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

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BILL REQ. #: S-5725.2/08 2nd draft

ATTY/TYPIST: LL:seg

BRIEF DESCRIPTION:

ESHB 2878 - S COMM AMD  
By Committee on Transportation

1 Strike everything after the enacting clause and insert the  
2 following:

3 "2007-09 BIENNIUM

4 GENERAL GOVERNMENT AGENCIES--OPERATING

5 Sec. 101. 2007 c 518 s 101 (uncodified) is amended to read as  
6 follows:

7 FOR THE UTILITIES AND TRANSPORTATION COMMISSION

8 Grade Crossing Protective Account--State

9 Appropriation . . . . . ((~~\$505,000~~))  
10 \$504,000

11 Sec. 102. 2007 c 518 s 102 (uncodified) is amended to read as  
12 follows:

13 FOR THE OFFICE OF FINANCIAL MANAGEMENT

14 Motor Vehicle Account--State Appropriation . . . . . ((~~\$3,054,000~~))  
15 \$3,177,000

16 Puget Sound Ferry Operations Account--State

17 Appropriation . . . . . \$100,000

18 TOTAL APPROPRIATION . . . . . ((~~\$3,154,000~~))  
19 \$3,277,000

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

22 (1) \$2,545,000 of the motor vehicle account--state appropriation is  
23 provided solely for the office of regulatory assistance integrated  
24 permitting project.

25 (2) \$75,000 of the motor vehicle account state appropriation is  
26 provided solely to address transportation budget and reporting  
27 requirements.



1 \$340,000

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

7 **TRANSPORTATION AGENCIES--OPERATING**

8 **Sec. 201.** 2007 c 518 s 201 (uncodified) is amended to read as  
9 follows:

10 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

11 Highway Safety Account--State Appropriation . . . . .	(( <del>\$2,609,000</del> ))
	<u>\$2,605,000</u>
13 Highway Safety Account--Federal Appropriation . . . . .	(( <del>\$15,880,000</del> ))
	<u>\$15,849,000</u>
15 School Zone Safety Account--State Appropriation . . . . .	(( <del>\$3,300,000</del> ))
	<u>\$3,376,000</u>
17 TOTAL APPROPRIATION . . . . .	(( <del>\$21,789,000</del> ))
	<u>\$21,830,000</u>

19 The appropriations in this section are subject to the following  
20 conditions and limitations: \$76,000 of the school zone safety  
21 account--state appropriation is provided solely for contracting with  
22 the office of the superintendent of public instruction (OSPI) to  
23 conduct pilot programs in three school districts for road safety  
24 education and training for children, in order to teach children safe  
25 walking, bicycling, and transit use behavior. The pilot projects shall  
26 be conducted during the 2008-09 academic year, and shall be modeled  
27 after a program and curriculum successfully implemented in the Spokane  
28 school district. Funds are provided for curriculum resources, bicycle  
29 purchases, teacher training, other essential services and equipment,  
30 and OSPI administrative expenses which may include contracting out  
31 pilot program administration. The participating school districts shall  
32 be located as follows: One in Grant county, one in Island county, and  
33 one in Kitsap county. The OSPI shall evaluate the pilot programs, and  
34 report to the transportation committees of the legislature no later  
35 than December 1, 2009, on the outcomes of the pilot programs. The

1 report shall include a survey identifying barriers to, interest in, and  
2 the likelihood of students traveling by biking, walking, or transit  
3 both prior to and following completion of the pilot program.

4 **Sec. 202.** 2007 c 518 s 202 (uncodified) is amended to read as  
5 follows:

6 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

7 Rural Arterial Trust Account--State Appropriation . . . . .	(( <del>\$907,000</del> ))
	<u>\$901,000</u>
9 Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$2,075,000</del> ))
	<u>\$2,060,000</u>
11 County Arterial Preservation Account--State	
12 Appropriation . . . . .	(( <del>\$1,399,000</del> ))
	<u>\$1,389,000</u>
14 TOTAL APPROPRIATION . . . . .	(( <del>\$4,381,000</del> ))
	<u>\$4,350,000</u>

16 The appropriations in this section are subject to the following  
17 conditions and limitations: \$481,000 of the county arterial  
18 preservation account--state appropriation is provided solely for  
19 continued development and implementation of a maintenance management  
20 system to manage county transportation assets.

21 **Sec. 203.** 2007 c 518 s 203 (uncodified) is amended to read as  
22 follows:

23 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

24 Urban Arterial Trust Account--State Appropriation . . . . .	(( <del>\$1,793,000</del> ))
	<u>\$1,780,000</u>
26 Transportation Improvement Account--State	
27 Appropriation . . . . .	(( <del>\$1,795,000</del> ))
	<u>\$1,781,000</u>
29 TOTAL APPROPRIATION . . . . .	(( <del>\$3,588,000</del> ))
	<u>\$3,561,000</u>

31 **Sec. 204.** 2007 c 518 s 204 (uncodified) is amended to read as  
32 follows:

33 **FOR THE BOARD OF PILOTAGE COMMISSIONERS**

34 Pilotage Account--State Appropriation . . . . .	(( <del>\$1,156,000</del> ))
	<u>\$1,153,000</u>

1       **Sec. 205.** 2007 c 518 s 205 (uncodified) is amended to read as  
2 follows:

3 **FOR THE JOINT TRANSPORTATION COMMITTEE**

4	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$2,103,000</del> ))
5		<u>\$2,364,000</u>
6	<u>State Patrol Highway Account--State Appropriation . . . . .</u>	\$100,000
7	Multimodal Transportation Account--State Appropriation . . . . .	\$550,000
8	TOTAL APPROPRIATION . . . . .	(( <del>\$2,653,000</del> ))
9		<u>\$3,014,000</u>

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

12       (1) (~~\$500,000~~) \$750,000 of the motor vehicle account--state  
13 appropriation is for establishing a work group to implement Engrossed  
14 Substitute House Bill No. 2358 (regarding state ferries) and review  
15 other matters relating to Washington state ferries. The cochairs of  
16 the committee shall establish the work group comprising committee  
17 members or their designees, an appointee by the governor, and other  
18 stakeholders as appointed by the cochairs, to assist in the committee's  
19 work. The work group shall present a report (~~the progress~~) of its  
20 tasks to the transportation committees of the legislature by December  
21 (~~15, 2007~~) 1, 2008. The work group is tasked with the following:

22       (a) Implementing the recommendations of Engrossed Substitute House  
23 Bill No. 2358 (regarding state ferries). As directed by Engrossed  
24 Substitute House Bill No. 2358, the committee work group shall  
25 participate in and provide a review of the following:

26       (i) The Washington transportation commission's development and  
27 interpretation of a survey of ferry customers;

28       (ii) The department of transportation's analysis and  
29 reestablishment of vehicle level of service standards. In  
30 reestablishing the standards, consideration must be given to whether  
31 boat wait is the appropriate measure;

32       (iii) The department's development of pricing policy proposals. In  
33 developing these policies, the policy, in effect on some routes, of  
34 collecting fares in only one direction must be evaluated to determine  
35 whether one-way fare pricing best serves the ferry system;

36       (iv) The department's development of operational strategies;

37       (v) The department's development of terminal design standards; and

1 (vi) The department's development of a long-range capital plan;  
2 (b) Reviewing the following Washington state ferry programs:  
3 (i) Ridership demand forecast;  
4 (ii) Updated life cycle cost model, as directed by Engrossed  
5 Substitute House Bill No. 2358;  
6 (iii) Administrative operating costs, nonlabor and nonfuel  
7 operating costs, Eagle Harbor maintenance facility program and  
8 maintenance costs, administrative and systemwide capital costs, and  
9 vessel preservation costs; and  
10 (iv) The Washington state ferries' proposed capital cost allocation  
11 plan methodology, as described in Engrossed Substitute House Bill No.  
12 2358;  
13 (c) Making recommendations regarding:  
14 (i) The most efficient timing and sizing of future vessel  
15 acquisitions beyond those currently authorized by the legislature.  
16 Vessel acquisition recommendations must be based on the ridership  
17 projections, level of service standards, and operational and pricing  
18 strategies reviewed by the committee and must include the impact of  
19 those recommendations on the timing and size of terminal capital  
20 investments and the state ferries' long range operating and capital  
21 finance plans; and  
22 (ii) Capital financing strategies for consideration in the 2009  
23 legislative session. This work must include confirming the  
24 department's estimate of future capital requirements based on a long  
25 range capital plan and must include the department's development of a  
26 plan for codevelopment and public private partnership opportunities at  
27 public ferry terminals; and  
28 (d) Evaluate the capital cost allocation plan methodology developed  
29 by the department to implement Engrossed Substitute House Bill No.  
30 2358.  
31 (2) \$250,000 of the motor vehicle account--state appropriation and  
32 \$250,000 of the multimodal transportation account--state appropriation  
33 are for the continuing implementation of (~~Substitute Senate Bill No.~~  
34 ~~5207~~) chapter 514, Laws of 2007.  
35 (3) \$300,000 of the multimodal transportation account--state  
36 appropriation is for implementing Substitute House Bill No. 1694  
37 (coordinated transportation). If Substitute House Bill No. 1694 is not

1 enacted by June 30, 2007, the amount provided in this subsection shall  
2 lapse.

3 (4) \$100,000 of the state patrol highway account--state  
4 appropriation is for a study of the most cost-effective means of  
5 ensuring that the pension concerns of the members of the Washington  
6 state patrol retirement system are adequately and appropriately  
7 considered and submitted to the legislature. The committee shall  
8 solicit participation and guidance from the senate ways and means  
9 committee, the house of representatives appropriations committee, the  
10 department of retirement systems, the office of financial management,  
11 the Washington state patrol troopers association, the Washington state  
12 patrol lieutenants association, the Washington state patrol, and the  
13 office of the state actuary, and report the study recommendations to  
14 the legislature by November 1, 2008.

15 **Sec. 206.** 2007 c 518 s 206 (uncodified) is amended to read as  
16 follows:

17 **FOR THE TRANSPORTATION COMMISSION**

18 Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$2,276,000</del> ))
	<u>\$2,469,000</u>
20 Multimodal Transportation Account--State Appropriation . . .	\$112,000
21 TOTAL APPROPRIATION . . . . .	(( <del>\$2,388,000</del> ))
	<u>\$2,581,000</u>

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

25 (1) \$350,000 of the motor vehicle account--state appropriation is  
26 provided solely for the commission to conduct a survey of ferry  
27 customers as described in Engrossed Substitute House Bill No. 2358.  
28 Development and interpretation of the survey must be done with  
29 participation of the joint transportation committee work group  
30 established in section 205(1) of this act.

