~~
20 ~~as listed in the Legislative 2003 Transportation Project List--New Law~~
21 ~~as transmitted to the LEAP on April 27, 2003.~~

22 (4)) \$108,427,000 of the Puget Sound capital construction
23 account--state appropriation, \$69,881,000 of the Puget Sound capital
24 construction account--federal appropriation, \$249,000 of the Puget
25 Sound capital construction account--local appropriation, and \$205,000
26 of the multimodal transportation account--state appropriation are
27 provided for ferry construction projects. The department shall report
28 against the 2003 Transportation Program - Current Law Funds List
29 transmitted to LEAP on March 11, 2004. The department shall report
30 quarterly on project delivery and expenditures.

31 (a) Within the amounts provided in this subsection, a maximum of
32 \$58,412,000 of the Puget Sound capital construction account--state
33 appropriation, \$21,362,000 of the Puget Sound capital construction
34 account--federal appropriation, and \$249,000 of the Puget Sound capital
35 construction account--local appropriation are provided for terminal
36 projects.

37 (b) Within the amounts provided in this subsection, a maximum of
38 \$44,765,000 of the Puget Sound capital construction account--state

1 appropriation, \$48,432,000 of the Puget Sound capital construction
2 account--federal appropriation, and \$205,000 of the multimodal
3 transportation account--state appropriation are provided for vessel
4 projects.

5 (c) Within the amounts provided in this subsection, \$5,250,000 of
6 the Puget Sound capital construction account--state appropriation and
7 \$87,000 of the Puget Sound capital construction account--federal
8 appropriation are provided for emergency repair projects.
9 Additionally, unused funds under (a) and (b) of this subsection, may be
10 transferred to emergency repair projects.

11 (3) \$11,772,000 of the multimodal transportation account--state
12 appropriation and \$5,749,000 of the transportation 2003 (nickel)
13 account--state appropriation are provided solely for the projects and
14 activities as listed by project, biennium, and amount in the 2003
15 Transportation (Nickel) Program List transmitted to LEAP on March 11,
16 2004. The department shall, on a quarterly basis, provide to the
17 legislature status reports on each project in the 2003 Transportation
18 (nickel) Program List. The department is to work with the legislature
19 to agree on report formatting and elements. Elements shall include,
20 but are not limited to, project schedule and project costs.

21 (4) \$300,000 of the Puget Sound capital construction account--state
22 appropriation is provided solely for a study of alternatives to
23 relocating the Keystone Terminal. The study team shall consist of
24 seven members. All members of the study team shall be selected by June
25 1, 2004. The transportation commission shall select the following
26 study team members: One Washington state ferry pilot, two members of
27 the traveling public that use the Keystone to Port Townsend route on a
28 regular basis, one tug pilot, and three department staff members, two
29 of whom work for the Washington state ferry system program. The
30 department shall issue a request for proposals on behalf of the study
31 team for an outside consulting firm to conduct the study. The
32 consulting firm shall meet with the study team periodically. The study
33 will include, but is not limited to the following topics regarding the
34 existing terminal: (a) The costs and benefits associated with
35 preserving and maintaining the terminal, including enlarging the harbor
36 and dredging; (b) ridership projections associated with preserving and
37 maintaining the current terminal; (c) maintaining and retrofitting
38 existing vessels so they can serve the terminal; (d) coordinating the

1 impact of vehicles using the ferry run with highway capacity; (e) how
2 many, if any, new vessels should be constructed; and (f) the impact on
3 the environment. The study group and consultant must report back to
4 the legislative transportation committee no later than December 1,
5 2004. This report must include alternative scenarios to relocating the
6 Keystone Terminal.

7 (5) The Puget Sound capital construction account--state
8 appropriation includes (~~(\$45,000,000)~~) \$29,385,000 in proceeds from the
9 sale of bonds authorized by RCW 47.10.843 for vessel and terminal
10 acquisition, major and minor improvements, and long lead time materials
11 acquisition for the Washington state ferries. The transportation
12 commission may authorize the use of current revenues available to the
13 motor vehicle account in lieu of bond proceeds for any part of the
14 state appropriation.