31 (2) (~~(\$100,000)~~) \$300,000 of the motor vehicle account--state  
32 appropriation is provided solely for a study to identify and evaluate  
33 long-term financing alternatives for the Washington state ferry system.  
34 The study shall incorporate the findings of the initial survey  
35 described in subsection (1) of this section, and shall consider the  
36 potential for state, regional, or local financing options. The



1 commission shall submit a draft final report of its findings and  
2 recommendations to the transportation committees of the legislature no  
3 later than December 2008.

4 (3) The commission shall conduct a planning grade tolling study  
5 that is based on the recommended policies in the commission's  
6 comprehensive tolling study submitted September 20, 2006.

7 (4) Pursuant to RCW 43.135.055, during the 2007-09 fiscal biennium,  
8 the transportation commission shall establish, periodically review,  
9 and, if necessary, modify a schedule of toll charges applicable to the  
10 state route 167 high-occupancy toll lane pilot project, as required by  
11 RCW 47.56.403.

12 **Sec. 207.** 2007 c 518 s 207 (uncodified) is amended to read as  
13 follows:

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

15 Motor Vehicle Account--State Appropriation . . . . . ((~~\$695,000~~))  
16 \$692,000

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

19 (1) The freight mobility strategic investment board shall, on a  
20 quarterly basis, provide status reports to the office of financial  
21 management and the transportation committees of the legislature on the  
22 delivery of projects funded by this act.

23 (2) The freight mobility strategic investment board and the  
24 department of transportation shall collaborate to submit a report to  
25 the office of financial management and the transportation committees of  
26 the legislature by September 1, 2008, listing proposed freight highway  
27 and rail projects. The report must describe the analysis used for  
28 selecting such projects, as required by chapter 47.06A RCW for the  
29 board and as required by this act for the department. When developing  
30 its list of proposed freight highway and rail projects, the freight  
31 mobility strategic investment board shall use the priorities identified  
32 in section 309(7)(a) of this act to the greatest extent possible.

33 **Sec. 208.** 2007 c 518 s 208 (uncodified) is amended to read as  
34 follows:

35 **FOR THE WASHINGTON STATE PATROL--FIELD OPERATIONS BUREAU**

36 State Patrol Highway Account--State

1	Appropriation . . . . .	(( <del>\$225,445,000</del> ))
2		<u>\$227,172,000</u>
3	State Patrol Highway Account--Federal	
4	Appropriation . . . . .	\$10,602,000
5	State Patrol Highway Account--Private/Local	
6	Appropriation . . . . .	\$410,000
7	TOTAL APPROPRIATION . . . . .	(( <del>\$236,457,000</del> ))
8		<u>\$238,184,000</u>

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

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

19       (2) In addition to the user fees, the patrol shall transfer into  
20 the state patrol nonappropriated airplane revolving account under RCW  
21 43.79.470 no more than the amount of appropriated state patrol highway  
22 account and general fund funding necessary to cover the costs for the  
23 patrol's use of the aircraft. The state patrol highway account and  
24 general fund--state funds shall be transferred proportionately in  
25 accordance with a cost allocation that differentiates between highway  
26 traffic enforcement services and general policing purposes.

27       (3) The patrol shall not account for or record locally provided DUI  
28 cost reimbursement payments as expenditure credits to the state patrol  
29 highway account. The patrol shall report the amount of expected  
30 locally provided DUI cost reimbursements to the governor and  
31 transportation committees of the senate and house of representatives by  
32 September 30th of each year.

33       (4) \$1,662,000 of the state patrol highway account--state  
34 appropriation is provided solely for the implementation of Substitute  
35 House Bill No. 1304 (commercial vehicle enforcement). If Substitute  
36 House Bill No. 1304 is not enacted by June 30, 2007, the amount  
37 provided in this subsection shall lapse.

1 (5) During the fiscal year 2008, the Washington state patrol shall  
2 continue to perform traffic accident investigations on Thurston, Mason,  
3 and Lewis county roads, and shall work with the counties to transition  
4 the traffic accident investigations on county roads to the counties by  
5 July 1, 2008.

6 (6) \$100,000 of the state patrol highway account--state  
7 appropriation is provided solely for the implementation of Substitute  
8 House Bill No. 1417 (health benefits for surviving dependents). If  
9 Substitute House Bill No. 1417 is not enacted by June 30, 2007, the  
10 amount provided in this subsection shall lapse.

11 (7) \$3,300,000 of the state patrol highway account--state  
12 appropriation is provided solely for the salaries and benefits  
13 associated with accretion in the number of troopers employed above  
14 1,158 authorized commissioned troopers, or solely for training new  
15 cadets; however, the amount provided in this subsection is contingent  
16 on the Washington state patrol submitting a 2009-11 budget request that  
17 fully funds field force operations without reliance on a projected  
18 vacancy rate.

19 (8) By July 1, 2008, the Washington state patrol shall assign six  
20 additional troopers to the Monroe detachment from among troopers  
21 requesting transfer to Monroe or graduating cadet classes.

22 **Sec. 209.** 2007 c 518 s 209 (uncodified) is amended to read as  
23 follows:

24 <b>FOR THE WASHINGTON STATE PATROL--INVESTIGATIVE SERVICES BUREAU</b>	
25 State Patrol Highway Account--State Appropriation . . . (( <del>\$1,300,000</del> ))	
26	<u>\$1,553,000</u>

27 **Sec. 210.** 2007 c 518 s 210 (uncodified) is amended to read as  
28 follows:

29 <b>FOR THE WASHINGTON STATE PATROL--TECHNICAL SERVICES BUREAU</b>	
30 State Patrol Highway Account--State Appropriation . . . (( <del>\$103,157,000</del> ))	
31	<u>\$102,891,000</u>
32 State Patrol Highway Account--Private/Local	
33 Appropriation . . . . .	\$2,008,000
34 TOTAL APPROPRIATION . . . . .	(( <del>\$105,165,000</del> ))
35	<u>\$104,899,000</u>

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

3 (1) The Washington state patrol shall work with the risk management  
4 division in the office of financial management in compiling the  
5 Washington state patrol's data for establishing the agency's risk  
6 management insurance premiums to the tort claims account. The office  
7 of financial management and the Washington state patrol shall submit a  
8 report to the legislative transportation committees by December 31st of  
9 each year on the number of claims, estimated claims to be paid, method  
10 of calculation, and the adjustment in the premium.

11 (2) (~~(\$12,641,000)~~) \$9,981,000 of the total appropriation is  
12 provided solely for automobile fuel in the 2007-2009 biennium.

13 (3) (~~(\$8,678,000)~~) \$7,461,000 of the total appropriation is  
14 provided solely for the purchase of pursuit vehicles.

15 (4) (~~(\$5,254,000)~~) \$6,328,000 of the total appropriation is  
16 provided solely for vehicle repair and maintenance costs of vehicles  
17 used for highway purposes.

18 (5) \$384,000 of the total appropriation is provided solely for the  
19 purchase of mission vehicles used for highway purposes in the  
20 commercial vehicle and traffic investigation sections of the Washington  
21 state patrol.

22 (6) The Washington state patrol may submit information technology  
23 related requests for funding only if the patrol has coordinated with  
24 the department of information services as required by section 602 of  
25 this act.

26 (7) \$630,000 of the total appropriation is provided solely for the  
27 ongoing software maintenance and technical support for the digital  
28 microwave system. The Washington state patrol shall coordinate with  
29 the other members of the Washington state interoperability executive  
30 committee to ensure compatibility between emergency communication  
31 systems.

32 **Sec. 211.** 2007 c 518 s 212 (uncodified) is amended to read as  
33 follows:

34 **FOR THE DEPARTMENT OF LICENSING**

35	Marine Fuel Tax Refund Account--State Appropriation . . . . .	\$32,000
36	Motorcycle Safety Education Account--State	
37	Appropriation . . . . .	( <del>(\$3,905,000)</del> )

1		<u>\$3,899,000</u>
2	Wildlife Account--State Appropriation . . . . .	(( <del>\$843,000</del> ))
3		<u>\$831,000</u>
4	Highway Safety Account--State Appropriation . . . . .	(( <del>\$141,953,000</del> ))
5		<u>\$145,570,000</u>
6	Highway Safety Account--Federal Appropriation . . . . .	\$233,000
7	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$79,230,000</del> ))
8		<u>\$78,424,000</u>
9	Motor Vehicle Account--Private/Local Appropriation . . . . .	\$1,372,000
10	Motor Vehicle Account--Federal Appropriation . . . . .	(( <del>\$117,000</del> ))
11		<u>\$1,354,000</u>
12	Department of Licensing Services Account--State	
13	Appropriation . . . . .	(( <del>\$3,540,000</del> ))
14		<u>\$4,542,000</u>
15	Washington State Patrol Highway Account--State	
16	Appropriation . . . . .	\$1,145,000
17	TOTAL APPROPRIATION . . . . .	(( <del>\$232,370,000</del> ))
18		<u>\$237,402,000</u>

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

21       (1) \$2,941,000 of the highway safety account--state appropriation  
22 is provided solely for the implementation of Substitute House Bill No.  
23 1267 (modifying commercial driver's license requirements). If  
24 Substitute House Bill No. 1267 is not enacted by June 30, 2007, the  
25 amount provided in this subsection shall lapse. The department shall  
26 informally report to the legislature by December 1, 2008, with  
27 measurable data indicating the department's progress in meeting its  
28 goal of improving public safety by improving the quality of the  
29 commercial driver's license testing process.

30       (2) \$716,000 of the motorcycle safety education account--state  
31 appropriation is provided solely for the implementation of Senate Bill  
32 No. 5273 (modifying motorcycle driver's license endorsement and  
33 education provisions). If Senate Bill No. 5273 is not enacted by June  
34 30, 2007, the amount provided in this subsection shall lapse.