15 ~~((+5))~~ (6) The Washington state ferries shall consult with the
16 United States Coast Guard regarding operational and design standards
17 required to meet Safety of Life at Sea requirements, in an effort to
18 determine the most efficient and cost-effective vessel design that
19 meets these requirements.

20 **Sec. 308.** 2003 1st sp.s. c 26 s 508 (uncodified) is amended to
21 read as follows:

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

23 Essential Rail Assistance Account--State Appropriation . . .	\$770,000
24 Multimodal Transportation Account--State	
25 Appropriation	\$34,530,000
26 Multimodal Transportation Account--Federal Appropriation . . .	\$9,499,000
27 Washington Fruit Express Account--State Appropriation	\$500,000
28 TOTAL APPROPRIATION	\$45,299,000

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

31 (1) The multimodal transportation account--state appropriation
32 includes \$30,000,000 in proceeds from the sale of bonds authorized by
33 Senate Bill No. 6062. The transportation commission may authorize the
34 use of current revenues available to the department of transportation
35 in lieu of bond proceeds for any part of the state appropriation.

36 (2) \$4,530,000 of the multimodal transportation account--state
37 appropriation, \$9,499,000 of the multimodal transportation account--

1 federal appropriation, \$500,000 of the Washington fruit express
2 account--state appropriation, and \$770,000 of the essential rail
3 assistance account--state appropriation are provided solely for capital
4 projects as listed in the Legislative 2003 Transportation Project List
5 - Current Law as transmitted to the LEAP on (~~April 27, 2003~~) March
6 11, 2004.

7 (3) \$1,230,000 of the multimodal transportation account--state
8 appropriation and \$770,000 of the essential rail assistance account--
9 state appropriation is to be placed in reserve status by the office of
10 financial management to be held until the department identifies the
11 location for a new transload facility at either Wenatchee or Quincy.
12 The funds are to be released upon determination of a location and
13 approval by the office of financial management.

14 (4) \$30,000,000 of the multimodal transportation account--state
15 appropriation is provided solely for capital projects as listed in the
16 Legislative 2003 Transportation Project List - New Law as transmitted
17 to the LEAP on April 27, 2003.

18 (5) If federal block grant funding for freight or passenger rail is
19 received, the department shall consult with the legislative
20 transportation committee prior to spending the funds on additional
21 projects.

22 (6) If the department issues a call for projects, applications must
23 be received by the department by November 1, 2003, and November 1,
24 2004.

25 (7) The department may not execute the Palouse River & Coulee City
26 Rail purchase until the chairs of the transportation committees of the
27 legislature have reviewed, and the office of financial management has
28 approved, a business plan that demonstrates the long term financial
29 viability of state-owned, privately operated short rail service. The
30 office of financial management shall issue to the chairs of the
31 transportation committees of the legislature a report outlining reasons
32 for the acceptance or rejection of the plan.

33 **Sec. 309.** 2003 c 360 s 310 (uncodified) is amended to read as
34 follows:

35 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
36 **CAPITAL**
37 Highway Infrastructure Account--State Appropriation \$207,000

1	Highway Infrastructure Account--Federal Appropriation . . .	\$1,602,000
2	Motor Vehicle Account--State Appropriation	((\$28,425,000))
3		<u>\$21,826,000</u>
4	<u>Motor Vehicle Account--Federal Appropriation</u>	<u>\$1,000,000</u>
5	Multimodal Transportation Account--State	
6	Appropriation	((\$13,726,000))
7		<u>\$14,226,000</u>
8	TOTAL APPROPRIATION	((\$43,960,000))
9		<u>\$38,861,000</u>

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

12 (1) \$6,000,000 of the multimodal transportation account--state
13 appropriation is provided solely for the projects and activities as
14 indicated in the Legislative 2003 Transportation Project List - New Law
15 Local Projects report transmitted to LEAP on April 27, 2003.

16 (2) To manage some projects more efficiently, federal funds may be
17 transferred from program Z to programs I and P and state funds shall be
18 transferred from programs I and P to program Z to replace those federal
19 funds in a dollar-for-dollar match. However, funds may not be
20 transferred between federal programs. Fund transfers authorized under
21 this subsection shall not affect project prioritization status.
22 Appropriations shall initially be allotted as appropriated in this act.
23 The department may not transfer funds as authorized under this
24 subsection without approval of the transportation commission. The
25 department shall submit a report on those projects receiving fund
26 transfers to the transportation committees of the senate and house of
27 representatives by December 1, 2004.