35       (3) ((~~\$8,872,000~~)) \$12,322,000 of the highway safety account--state  
36 appropriation is provided solely for costs associated with the  
37 ((~~systems development and issuance of~~)) processing costs of issuing  
38 enhanced drivers' licenses and identicards to facilitate crossing the

1 Canadian border. (~~If Engrossed Substitute House Bill No. 1289~~  
2 ~~(relating to the issuance of enhanced drivers' licenses and~~  
3 ~~identicards) is not enacted by June 30, 2007, the amount provided in~~  
4 ~~this subsection shall lapse. The department may expend funds only~~  
5 ~~after acceptance of the enhanced Washington state driver's license for~~  
6 ~~border crossing purposes by the Canadian and United States governments.~~  
7 ~~The department may expend funds only after prior written approval of~~  
8 ~~the director of financial management. Of the amount provided in this~~  
9 ~~subsection, up to \$1,000,000 is for a statewide educational campaign,~~  
10 ~~which must include coordination with existing public and private~~  
11 ~~entities, to inform the Washington public of the benefits of the new~~  
12 ~~enhanced drivers' licenses and identicards.)~~)

13 (4) \$91,000 of the motor vehicle account--state appropriation and  
14 \$152,000 of the highway safety account--state appropriation are  
15 provided solely for contracting with the office of the attorney general  
16 to investigate criminal activity uncovered in the course of the  
17 agency's licensing and regulatory activities. Funding is provided for  
18 the 2008 fiscal year. The department may request funding for the 2009  
19 fiscal year if the request is submitted with measurable data indicating  
20 the department's progress in meeting its goal of increased prosecution  
21 of illegal activity.

22 (5) \$350,000 of the highway safety account--state appropriation is  
23 provided solely for the costs associated with the systems development  
24 of the interface that will allow insurance carriers and their agents  
25 real time, online access to drivers' records. If Substitute Senate  
26 Bill No. 5937 is not enacted by June 30, 2007, the amount provided in  
27 this subsection shall lapse.

28 (6) \$1,145,000 of the state patrol highway account--state  
29 appropriation is provided solely for the implementation of Substitute  
30 House Bill No. 1304 (modifying commercial motor vehicle carrier  
31 provisions). If Substitute House Bill No. 1304 is not enacted by June  
32 30, 2007, the amount provided in this subsection shall lapse.

33 (7) The department may submit information technology related  
34 requests for funding only if the department has coordinated with the  
35 department of information services as required by section 602 of this  
36 act.

37 (8) (~~Within the amounts appropriated in this section, the~~  
38 ~~department shall, working with the legislature, develop a proposal to~~)

1 \$116,000 of the motor vehicle account--state appropriation is provided  
2 solely to, in consultation with the legislature, streamline title and  
3 registration statutes to specifically address apparent conflicts, fee  
4 distribution, and other recommendations by the department that are  
5 revenue neutral and which do not change legislative policy. The  
6 department shall (~~report the results of this review to the~~  
7 ~~transportation committees of the legislature by December 1, 2007)~~  
8 submit recommended changes to the transportation committees of the  
9 legislature by the end of the biennium.

10 (9) \$246,000 of the department of licensing services account--state  
11 appropriation is provided solely for the implementation of Substitute  
12 Senate Bill No. 6836 (secure vehicle licensing system). If Substitute  
13 Senate Bill No. 6836 is not enacted by June 30, 2008, the amount  
14 provided in this subsection shall lapse.

15 (10) \$960,000 of the motor vehicle account--state appropriation is  
16 provided solely for the implementation of Second Substitute House Bill  
17 No. 1046 (motor vehicle insurance). If Second Substitute House Bill  
18 No. 1046 is not enacted by June 30, 2008, the amount provided in this  
19 subsection shall lapse.

20 (11) \$277,000 of the highway safety account--state appropriation is  
21 provided solely for the implementation of Senate Bill No. 6885 (driving  
22 record abstracts). If Senate Bill No. 6885 is not enacted by June 30,  
23 2008, the amount provided in this subsection shall lapse.

24 (12) \$417,000 of the highway safety account--state appropriation is  
25 provided solely for the implementation of Engrossed Second Substitute  
26 Senate Bill No. 6546 (ignition interlock drivers' license). If  
27 Engrossed Second Substitute Senate Bill No. 6546 is not enacted by June  
28 30, 2008, the amount provided in this subsection shall lapse.

29 (13) The department shall investigate instituting a program whereby  
30 individual registered vehicle owners can have license plates tested for  
31 reflectivity to determine whether the department's requirement that the  
32 license plates be replaced after seven years can be waived for that  
33 particular set of license plates.

34 **Sec. 212.** 2007 c 518 s 213 (uncodified) is amended to read as  
35 follows:

36 **FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND**

1	<b>MAINTENANCE--PROGRAM B</b>	
2	High-Occupancy Toll Lanes Account--State	
3	Appropriation . . . . .	(( <del>\$2,596,000</del> ))
4		<u>\$2,253,000</u>
5	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$5,600,000</del> ))
6		<u>\$1,018,000</u>
7	Tacoma Narrows Toll Bridge Account--State	
8	Appropriation . . . . .	(( <del>\$28,218,000</del> ))
9		<u>\$28,249,000</u>
10	TOTAL APPROPRIATION . . . . .	(( <del>\$36,414,000</del> ))
11		<u>\$31,520,000</u>

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

14       ~~((1) \$5,000,000 of the motor vehicle account state is provided  
15 solely to provide a reserve for the Tacoma Narrows Bridge project.  
16 This appropriation shall be held in unallotted status until the office  
17 of financial management deems that revenues applicable to the Tacoma  
18 Narrows Bridge project are not sufficient to cover the project's  
19 expenditures.~~

20       ~~(2) The department shall solicit private donations to fund  
21 activities related to the opening ceremonies of the Tacoma Narrows  
22 bridge project.))~~ The department shall develop incentives to reduce  
23 and control tolling operations costs. These incentives may be directed  
24 at the public, the tolling contractor, or the department. Incentives  
25 to be considered should include, but not be limited to: Incentives to  
26 return unneeded transponders, incentives to close inactive accounts,  
27 incentives to reduce printed account statements, incentives to reduce  
28 labor costs, and incentives to reduce postage and shipping costs.  
29 These incentives shall be presented for review by the transportation  
30 commission by September 30, 2008.

31       **Sec. 213.** 2007 c 518 s 214 (uncodified) is amended to read as  
32 follows:

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

35	Transportation Partnership Account--State	
36	Appropriation . . . . .	(( <del>\$4,556,000</del> ))
37		<u>\$5,892,000</u>



1	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$67,613,000</del> ))
2		<u>\$67,744,000</u>
3	Motor Vehicle Account--Federal Appropriation . . . . .	\$1,096,000
4	Puget Sound Ferry Operations Account--State	
5	Appropriation . . . . .	(( <del>\$9,192,000</del> ))
6		<u>\$9,147,000</u>
7	Multimodal Transportation Account--State	
8	Appropriation . . . . .	\$363,000
9	Transportation 2003 Account (Nickel Account)--State	
10	Appropriation . . . . .	(( <del>\$4,000,000</del> ))
11		<u>\$5,337,000</u>
12	TOTAL APPROPRIATION . . . . .	(( <del>\$86,820,000</del> ))
13		<u>\$89,579,000</u>

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

16       (1) The department shall consult with the office of financial  
17 management and the department of information services to ensure that  
18 (a) the department's current and future system development is  
19 consistent with the overall direction of other key state systems; and  
20 (b) when possible, use or develop common statewide information systems  
21 to encourage coordination and integration of information used by the  
22 department and other state agencies and to avoid duplication.

23       (2) The department shall provide updated information on six project  
24 milestones for all active projects, funded in part or in whole with  
25 2005 transportation partnership account funds or 2003 nickel account  
26 funds, on a quarterly basis in the transportation executive information  
27 system (TEIS). The department shall also provide updated information  
28 on six project milestones for projects, funded with preexisting funds  
29 and that are agreed to by the legislature, office of financial  
30 management, and the department, on a quarterly basis in TEIS.

31       (3) ((~~\$2,300,000~~)) \$3,300,000 of the motor vehicle account--state  
32 appropriation is provided solely for preliminary work needed to  
33 transition the department to the state government network. In  
34 collaboration with the department of information services the  
35 department shall complete an inventory of the current network  
36 infrastructure, ((and)) develop an implementation plan for transition  
37 to the state government network, improve security, and initiate  
38 connection to the state government network.

1 (4) \$1,000,000 of the motor vehicle account--state appropriation,  
2 (~~(\$4,556,000)~~) \$5,892,000 of the transportation partnership account--  
3 state appropriation, and (~~(\$4,000,000)~~) \$5,337,000 of the  
4 transportation 2003 account (nickel account)--state appropriation are  
5 provided solely for the department to develop a project management and  
6 reporting system which is a collection of integrated tools for capital  
7 construction project managers to use to perform all the necessary tasks  
8 associated with project management. The department shall integrate  
9 commercial off-the-shelf software with existing department systems and  
10 enhanced approaches to data management to provide web-based access for  
11 multi-level reporting and improved business workflows and reporting.  
12 Beginning September 1, 2007, and on a quarterly basis thereafter, the  
13 department shall report to the office of financial management and the  
14 transportation committees of the legislature on the status of the  
15 development and integration of the system. The first report shall  
16 include a detailed work plan for the development and integration of the  
17 system including timelines and budget milestones. At a minimum the  
18 ensuing reports shall indicate the status of the work as it compares to  
19 the work plan, any discrepancies, and proposed adjustments necessary to  
20 bring the project back on schedule or budget if necessary.

21 (5) The department may submit information technology related  
22 requests for funding only if the department has coordinated with the  
23 department of information services as required by section 602 of this  
24 act.

25 (6) \$1,600,000 of the motor vehicle account--state appropriation is  
26 provided solely for the critical application assessment implementation  
27 project. The department shall submit a progress report on the critical  
28 application assessment implementation project to the house of  
29 representatives and senate transportation committees on or before  
30 December 1, 2007, and December 1, 2008, with a final report on or  
31 before June 30, 2009.