28 (3) \$7,576,000 of the multimodal transportation account--state
29 appropriation is reappropriated and provided solely to fund the first
30 phase of a multiphase cooperative project with the state of Oregon to
31 dredge the Columbia River. If dredge material is disposed of in the
32 ocean, the department shall not expend the appropriation in this
33 subsection unless agreement on ocean disposal sites has been reached
34 that protects the state's commercial crab fishery. The amount provided
35 in this subsection shall lapse unless the state of Oregon appropriates
36 a dollar-for-dollar match to fund its share of the project.

37 (4) \$1,156,000 of the motor vehicle account--state appropriation is
38 reappropriated and provided solely for additional small city pavement

1 preservation program grants, to be administered by the department's
2 highways and local programs division. The department shall review all
3 projects receiving grant awards under this program at least
4 semiannually to determine whether the projects are making satisfactory
5 progress. Any project that has been awarded small city pavement
6 preservation program grant funds, but does not report activity on the
7 project within one year of grant award, should be reviewed by the
8 department to determine whether the grant should be terminated. The
9 department must promptly close out grants when projects have been
10 completed, and identify where unused grant funds remain because actual
11 project costs were lower than estimated in the grant award. The
12 department shall expeditiously extend new grant awards to qualified
13 projects when funds become available either because grant awards have
14 been rescinded for lack of sufficient project activity or because
15 completed projects returned excess grant funds upon project closeout.

16 (5) \$4,010,000 of the motor vehicle account--state appropriation is
17 reappropriated and provided solely for additional traffic and
18 pedestrian safety improvements near schools. The highways and local
19 programs division within the department of transportation shall
20 administer this program. The department shall review all projects
21 receiving grant awards under this program at least semiannually to
22 determine whether the projects are making satisfactory progress. Any
23 project that has been awarded traffic and pedestrian safety improvement
24 grant funds, but does not report activity on the project within one
25 year of grant award should be reviewed by the department to determine
26 whether the grant should be terminated. The department must promptly
27 close out grants when projects have been completed, and identify where
28 unused grant funds remain because actual project costs were lower than
29 estimated in the grant award. The department shall expeditiously
30 extend new grant awards to qualified projects when funds become
31 available either because grant awards have been rescinded for lack of
32 sufficient project activity or because completed projects returned
33 excess grant funds upon project closeout.

34 (6) The motor vehicle account--state appropriation includes
35 \$20,452,000 in unexpended proceeds from the sale of bonds authorized by
36 RCW 47.10.843.

37 (7) The multimodal transportation account--state appropriation
38 includes \$6,000,000 in proceeds from the sale of bonds authorized by

1 Senate Bill No. 6062. The transportation commission may authorize the
2 use of current revenues available to the department of transportation
3 in lieu of bond proceeds for any part of the state appropriation.

4 (8) \$500,000 of the multimodal account--state appropriation is
5 provided solely to complete the engineering and permitting necessary to
6 implement the Skagit county flood control project.

7 **TRANSFERS AND DISTRIBUTIONS**

8 **Sec. 401.** 2003 c 360 s 401 (uncodified) is amended to read as
9 follows:

10 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND**
11 **REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT**
12 **TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE**

13	Highway Bond Retirement Account Appropriation	((\$258,971,000))
14		<u>\$250,000,000</u>
15	Nondebt-Limit Reimbursable Account Appropriation	\$4,131,000
16	Ferry Bond Retirement Account Appropriation	\$43,340,000
17	Transportation Improvement Board Bond Retirement	
18	Account--State Appropriation	\$36,721,000
19	Motor Vehicle Account--State Appropriation	((\$3,876,000))
20		<u>\$5,254,000</u>
21	Special Category C Account--State Appropriation	((\$331,000))
22		<u>\$338,000</u>
23	Transportation Improvement Account--State	
24	Appropriation	\$240,000
25	Multimodal Transportation Account--State Appropriation	\$358,000
26	Transportation 2003 Account (nickel account)	
27	Appropriation	((\$2,100,000))
28		<u>\$2,117,000</u>
29	TOTAL APPROPRIATION	((\$350,068,000))
30		<u>\$342,499,000</u>