32 **Sec. 214.** 2007 c 518 s 215 (uncodified) is amended to read as  
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION--FACILITY MAINTENANCE, OPERATIONS**  
35 **AND CONSTRUCTION--PROGRAM D--OPERATING**  
36 Motor Vehicle Account--State Appropriation . . . . . (~~(\$34,569,000)~~)  
37 \$34,030,000

1       **Sec. 215.** 2007 c 518 s 216 (uncodified) is amended to read as  
2 follows:

3       **FOR THE DEPARTMENT OF TRANSPORTATION--AVIATION--PROGRAM F**

4       Aeronautics Account--State Appropriation . . . . .	(( <del>\$6,889,000</del> ))
5	<u>\$7,868,000</u>
6       Aeronautics Account--Federal Appropriation . . . . .	\$2,150,000
7       Multimodal Transportation Account--State Appropriation . . . . .	\$631,000
8       TOTAL APPROPRIATION . . . . .	(( <del>\$9,670,000</del> ))
9	<u>\$10,649,000</u>

10       The appropriations in this section are subject to the following  
11 conditions and limitations: The entire multimodal transportation  
12 account--state appropriation (~~is~~) and \$400,000 of the aeronautics  
13 account--state appropriation are provided solely for the aviation  
14 planning council as provided for in RCW 47.68.410.

15       **Sec. 216.** 2007 c 518 s 217 (uncodified) is amended to read as  
16 follows:

17       **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM DELIVERY MANAGEMENT AND**  
18 **SUPPORT--PROGRAM H**

19       Transportation Partnership Account--State	
20       Appropriation . . . . .	\$2,422,000
21       Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$50,446,000</del> ))
22	<u>\$52,317,000</u>
23       Motor Vehicle Account--Federal Appropriation . . . . .	\$500,000
24       Multimodal Transportation Account--State	
25       Appropriation . . . . .	\$250,000
26       Transportation 2003 Account (Nickel Account)--State	
27       Appropriation . . . . .	\$2,422,000
28       TOTAL APPROPRIATION . . . . .	(( <del>\$56,040,000</del> ))
29	<u>\$57,911,000</u>

30       The appropriation in this section is subject to the following  
31 conditions and limitations: \$2,422,000 of the transportation  
32 partnership account appropriation and \$2,422,000 of the transportation  
33 2003 account (nickel account)--state appropriation are provided solely  
34 for consultant contracts to assist the department in the delivery of  
35 the capital construction program by identifying improvements to program  
36 delivery, program management, project controls, program and project

1 monitoring, forecasting, and reporting. The consultants shall work  
2 with the department of information services in the development of the  
3 project management and reporting system.

4 The consultants shall provide an updated copy of the capital  
5 construction strategic plan to the legislative transportation  
6 committees and to the office of financial management on June 30, 2008,  
7 and each year thereafter.

8 The department shall coordinate its work with other budget and  
9 performance efforts, including Roadmap, the findings of the critical  
10 applications modernization and integration strategies study, including  
11 proposed next steps, and the priorities of government process.

12 The department shall report to the transportation committees of the  
13 house of representatives and senate, and the office of financial  
14 management, by December 31, 2007, on the implementation status of  
15 recommended capital budgeting and reporting options. Options must  
16 include: Reporting against legislatively-established project  
17 identification numbers and may include recommendations for reporting  
18 against other appropriate project groupings; measures for reporting  
19 progress, timeliness, and cost which create an incentive for the  
20 department to manage effectively and report its progress in a  
21 transparent manner; and criteria and process for transfers of funds  
22 among projects.

23 **Sec. 217.** 2007 c 518 s 218 (uncodified) is amended to read as  
24 follows:

25 **FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM**  
26 **K**

27	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$1,151,000</del> ))
28		<u>\$1,142,000</u>
29	Multimodal Transportation Account--State Appropriation . . .	\$300,000
30	TOTAL APPROPRIATION . . . . .	(( <del>\$1,451,000</del> ))
31		<u>\$1,442,000</u>

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

- 34 (1) \$300,000 of the multimodal account--state appropriation is
- 35 provided solely for the department to hire a consultant to develop a
- 36 plan for codevelopment and public-private partnership opportunities at
- 37 public ferry terminals.

1 (2) The department shall conduct an analysis and, if determined to  
2 be feasible, initiate requests for proposals involving the distribution  
3 of alternative fuels along state department of transportation  
4 rights-of-way.

5 **Sec. 218.** 2007 c 518 s 219 (uncodified) is amended to read as  
6 follows:

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

8 Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$321,888,000</del> ))
9	<u>\$331,565,000</u>
10 Motor Vehicle Account--Federal Appropriation . . . . .	(( <del>\$2,000,000</del> ))
11	<u>\$5,000,000</u>
12 Motor Vehicle Account--Private/Local Appropriation . . . . .	\$5,797,000
13 TOTAL APPROPRIATION . . . . .	(( <del>\$329,685,000</del> ))
14	<u>\$342,362,000</u>

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

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

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

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

31 (4) ((~~\$1,500,000~~)) \$5,000,000 of the motor vehicle account--federal  
32 appropriation is provided for unanticipated federal funds that may be  
33 received during the 2007-09 biennium. Upon receipt of the funds, the  
34 department shall provide a report on the use of the funds to the  
35 transportation committees of the legislature and the office of  
36 financial management.

1 (5) Funding is provided for maintenance on the state system to  
2 deliver service level targets as listed in LEAP Transportation Document  
3 2007-C, as developed April 20, 2007. In delivering the program and  
4 aiming for these targets, the department should concentrate on the  
5 following areas:

6 (a) Eliminating the number of activities delivered in the "f" level  
7 of service at the region level; and

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

12 (6) The department may work with the department of corrections to  
13 utilize corrections crews for the purposes of litter pickup on state  
14 highways.

15 (7) \$650,000 of the motor vehicle account--state appropriation is  
16 provided solely for increased asphalt costs.

17 (8) The department shall prepare a comprehensive listing of  
18 maintenance backlogs and related costs and report to the office of  
19 financial management and the transportation committees of the  
20 legislature by December 31, 2008.

21 (9) \$79,266,000 of the motor vehicle account--state appropriation  
22 is for snow and ice related expenses, within which is a one-time  
23 increase of \$3,250,000 provided solely for extraordinary snow and ice  
24 removal expenses incurred during the winter of 2007-08.

25 **Sec. 219.** 2007 c 518 s 220 (uncodified) is amended to read as  
26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**  
28 **OPERATING**

29 Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$52,040,000</del> ))
	<u>\$51,478,000</u>
31 Motor Vehicle Account--Federal Appropriation . . . . .	\$2,050,000
32 Motor Vehicle Account--Private/Local Appropriation . . . . .	\$127,000
33 TOTAL APPROPRIATION . . . . .	(( <del>\$54,217,000</del> ))
	<u>\$53,655,000</u>

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

1 (1) \$654,000 of the motor vehicle account--state appropriation is  
2 provided solely for the department to time state-owned and operated  
3 traffic signals. This funding may also be used to program incident,  
4 emergency, or special event signal timing plans.

5 (2) \$346,000 of the motor vehicle account--state appropriation is  
6 provided solely for the department to implement a pilot tow truck  
7 incentive program. The department may provide incentive payments to  
8 towing companies that meet clearance goals on accidents that involve  
9 heavy trucks.

10 (3) \$6,800,000 of the motor vehicle account--state appropriation is  
11 provided solely for low-cost enhancements. The department shall give  
12 priority to low-cost enhancement projects that improve safety or  
13 provide congestion relief. The department shall prioritize low-cost  
14 enhancement projects on a statewide rather than regional basis. By  
15 January 1, 2008, and January 1, 2009, the department shall provide a  
16 report to the legislature listing all low-cost enhancement projects  
17 prioritized on a statewide rather than regional basis completed in the  
18 prior year.

19 (4) The department, in consultation with the Washington state  
20 patrol, may conduct a pilot program for the patrol to issue infractions  
21 based on information from automated traffic safety cameras in roadway  
22 construction zones on state highways when workers are present.

23 (a) In order to ensure adequate time in the 2007-09 biennium to  
24 evaluate the effectiveness of the pilot program, any projects  
25 authorized by the department must be authorized by December 31, 2007.

26 (b) The department shall use the following guidelines to administer  
27 the program:

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

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

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

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

7 (v) For purposes of the 2007-09 biennium pilot project, infractions  
8 detected through the use of automated traffic safety cameras are not  
9 part of the registered owner's driving record under RCW 46.52.101 and  
10 46.52.120. Additionally, infractions generated by the use of automated  
11 traffic safety cameras must be processed in the same manner as parking  
12 infractions for the purposes of RCW 3.46.120, 3.50.100, 35.20.220,  
13 46.16.216, and 46.20.270(3). However, the amount of the fine issued  
14 for an infraction generated through the use of an automated traffic  
15 safety camera is one hundred thirty-seven dollars. The court shall  
16 remit thirty-two dollars of the fine to the state treasurer for deposit  
17 into the state patrol highway account;

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

33 (vii) By June 30, 2009, the department shall provide a report to  
34 the legislature regarding the use, public acceptance, outcomes, and  
35 other relevant issues regarding the pilot project.

36 (5) The traffic signal operations along 164th Street SE at the  
37 intersections of Mill Creek Boulevard and SR 527 should be optimized to



1 minimize vehicle delay on both corridors based on traffic volumes and  
2 not only on functional classification or designation.

3 **Sec. 220.** 2007 c 518 s 221 (uncodified) is amended to read as  
4 follows:

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

7	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$28,215,000</del> ))
8		<u>\$27,392,000</u>
9	Motor Vehicle Account--Federal Appropriation . . . . .	\$30,000
10	Puget Sound Ferry Operations Account--State	
11	Appropriation . . . . .	\$1,321,000
12	Multimodal Transportation Account--State	
13	Appropriation . . . . .	\$1,223,000
14	TOTAL APPROPRIATION . . . . .	(( <del>\$30,789,000</del> ))
15		<u>\$29,966,000</u>

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

18 (1) The department shall work with staffs from the legislative  
19 evaluation and accountability program committee, the transportation  
20 committees of the legislature, and the office of financial management  
21 on developing a new capital budgeting system to meet identified  
22 information needs.

23 (2) \$250,000 of the multimodal account--state appropriation is  
24 provided solely for implementing a wounded combat veteran's internship  
25 program, administered by the department. The department shall seek  
26 federal funding to support the continuation of this program.

27 **Sec. 221.** 2007 c 518 s 222 (uncodified) is amended to read as  
28 follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**  
30 **AND RESEARCH--PROGRAM T**

31	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$30,698,000</del> ))
32		<u>\$27,700,000</u>
33	Motor Vehicle Account--Federal Appropriation . . . . .	\$19,163,000
34	Multimodal Transportation Account--State	
35	Appropriation . . . . .	(( <del>\$1,029,000</del> ))
36		<u>\$1,941,000</u>

1	Multimodal Transportation Account--Federal	
2	Appropriation . . . . .	\$2,809,000
3	Multimodal Transportation Account--Private/Local	
4	Appropriation . . . . .	\$100,000
5	TOTAL APPROPRIATION . . . . .	(( <del>\$53,799,000</del> ))
6		<u>\$51,713,000</u>

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

9       (1) (~~(\$3,900,000 of the motor vehicle account--state appropriation~~  
10 ~~is provided solely for the costs of the regional transportation~~  
11 ~~investment district (RTID) and department of transportation project~~  
12 ~~oversight. The department shall provide support from its urban~~  
13 ~~corridors region to assist in preparing project costs, expenditure~~  
14 ~~plans, and modeling. The department shall not deduct a management~~  
15 ~~reserve, nor charge management or overhead fees. These funds,~~  
16 ~~including those expended since 2003, are provided as a loan to the RTID~~  
17 ~~and shall be repaid to the state within one year following formation of~~  
18 ~~the RTID. \$2,391,000 of the amount provided under this subsection~~  
19 ~~shall lapse, effective January 1, 2008, if voters fail to approve~~  
20 ~~formation of the RTID at the 2007 general election, as determined by~~  
21 ~~the certification of the election results.)) \$1,559,000 of the motor  
22 vehicle account--state appropriation is provided solely for costs  
23 incurred for the 2007 regional transportation investment district  
24 election.~~

25       (2) (~~(\$300,000))~~ \$1,080,000 of the multimodal transportation  
26 account--state appropriation is provided solely for a transportation  
27 demand management program, developed by the Whatcom council of  
28 governments, to further reduce drive-alone trips and maximize the use  
29 of sustainable transportation choices. The community-based program  
30 must focus on all trips, not only commute trips, by providing  
31 education, assistance, and incentives to four target audiences: (a)  
32 Large work sites; (b) employees of businesses in downtown areas; (c)  
33 school children; and (d) residents of Bellingham.

34       (3) \$320,000 of the motor vehicle account--state appropriation and  
35 \$128,000 of the motor vehicle account--federal appropriation are  
36 provided solely for development of a freight database to help guide  
37 freight investment decisions and track project effectiveness. The  
38 database will be based on truck movement tracked through geographic

1 information system technology. TransNow will contribute an additional  
2 \$192,000 in federal funds which are not appropriated in the  
3 transportation budget. The department shall work with the freight  
4 mobility strategic investment board to implement this project.

5 (4) By December 1, 2008, the department shall require confirmation  
6 from jurisdictions that plan under the growth management act, chapter  
7 36.70A RCW, and that receive state transportation funding under this  
8 act, that the jurisdictions have adopted standards for access  
9 permitting on state highways that meet or exceed department standards  
10 in accordance with RCW 47.50.030. The objective of this subsection is  
11 to encourage local governments, through the receipt of state  
12 transportation funding, to adhere to best practices in access control  
13 applicable to development activity significantly impacting state  
14 transportation facilities. By January 1, 2009, the department shall  
15 submit a report to the appropriate committees of the legislature  
16 detailing the progress of the local jurisdictions in adopting the  
17 highway access permitting standards.

18 (5) \$150,000 of the motor vehicle account--federal appropriation is  
19 provided solely for the costs to develop an electronic map-based  
20 computer application that will enable law enforcement officers and  
21 others to more easily locate collisions and other incidents in the  
22 field.

23 (6) The department shall add a position within the freight systems  
24 division to provide expertise regarding the trucking aspects of the  
25 state's freight system.

26 (7) The department shall evaluate the feasibility of developing a  
27 freight corridor bypass from Everett to Gold Bar on US 2, including a  
28 connection to SR 522. US 2 is an important freight corridor, and is an  
29 alternative route for I-90. Congestion, safety issues, and flooding  
30 concerns have all contributed to the need for major improvements to the  
31 corridor. The evaluation shall consider the use of toll lanes for the  
32 project. The department must report to the transportation committees  
33 of the legislature by December 1, 2007, on its analysis and  
34 recommendations regarding the benefit of a freight corridor and the  
35 potential use of freight toll lanes to improve safety and congestion in  
36 the corridor.

37 (8) The department shall work with the department of ecology, the  
38 county road administration board, and the transportation improvement

1 board to develop model procedures and municipal and state rules in  
2 regard to maximizing the use of recycled asphalt on road construction  
3 and preservation projects. The department shall report to the joint  
4 transportation committee by December 1, 2008, with recommendations on  
5 increasing the use of recycled asphalt at the state and local level.

6 (9) \$140,000 of the multimodal transportation account--state  
7 appropriation is provided solely for a full-time employee to develop  
8 vehicle miles traveled and other greenhouse gas emissions benchmarks.

9 (10) \$80,000 of the motor vehicle account--state appropriation is  
10 provided solely to study the feasibility of a new interchange on  
11 interstate 5 between the city of Rochester and harrison avenue.

12 **Sec. 222.** 2007 c 518 s 223 (uncodified) is amended to read as  
13 follows:

14 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**  
15 **PROGRAM U**

16	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$66,342,000</del> ))
17		<u>\$66,428,000</u>
18	Motor Vehicle Account--Federal Appropriation . . . . .	\$400,000
19	Multimodal Transportation Account--State	
20	Appropriation . . . . .	\$259,000
21	TOTAL APPROPRIATION . . . . .	(( <del>\$67,001,000</del> ))
22		<u>\$67,087,000</u>

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

25 (1) \$36,665,000 of the motor vehicle fund--state appropriation is  
26 provided solely for the liabilities attributable to the department of  
27 transportation. The office of financial management must provide a  
28 detailed accounting of the revenues and expenditures of the self-  
29 insurance fund to the transportation committees of the legislature on  
30 December 31st and June 30th of each year.

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

33 (a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT  
34 DIVISION OF RISK MANAGEMENT FEES . . . . . \$1,520,000

35 (b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE  
36 AUDITOR . . . . . ((~~\$1,150,000~~))  
37 \$1,153,000

1 (c) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL  
2 ADMINISTRATION FACILITIES AND SERVICES AND CONSOLIDATED  
3 MAIL SERVICES . . . . . ((~~\$4,157,000~~))  
4 \$4,859,000

5 (d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF  
6 PERSONNEL . . . . . ((~~\$4,033,000~~))  
7 \$7,593,000

8 (e) FOR PAYMENT OF SELF-INSURANCE LIABILITY  
9 PREMIUMS AND ADMINISTRATION . . . . . \$36,665,000

10 (f) FOR PAYMENT OF THE DEPARTMENT OF GENERAL  
11 ADMINISTRATION CAPITAL PROJECTS SURCHARGE . . . . . \$1,838,000

12 (g) FOR ARCHIVES AND RECORDS MANAGEMENT . . . . . ((~~\$647,000~~))  
13 \$677,000

14 (h) FOR OFFICE OF MINORITIES AND WOMEN BUSINESS  
15 ENTERPRISES . . . . . ((~~\$1,070,000~~))  
16 \$1,042,000

17 (i) FOR USE OF FINANCIAL SYSTEMS PROVIDED BY  
18 THE OFFICE OF FINANCIAL MANAGEMENT . . . . . ((~~\$930,000~~))  
19 \$966,000

20 (j) FOR POLICY ASSISTANCE FROM THE DEPARTMENT  
21 OF INFORMATION SERVICES . . . . . ((~~\$1,138,000~~))  
22 \$945,000

23 (k) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY  
24 GENERAL'S OFFICE . . . . . ((~~\$8,859,000~~))  
25 \$9,045,000

26 (l) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY  
27 GENERAL'S OFFICE FOR THE SECOND PHASE OF THE BOLDT  
28 LITIGATION . . . . . \$158,000

29 (m) FOR DEPARTMENT OF PERSONNEL ONLINE RECRUITING . . . . . \$326,000

30 **Sec. 223.** 2007 c 518 s 224 (uncodified) is amended to read as  
31 follows:

32 **FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM**  
33 **V**  
34 Regional Mobility Grant Program Account--State  
35 Appropriation . . . . . \$40,000,000  
36 Multimodal Transportation Account--State  
37 Appropriation . . . . . ((~~\$85,202,000~~))

1		<u>\$85,606,000</u>
2	Multimodal Transportation Account--Federal	
3	Appropriation . . . . .	\$2,582,000
4	Multimodal Transportation Account--Private/Local	
5	Appropriation . . . . .	(( <del>\$291,000</del> ))
6		<u>\$659,000</u>
7	TOTAL APPROPRIATION . . . . .	(( <del>\$128,075,000</del> ))
8		<u>\$128,847,000</u>

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

11       (1) \$25,000,000 of the multimodal transportation account--state  
12 appropriation is provided solely for a grant program for special needs  
13 transportation provided by transit agencies and nonprofit providers of  
14 transportation.

15       (a) \$5,500,000 of the amount provided in this subsection is  
16 provided solely for grants to nonprofit providers of special needs  
17 transportation. Grants for nonprofit providers shall be based on need,  
18 including the availability of other providers of service in the area,  
19 efforts to coordinate trips among providers and riders, and the cost  
20 effectiveness of trips provided.

21       (b) \$19,500,000 of the amount provided in this subsection is  
22 provided solely for grants to transit agencies to transport persons  
23 with special transportation needs. To receive a grant, the transit  
24 agency must have a maintenance of effort for special needs  
25 transportation that is no less than the previous year's maintenance of  
26 effort for special needs transportation. Grants for transit agencies  
27 shall be prorated based on the amount expended for demand response  
28 service and route deviated service in calendar year 2005 as reported in  
29 the "Summary of Public Transportation - 2005" published by the  
30 department of transportation. No transit agency may receive more than  
31 thirty percent of these distributions.