31 **Sec. 402.** 2003 c 360 s 402 (uncodified) is amended to read as
32 follows:

33 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND**

1 **FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION**

2 Motor Vehicle Account Appropriation for
3 motor vehicle fuel tax distributions to
4 cities and counties ((~~\$441,359,000~~))
5 \$440,228,000

6 Motor Vehicle Account--State Appropriation:
7 For license permit and fee distributions to cities
8 and counties ((~~\$51,652,000~~))
9 \$13,119,000

10 **Sec. 405.** 2003 c 360 s 405 (uncodified) is amended to read as
11 follows:

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

13 (1) State Patrol Highway Account--State
14 Appropriation: For transfer to the Motor
15 Vehicle Account ((~~\$20,000,000~~))
16 \$15,000,000

17 (2) Motor Vehicle Account--State
18 Appropriation: For motor vehicle fuel tax
19 refunds and transfers ((~~\$465,152,000~~))
20 \$770,347,000

21 (3) Highway Safety Account--State
22 Appropriation: For transfer to the motor
23 vehicle account--state ((~~\$12,000,000~~))
24 \$22,000,000

25 The state treasurer shall perform the transfers from the state
26 patrol highway account and the highway safety account to the motor
27 vehicle account on a quarterly basis.

28 **Sec. 406.** 2003 c 360 s 406 (uncodified) is amended to read as
29 follows:

30 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSFERS**

31 (1) Motor Vehicle Account--State Appropriation:
32 For transfer to Puget Sound Ferry Operations
33 Account \$21,757,000

34 (2) RV Account--State Appropriation:
35 For transfer to the Motor Vehicle Account--State \$1,954,000

36 (3) Motor Vehicle Account--State Appropriation:

1 For transfer to Puget Sound Capital Construction
2 Account ((~~\$64,287,000~~))
3 \$61,287,000
4 (4) Puget Sound Ferry Operations Account--State
5 Appropriation: For transfer to Puget Sound Capital
6 Construction Account \$22,000,000
7 (5) Transportation Equipment Fund--State
8 Appropriation: For transfer to the Motor Vehicle
9 Account--State Appropriation \$8,000,000

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

12 (a) The department of transportation shall only transfer funds in
13 subsections (2) and (3) of this section up to the level provided, on an
14 as-needed basis.

15 (b) The department of transportation shall transfer funds in
16 subsection (4) of this section up to the amount identified, provided
17 that a minimum balance of \$5,000,000 is retained in the Puget Sound
18 ferry operations account.

19 (c) The amount identified in subsection (4) of this section may not
20 include any revenues collected as passenger fares.

21 **Sec. 407.** 2003 c 360 s 407 (uncodified) is amended to read as
22 follows:

23 **FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--TRANSFERS**

24 State Patrol Highway Account: For transfer to the
25 department of retirement systems expense account:
26 For the administrative expenses of the judicial
27 retirement system ((~~\$223,304~~))
28 \$290,000

29 **MISCELLANEOUS**

30 **Sec. 501.** RCW 70.94.996 and 2003 c 364 s 9 are each amended to
31 read as follows:

32 (1) To the extent that funds are appropriated, the department of
33 transportation shall administer a performance-based grant program for
34 private employers, public agencies, nonprofit organizations,

1 developers, and property managers who provide financial incentives for
2 ride sharing in vehicles carrying two or more persons, for using public
3 transportation, for using car sharing, or for using nonmotorized
4 commuting, including telework, before July 1, 2013, to their own or
5 other employees.

6 (2) The amount of the grant will be determined based on the value
7 to the transportation system of the vehicle trips reduced. The commute
8 trip reduction task force shall develop an award rate giving priority
9 to applications achieving the greatest reduction in trips and commute
10 miles per public dollar requested and considering the following
11 criteria: The local cost of providing new highway capacity, congestion
12 levels, and geographic distribution.