32       (2) Funds are provided for the rural mobility grant program as  
33 follows:

34       (a) \$8,500,000 of the multimodal transportation account--state  
35 appropriation is provided solely for grants for those transit systems  
36 serving small cities and rural areas as identified in the Summary of  
37 Public Transportation - 2005 published by the department of

1 transportation. Noncompetitive grants must be distributed to the  
2 transit systems serving small cities and rural areas in a manner  
3 similar to past disparity equalization programs.

4 (b) \$8,500,000 of the multimodal transportation account--state  
5 appropriation is provided solely to providers of rural mobility service  
6 in areas not served or underserved by transit agencies through a  
7 competitive grant process.

8 (3) \$8,600,000 of the multimodal transportation account--state  
9 appropriation is provided solely for a vanpool grant program for: (a)  
10 Public transit agencies to add vanpools; and (b) incentives for  
11 employers to increase employee vanpool use. The grant program for  
12 public transit agencies will cover capital costs only; no operating  
13 costs for public transit agencies are eligible for funding under this  
14 grant program. No additional employees may be hired from the funds  
15 provided in this section for the vanpool grant program, and supplanting  
16 of transit funds currently funding vanpools is not allowed. Additional  
17 criteria for selecting grants must include leveraging funds other than  
18 state funds.

19 (4) \$40,000,000 of the regional mobility grant program account--  
20 state appropriation is provided solely for the regional mobility grant  
21 projects identified on the LEAP Transportation Document 2007-B as  
22 developed April 20, 2007. The department shall review all projects  
23 receiving grant awards under this program at least semiannually to  
24 determine whether the projects are making satisfactory progress. Any  
25 project that has been awarded funds, but does not report activity on  
26 the project within one year of the grant award, shall be reviewed by  
27 the department to determine whether the grant should be terminated.  
28 The department shall promptly close out grants when projects have been  
29 completed, and any remaining funds available to the office of transit  
30 mobility shall be used only to fund projects on the LEAP Transportation  
31 Document 2007-B as developed April 20, 2007. The department shall  
32 provide annual status reports on December 15, 2007, and December 15,  
33 2008, to the office of financial management and the transportation  
34 committees of the legislature regarding the projects receiving the  
35 grants.

36 (5) \$17,168,087 of the multimodal transportation account--state  
37 appropriation is reappropriated and provided solely for the regional  
38 mobility grant projects identified on the LEAP Transportation Document

1 2006-D, regional mobility grant program projects as developed March 8,  
2 2006. The department shall continue to review all projects receiving  
3 grant awards under this program at least semiannually to determine  
4 whether the projects are making satisfactory progress. The department  
5 shall promptly close out grants when projects have been completed, and  
6 any remaining funds available to the office of transit mobility shall  
7 be used only to fund projects on the LEAP Transportation Document  
8 2007-B as developed April 20, 2007, or the LEAP Transportation Document  
9 2006-D as developed March 8, 2006.

10 (6) \$200,000 of the multimodal transportation account--state  
11 appropriation is provided solely for the department to study and then  
12 develop pilot programs aimed at addressing commute trip reduction  
13 strategies for K-12 students and for college and university students.  
14 The department shall submit to the legislature by January 1, 2009, a  
15 summary of the program results and recommendations for future student  
16 commute trip reduction strategies. The pilot programs are described as  
17 follows:

18 (a) The department shall consider approaches, including mobility  
19 education, to reducing and removing traffic congestion in front of  
20 schools by changing travel behavior for elementary, middle, and high  
21 school students and their parents; and

22 (b) The department shall design a program that includes student  
23 employment options as part of the pilot program applicable to college  
24 and university students.

25 (7) \$2,400,000 of the multimodal account--state appropriation is  
26 provided solely for establishing growth and transportation efficiency  
27 centers (GTEC). Funds are appropriated for one time only. The  
28 department shall provide in its annual report to the legislature an  
29 evaluation of the GTEC concept and recommendations on future funding  
30 levels.

31 (8) \$381,000 of the multimodal transportation account--state  
32 appropriation is provided solely for the implementation of Substitute  
33 House Bill No. 1694 (reauthorizing the agency council on coordinated  
34 transportation). If Substitute House Bill No. 1694 is not enacted by  
35 June 30, 2007, the amount provided in this subsection shall lapse.

36 (9) (~~(\$136,000)~~) \$504,000 of the multimodal transportation  
37 account--private/local appropriation is provided solely for the



1 implementation of Senate Bill No. 5084 (updating rail transit safety  
2 plans). If Senate Bill No. 5084 is not enacted by June 30, 2007, the  
3 amount provided in this subsection shall lapse.

4 (10) \$60,000 of the multimodal transportation account--state  
5 appropriation is provided solely for low-income car ownership programs.  
6 The department shall collaborate with interested regional  
7 transportation planning organizations and metropolitan planning  
8 organizations to determine the effectiveness of the programs at  
9 providing transportation solutions for low-income persons who depend  
10 upon cars to travel to their places of employment.

11 (11) \$1,000,000 of the multimodal transportation account--state  
12 appropriation is provided solely for additional funding for the trip  
13 reduction performance program, including telework enhancement projects.  
14 Funds are appropriated for one time only.

15 (12) (~~(\$2,000,000)~~) \$2,309,000 of the multimodal transportation  
16 account--state appropriation is provided solely for the tri-county  
17 connection service for Island, Skagit, and Whatcom transit agencies.

18 (13) \$150,000 of the multimodal transportation account--state  
19 appropriation is provided solely as a grant for a telework pilot  
20 project to be developed, administered, and monitored by the Kitsap  
21 regional coordinating council. Funds are appropriated for one time  
22 only. The primary purposes of the pilot project are to educate  
23 employers about telecommuting, develop telework policies and resources  
24 for employers, and reduce traffic congestion by encouraging teleworking  
25 in the workplace. As part of the pilot project, the council shall  
26 recruit public and private sector employer participants throughout the  
27 county, identify telework sites, develop an employer's toolkit  
28 consisting of teleworking resources, and create a telecommuting  
29 template that may be applied in other communities. The council shall  
30 submit to the legislature by July 1, 2009, a summary of the program  
31 results and any recommendations for future telework strategies.

32 **Sec. 224.** 2007 c 518 s 225 (uncodified) is amended to read as  
33 follows:

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

35	Puget Sound Ferry Operations Account--State	
36	Appropriation . . . . .	(( <del>\$412,189,000</del> ))
37		<u>\$425,009,000</u>

1	Multimodal Transportation Account--State	
2	Appropriation . . . . .	(( <del>\$1,830,000</del> ))
3		<u>\$1,914,000</u>
4	TOTAL APPROPRIATION . . . . .	(( <del>\$414,019,000</del> ))
5		<u>\$426,923,000</u>

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

8 (1) (~~(\$79,191,000)~~) \$90,299,000 of the Puget Sound ferry  
9 operations--state appropriation is provided solely for auto ferry  
10 vessel operating fuel in the 2007-2009 biennium.

11 (2) The Washington state ferries must work with the department's  
12 information technology division to implement an electronic fare system,  
13 including the integration of the regional fare coordination system  
14 (smart card). Each December and June, semiannual updates must be  
15 provided to the transportation committees of the legislature concerning  
16 the status of implementing and completing this project, with updates  
17 concluding the first December after full project implementation.

18 (3) The Washington state ferries shall continue to provide service  
19 to Sidney, British Columbia.

20 (4) (~~(\$1,830,000)~~) \$1,914,000 of the multimodal transportation  
21 account--state appropriation is provided solely to provide  
22 passenger-only ferry service. The ferry system shall continue  
23 passenger-only ferry service from Vashon Island to Seattle through June  
24 30, 2008. Ferry system management shall continue to implement its  
25 agreement with the inlandboatmen's union of the pacific and the  
26 international organization of masters, mates and pilots providing for  
27 part-time passenger-only work schedules.

28 (5) \$932,000 of the Puget Sound ferries operations account--state  
29 appropriation is provided solely for compliance with department of  
30 ecology rules regarding the transfer of oil on or near state waters.  
31 Funding for compliance with on-board fueling rules is provided for the  
32 2008 fiscal year. The department may request funding for the 2009  
33 fiscal year if the request is submitted with an alternative compliance  
34 plan filed with the department of ecology, as allowed by rule.

35 (6) \$1,116,000 of the Puget Sound ferry operations account--state  
36 appropriation is provided solely for ferry security operations  
37 necessary to comply with the ferry security plan submitted by the  
38 Washington state ferry system to the United States coast guard. The

1 department shall track security costs and expenditures. Ferry security  
2 operations costs shall not be included as part of the operational costs  
3 that are used to calculate farebox recovery.

4 (7) \$378,000 of the Puget Sound ferry operations account--state  
5 appropriation is provided solely to meet the United States coast guard  
6 requirements for appropriate rest hours between shifts for vessel crews  
7 on the Bainbridge to Seattle and Edmonds to Kingston ferry routes.

8 (8) \$694,000 of the Puget Sound ferries operating account--state  
9 appropriation is provided solely for implementing Engrossed Substitute  
10 House Bill No. 2358 as follows:

11 (a) The department shall allow the joint transportation committee  
12 work group established in section 205(1) of this act to participate in  
13 the following elements as they are described in Engrossed Substitute  
14 House Bill No. 2358:

15 (i) Development and implementation of a survey of ferry customers;

16 (ii) Analysis and reestablishment of vehicle level of service  
17 standards. In reestablishing the standards, consideration shall be  
18 given to whether boat wait is the appropriate measure. The level of  
19 service standard shall be reestablished in conjunction with or after  
20 the survey has been implemented;

21 (iii) Development of pricing policy proposals. In developing these  
22 policies, the policies, in effect on some routes, of collecting fares  
23 in only one direction shall be evaluated to determine whether one-way  
24 fare pricing best serves the ferry system. The pricing policy  
25 proposals must be developed in conjunction with or after the survey has  
26 been implemented;

27 (iv) Development of operational strategies. The operational  
28 strategies shall be reestablished in conjunction with the survey or  
29 after the survey has been implemented;

30 (v) Development of terminal design standards. The terminal design  
31 standards shall be finalized after the provisions of subsections (a)(i)  
32 through (iv) and subsection (b) of this section have been developed and  
33 reviewed by the joint transportation committee; and

34 (vi) Development of a capital plan. The capital plan shall be  
35 finalized after terminal design standards have been developed by the  
36 department and reviewed by the joint transportation committee.

37 (b) The department shall develop a ridership demand forecast that

1 shall be used in the development of a long-range capital plan. If more  
2 than one forecast is developed they must be reconciled.

3 (c) The department shall update the life cycle cost model to meet  
4 the requirements of Engrossed Substitute House Bill No. 2358 no later  
5 than August 1, 2007.

6 (d) The department shall develop a cost allocation methodology  
7 proposal to meet the requirements described in Engrossed Substitute  
8 House Bill No. 2358. The proposal shall be completed and presented to  
9 the joint transportation committee no later than August 1, 2007.

10 (9) \$200,000 of the Puget Sound ferry operations account--state  
11 appropriation is provided solely for the initial acquisition of  
12 transportation worker identification credentials required by the United  
13 States department of homeland security for unescorted access to secure  
14 areas of ferries and terminals.

15 (10) The legislature finds that a rigorous incident investigation  
16 process is an essential component of marine safety. The department is  
17 directed to review its accident and incident investigation procedures  
18 and report the results of its review with any proposals for changes to  
19 the legislature by November 1, 2008.

20 **Sec. 225.** 2007 c 518 s 226 (uncodified) is amended to read as  
21 follows:

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

23	Multimodal Transportation Account--State	
24	Appropriation . . . . .	(( \$37,034,000 ))
25		<u>\$37,012,000</u>

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

28 (1) The department shall publish a final long-range plan for Amtrak  
29 Cascades by September 30, 2007. By December 31, 2008, the department  
30 shall submit to the office of financial management and the  
31 transportation committees of the legislature a midrange plan for Amtrak  
32 Cascades that identifies specific steps the department would propose to  
33 achieve additional service beyond current levels.

34 (2)(a) \$29,091,000 of the multimodal transportation account--state  
35 appropriation is provided solely for the Amtrak service contract and  
36 Talgo maintenance contract associated with providing and maintaining

1 the state-supported passenger rail service. Upon completion of the  
2 rail platform project in the city of Stanwood, the department shall  
3 provide daily Amtrak Cascades service to the city.

4 (b) The department shall negotiate with Amtrak and Burlington  
5 Northern Santa Fe to adjust the Amtrak Cascades schedule to leave  
6 Bellingham at a significantly earlier hour.

7 (c) When Amtrak Cascades expands the second roundtrip between  
8 Vancouver, B.C. and Seattle, the department shall negotiate for the  
9 second roundtrip to leave Bellingham southbound no later than 8:30 a.m.

10 (3) No Amtrak Cascade runs may be eliminated.

11 (4) \$40,000 of the multimodal transportation account--state  
12 appropriation is provided solely for the produce railcar program. The  
13 department is encouraged to implement the produce railcar program by  
14 maximizing private investment.

15 (5) The department shall begin planning for a third roundtrip  
16 Cascades train between Seattle and Vancouver, B.C. by 2010.

17 **Sec. 226.** 2007 c 518 s 227 (uncodified) is amended to read as  
18 follows:

19 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**  
20 **OPERATING**

21	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$8,630,000</del> ))
22		<u>\$8,745,000</u>
23	Motor Vehicle Account--Federal Appropriation . . . . .	\$2,567,000
24	TOTAL APPROPRIATION . . . . .	(( <del>\$11,197,000</del> ))
25		<u>\$11,312,000</u>

26 The appropriations in this section are subject to the following  
27 conditions and limitations: The department of transportation shall  
28 provide up to \$3,450,000 in toll credits to Kitsap transit for  
29 passenger-only ferry service. The number of toll credits provided to  
30 Kitsap transit must be equal to, but no more than, a number sufficient  
31 to meet federal match requirements for grant funding for passenger-only  
32 ferry service, but shall not exceed the amount authorized under this  
33 section. The department may not allocate, grant, or utilize any state  
34 or state appropriated or managed federal funds as match to the federal  
35 grant funding on projects to which these toll credits are applied.

36 **TRANSPORTATION AGENCIES--CAPITAL**

1       **Sec. 301.** 2007 c 518 s 301 (uncodified) is amended to read as  
2 follows:

3 **FOR THE WASHINGTON STATE PATROL**

4 State Patrol Highway Account--State Appropriation . . . (~~(\$2,934,000)~~)  
5 \$4,234,000

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

8       (1) \$2,200,000 is provided solely for the following minor works  
9 projects:     \$195,000 for HVAC renovation at the Chehalis, Kelso,  
10 Okanogan, and Ellensburg detachments; \$50,000 for roof replacements at  
11 the Toppenish, SeaTac NB, SeaTac SB, and Plymouth weigh stations;  
12 \$35,000 for replacement of the Shelton academy roof drain and  
13 downspout; \$100,000 for parking lot repairs at Okanogan, Goldendale,  
14 Ritzville, and Moses Lake detachment offices and the Wenatchee 6  
15 headquarters; \$290,000 for replacement of the weigh station scales at  
16 Brady and Artic; \$152,000 for carpet replacement at the Ritzville,  
17 Moses Lake, Morton, Kelso, Chehalis, Walla Walla, Kennewick, South  
18 King, and Hoquiam detachment offices; \$185,000 for HVAC replacement at  
19 Tacoma and Marysville detachment offices; \$330,000 for repair and  
20 upgrade of the Bellevue tower; \$473,000 for replacement of twenty-one  
21 communication site underground fuel tanks; \$240,000 for replacement of  
22 communication site buildings at Lind, Scoggans Mountain, and Lewiston  
23 Ridge; and \$150,000 for unforeseen emergency repairs.

24       (2) \$687,000 is provided solely for design and construction of  
25 regional waste water treatment systems for the Shelton academy of the  
26 Washington state patrol.

27       (3) \$47,000 is provided solely for predesign of a single,  
28 consolidated aviation facility at the Olympia airport to house the  
29 fixed wing operations of the Washington state patrol, the department of  
30 natural resources (DNR), and the department of fish and wildlife, and  
31 the rotary operations of the DNR.

32       (4) \$1,300,000 of the state patrol highway account--state  
33 appropriation is provided solely for the acquisition of land adjacent  
34 to the Shelton training academy for anticipated expansion; however, the  
35 amount provided in this subsection is contingent on the Washington  
36 state patrol adding a surcharge to the rates charged to any other  
37 agency or entity that uses the academy in an amount sufficient to  
38 defray a share of the expansion costs that is proportionate to the

1 relative volume of use of the academy by such agencies or entities.  
2 The surcharge imposed must be sufficient to recover the requisite  
3 portion of the academy expansion costs within ten years of the  
4 effective date of this subsection.

5 **Sec. 302.** 2007 c 518 s 302 (uncodified) is amended to read as  
6 follows:

7 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

8 Rural Arterial Trust Account--State Appropriation . . . . .	\$64,000,000
9 Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$2,368,000</del> ))
10	<u>\$2,370,000</u>
11 County Arterial Preservation Account--State	
12 Appropriation . . . . .	(( <del>\$32,861,000</del> ))
13	<u>\$32,641,000</u>
14 TOTAL APPROPRIATION . . . . .	(( <del>\$99,229,000</del> ))
15	<u>\$99,011,000</u>

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

18 (1) ((~~\$2,069,000~~)) \$2,370,000 of the motor vehicle account--state  
19 appropriation may be used for county ((ferries. The board shall review  
20 the requests for county ferry funding in consideration with other  
21 projects funded from the board. If the board determines these projects  
22 are a priority over the projects in the rural arterial and county  
23 arterial preservation grant programs, then they may provide funding for  
24 these requests)) ferry projects as set forth in RCW 47.56.725(4).

25 (2) The appropriations contained in this section include funding to  
26 counties to assist them in efforts to recover from winter storm and  
27 flood damage, by providing capitalization advances and local match for  
28 federal emergency funding as determined by the county road  
29 administration board. The county road administration board shall  
30 specifically identify any such selected projects and shall include  
31 information concerning them in its next annual report to the  
32 legislature.

33 **Sec. 303.** 2007 c 518 s 303 (uncodified) is amended to read as  
34 follows:

35 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**  
36 Small City Pavement and Sidewalk Account--State

1	Appropriation . . . . .	(( <del>\$4,500,000</del> ))
2		<u>\$5,900,000</u>
3	Urban Arterial Trust Account--State Appropriation . .	(( <del>\$129,600,000</del> ))
4		<u>\$128,200,000</u>
5	Transportation Improvement Account--State	
6	Appropriation . . . . .	(( <del>\$90,643,000</del> ))
7		<u>\$87,143,000</u>
8	TOTAL APPROPRIATION . . . . .	(( <del>\$224,743,000</del> ))
9		<u>\$221,243,000</u>

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

12 (1) The transportation improvement account--state appropriation  
13 includes up to \$7,143,000 in proceeds from the sale of bonds authorized  
14 in RCW 47.26.500.

15 (2) The urban arterial trust account--state appropriation includes  
16 up to \$15,000,000 in proceeds from the sale of bonds authorized in  
17 Substitute House Bill No. 2394. If Substitute House Bill No. 2394 is  
18 not enacted by June 30, 2007, the amount provided in this subsection  
19 shall lapse.

20 NEW SECTION. **Sec. 304.** A new section is added to 2007 c 518  
21 (uncodified) to read as follows:

22 **FOR THE DEPARTMENT OF TRANSPORTATION.** The nickel and transportation  
23 partnership revenue packages were created in 2003 and 2005 to finance  
24 transportation construction over a sixteen year period. Since the  
25 adoption of the 2003 and 2005 transportation project lists, significant  
26 cost increases have resulted from extraordinary inflation. At the same  
27 time, motor vehicle fuel prices have risen dramatically, and state and  
28 federal gas tax revenues dedicated to paying for these programs are  
29 forecasted to decrease over the sixteen year time period. Additional  
30 cost increases and eroding revenues will be difficult, if not  
31 impossible, to accommodate in the sixteen year financial plan.

32 As part of its budget submittal for the 2009-2011 biennium, the  
33 department of transportation shall prepare information regarding the  
34 nickel and transportation partnership funded projects for consideration  
35 by the office of financial management and the legislative  
36 transportation committees that:



- 1 (1) Compares the original project cost estimates approved in the
- 2 2003 and 2005 project list to the completed cost of the project, or the
- 3 most recent legislatively approved budget and total project costs for
- 4 projects not yet completed;
- 5 (2) Identifies highway projects that may be reduced in scope and
- 6 still achieve a functional benefit;
- 7 (3) Identifies highway projects that have experienced scope
- 8 increases and that can be reduced in scope;
- 9 (4) Identifies highway projects that have lost significant local or
- 10 regional contributions which were essential to completing the project;
- 11 and
- 12 (5) Identifies contingency amounts allocated to projects.