13 (3) No private employer, public agency, nonprofit organization,
14 developer, or property manager is eligible for grants under this
15 section in excess of one hundred thousand dollars in any fiscal year.

16 (4) The total of grants provided under this section may not exceed
17 seven hundred fifty thousand dollars in any fiscal year. However, this
18 subsection does not apply during the 2003-2005 fiscal biennium.

19 (5) The department of transportation shall report to the department
20 of revenue by the 15th day of each month the aggregate monetary amount
21 of grants provided under this section in the prior month and the
22 identity of the recipients of those grants.

23 (6) The source of funds for this grant program is the multimodal
24 transportation account.

25 (7) This section expires January 1, 2014.

26 NEW SECTION. Sec. 502. A new section is added to 2003 c 360
27 (uncodified) to read as follows:

28 The department is given the authority to provide up to \$3,000,000
29 in toll credits to Kitsap transit for its role in new passenger-only
30 ferry service. The number of toll credits provided to Kitsap transit
31 must be equal to, but no more than, a number sufficient to meet federal
32 match requirements for grant funding for passenger-only ferry service,
33 but shall not exceed the amount authorized under this section.

34 NEW SECTION. Sec. 503. A new section is added to 2003 c 360
35 (uncodified) to read as follows:

36 (1) The transportation commission may authorize a transfer of

1 spending allocation within the appropriation provided and between
2 projects as listed in the 2003 Transportation (Nickel) Program List
3 under the following conditions and limitations:

4 (a) Transfers from a project may be made if the funds allocated to
5 the project are in excess of the amount needed to complete the project,
6 but transfers may only be made in the biennium in which the savings
7 occur;

8 (b) Transfers from a project may not be made as a result of the
9 reduction of the scope of a project, nor shall a transfer be made to
10 support increases in the scope of a project;

11 (c) Transfers may be made within the current biennium from projects
12 that are experiencing unavoidable expenditure delays, but the transfers
13 may only occur if the commission finds that any resulting change to the
14 nickel program financial plan provides that all projects on the list
15 may be completed as intended by the legislature;

16 (d) Transfers may not occur to projects not identified on the list;
17 and

18 (e) Transfers may not occur if they are for the purpose of
19 advancing project milestones into the current biennium.

20 (2) The legislature reserves the authority to: (a) Authorize
21 transfer of spending allocation to adjust legislatively approved
22 milestones; (b) increase or diminish the scope of a project; (c)
23 provide for new projects; and (d) address significant project cost
24 overruns.

25 (3) For the purposes of this section, "project milestones" means
26 the initiation of major project phases including preliminary design,
27 right of way, project advertisement date, or other significant project
28 management decisions.

29 NEW SECTION. **Sec. 504.** A new section is added to 2003 c 360
30 (uncodified) to read as follows:

31 It is the intent of the legislature that the freight mobility
32 account created in Substitute Senate Bill No. 6680 maintain a zero or
33 positive cash balance at the end of each biennium. Toward this purpose
34 the Washington state department of transportation may make expenditures
35 from the account before receiving reimbursements. Before the end of
36 the biennium, the department shall transfer sufficient cash to cover
37 any negative cash balances from the motor vehicle fund and the

1 multimodal transportation account to the freight mobility account for
2 unrecovered reimbursements. The department shall calculate the
3 distribution of this transfer based on expenditures. In the ensuing
4 biennium the department shall transfer the reimbursements received in
5 the freight mobility account back to the motor vehicle fund and the
6 multimodal transportation account to the extent of the cash transferred
7 at biennium end. The department shall also distribute any interest
8 charges accruing to the freight mobility account to the motor vehicle
9 fund and the multimodal transportation account. Adjustments for any
10 indirect cost recoveries may also be made at this time.

11 NEW SECTION. **Sec. 505.** If any provision of this act or its
12 application to any person or circumstance is held invalid, the
13 remainder of the act or the application of the provision to other
14 persons or circumstances is not affected.

15 NEW SECTION. **Sec. 506.** This act is necessary for the immediate
16 preservation of the public peace, health, or safety, or support of the
17 state government and its existing public institutions, and takes effect
18 immediately.

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