13 **Sec. 305.** 2007 c 518 s 304 (uncodified) is amended to read as  
14 follows:

15 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM D (DEPARTMENT OF**  
16 **TRANSPORTATION-ONLY PROJECTS)--CAPITAL**

17 Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$6,202,000</del> ))
18	<u>\$7,157,000</u>

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

- 21 (1) \$584,000 of the motor vehicle account--state appropriation is
- 22 for statewide administration.
- 23 (2) ((~~\$750,000~~)) \$803,000 of the motor vehicle account--state
- 24 appropriation is for regional minor projects.
- 25 (3) \$568,000 of the motor vehicle account--state appropriation is
- 26 for the Olympic region headquarters property payments.
- 27 (4) By September 1, 2007, the department shall submit to the
- 28 transportation committees of the legislature predesign plans, developed
- 29 using the office of financial management's predesign process, for all
- 30 facility replacement projects to be proposed in the facilities 2008
- 31 budget proposal.
- 32 (5) \$1,600,000 of the motor vehicle account--state appropriation is
- 33 for site acquisition for the Tri-cities area maintenance facility.
- 34 (6) \$2,700,000 of the motor vehicle account--state appropriation is
- 35 for site acquisition for the Vancouver light industrial facility.
- 36 (7) The department shall work with the office of financial
- 37 management and staff of the transportation committees of the

1 legislature to develop a statewide inventory of all department-owned  
 2 surplus property that is suitable for development for department  
 3 facilities or that should be sold. By December 1, 2008, the department  
 4 shall report to the joint transportation committee on the findings of  
 5 this study.

6 (8) \$902,000 of the motor vehicle account--state appropriation is  
 7 for reimbursing the miscellaneous transportation programs account for  
 8 expenditures for the Olympic region headquarters complex that were  
 9 incurred in the 2005-07 biennium.

10 **Sec. 306.** 2007 c 518 s 305 (uncodified) is amended to read as  
 11 follows:

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

13	Transportation Partnership Account--State	
14	Appropriation . . . . .	(( \$1,226,516,000 ))
15		<u>\$1,118,357,000</u>
16	Motor Vehicle Account--State Appropriation . . . . .	(( \$82,045,000 ))
17		<u>\$85,345,000</u>
18	Motor Vehicle Account--Federal Appropriation . . . . .	(( \$404,090,000 ))
19		<u>\$458,332,000</u>
20	Motor Vehicle Account--Private/Local	
21	Appropriation . . . . .	(( \$49,157,000 ))
22		<u>\$64,487,000</u>
23	Special Category C Account--State Appropriation . . . . .	(( \$29,968,000 ))
24		<u>\$29,125,000</u>
25	<u>Multimodal Transportation Account--Federal</u>	
26	<u>Appropriation . . . . .</u>	<u>\$86,100,000</u>
27	Tacoma Narrows Toll Bridge Account--State	
28	Appropriation . . . . .	(( \$142,484,000 ))
29		<u>\$32,277,000</u>
30	Transportation 2003 Account (Nickel Account)--State	
31	Appropriation . . . . .	(( \$1,100,746,000 ))
32		<u>\$1,147,530,000</u>
33	<del>(( Freight Congestion Relief Account--State</del>	
34	<del>    Appropriation . . . . .</del>	<del>\$40,000,000))</del>
35	<u>Freight Mobility Multimodal Account--State</u>	
36	<u>Appropriation . . . . .</u>	<u>\$208,000</u>
37	TOTAL APPROPRIATION . . . . .	(( \$3,075,006,000 ))

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

(1) Except as provided otherwise in this section, the entire transportation 2003 account (nickel account) appropriation and the entire transportation partnership account appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document (~~((2007-1))~~) 2008-1, Highway Improvement Program (I) as developed (~~((April 20, 2007))~~) February 25, 2008. However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 603 of this act.

(2) The department shall not commence construction on any part of the state route number 520 bridge replacement and HOV project until a record of decision has been reached providing reasonable assurance that project impacts will be avoided, minimized, or mitigated as much as practicable to protect against further adverse impacts on neighborhood environmental quality as a result of repairs and improvements made to the state route 520 bridge and its connecting roadways, and that any such impacts will be addressed through engineering design choices, mitigation measures, or a combination of both. The requirements of this section shall not apply to off-site pontoon construction supporting the state route number 520 bridge replacement and HOV project.

(3) Within the amounts provided in this section, (~~(( \$1,991,000 ))~~) \$1,895,000 of the transportation partnership account--state appropriation, (~~(( \$1,656,000 ))~~) \$2,147,000 of the motor vehicle account--federal appropriation, and (~~(( \$8,343,000 ))~~) \$10,331,000 of the transportation 2003 account (nickel account)--state appropriation are for project 109040T as identified in the LEAP transportation document referenced in subsection (1) of this section: I-90/Two Way Transit-Transit and HOV Improvements - Stage 1. Expenditure of the funds on construction is contingent upon revising the access plan for Mercer Island traffic such that Mercer Island traffic will have access to the outer roadway high occupancy vehicle (HOV) lanes during the period of operation of such lanes following the removal of Mercer Island traffic from the center roadway and prior to conversion of the outer roadway

1 HOV lanes to high occupancy toll (HOT) lanes. Sound transit may only  
2 have access to the center lanes when alternative R8A is complete.

3 (4) The Tacoma Narrows toll bridge account--state appropriation  
4 includes up to (~~(\$131,016,000)~~) \$18,000,000 in proceeds from the sale  
5 of bonds authorized by RCW 47.10.843.

6 (5) The funding described in this section includes (~~(\$8,095,541)~~)  
7 \$36,693,000 of the transportation 2003 account (nickel account)--state  
8 appropriation and (~~(\$237,241 of the motor vehicle account--~~  
9 ~~private/local)~~) \$208,000 of the freight mobility multimodal account--  
10 state appropriation, which are for the SR 519 project identified as  
11 project number 851902A in the LEAP Transportation Document referenced  
12 in subsection (1) of this section. The total project is expected to  
13 cost no more than \$74,400,000 including (~~(\$11,950,000)~~) \$10,402,000 in  
14 contributions from project partners.

15 (6) To promote and support community-specific noise reduction  
16 solutions, the department shall:

17 (a) Prepare a draft directive that establishes how each community's  
18 priorities and concerns may be identified and addressed in order to  
19 allow consideration of a community's preferred methods of advanced  
20 visual shielding and aesthetic screening, for the purpose of improving  
21 the noise environment of major state roadway projects in locations that  
22 do not meet the criteria for standard noise barriers. The intent is  
23 for these provisions to be supportable by existing project budgets.  
24 The directive shall also include direction on the coordination and  
25 selection of visual and aesthetic options with local communities. The  
26 draft directive shall be provided to the standing transportation  
27 committees of the legislature by January 2008; and

28 (b) Pilot the draft directive established in (a) of this subsection  
29 in two locations along major state roadways. If practicable, the  
30 department should begin work on the pilot projects while the directive  
31 is being developed. One pilot project shall be located in Clark county  
32 on a significant capacity improvement project. The second pilot  
33 project shall be located in urban King county, which shall be on a  
34 corridor highway project through mixed land use areas that is nearing  
35 or under construction. The department shall provide a written report  
36 to the standing transportation committees of the legislature on the  
37 findings of the Clark county pilot project by January 2009, and the  
38 King county pilot project by January 2010. Based on results of the

1 pilot projects, the department shall update its design manual,  
2 environmental procedures, or other appropriate documents to incorporate  
3 the directive.

4 ~~((+8))~~ (7) If the "Green Highway" provisions of Engrossed Second  
5 Substitute House Bill No. 1303 (cleaner energy) are enacted, the  
6 department shall erect signs on the interstate highways included in  
7 those provisions noting that these interstates have been designated  
8 "Washington Green Highways."

9 ~~((+9))~~ (8) If on the I-405/I-90 to SE 8th Street Widening project  
10 the department finds that there is an alternative investment to  
11 preserve reliable rail accessibility to major manufacturing sites  
12 within the I-405 corridor that are less expensive than replacing the  
13 Wilburton Tunnel, the department may enter into the necessary  
14 agreements to implement that alternative provided that costs remain  
15 within the approved project budget.

16 ~~((+11))~~ (9) The department shall apply for surface transportation  
17 program (STP) enhancement funds to be expended in lieu of or in  
18 addition to state funds for eligible costs of projects in Programs I  
19 and P, including, but not limited to, the SR 518, SR 519, SR 520, and  
20 Alaskan Way Viaduct projects.

21 ~~((+12))~~ (10) \$250,000 of the motor vehicle account--state  
22 appropriation ~~((is))~~ and \$213,000 of the motor vehicle account--federal  
23 appropriation are provided solely for an inland pacific hub study to  
24 develop an inland corridor for the movement of freight and goods to and  
25 through eastern Washington; and \$500,000 of the motor vehicle account--  
26 state appropriation is provided solely for the SR3/SR16 corridor study  
27 to plan and prioritize state and local improvements needed over the  
28 next 10-20 years to support safety, capacity development, and economic  
29 development within the corridor.

30 ~~((+13))~~ (11) The department shall, on a quarterly basis beginning  
31 July 1, 2007, provide to the office of financial management and the  
32 legislature reports providing the status on each active project funded  
33 in part or whole by the transportation 2003 account (nickel account) or  
34 the transportation partnership account. Funding provided at a  
35 programmatic level for transportation partnership account and  
36 transportation 2003 account (nickel account) projects relating to  
37 bridge rail, guard rail, fish passage barrier removal, and roadside  
38 safety projects should be reported on a programmatic basis. Projects

1 within this programmatic level funding should be completed on a  
2 priority basis and scoped to be completed within the current  
3 programmatic budget. Other projects may be reported on a programmatic  
4 basis. The department shall work with the office of financial  
5 management and the transportation committees of the legislature to  
6 agree on report formatting and elements. Elements shall include, but  
7 not be limited to, project scope, schedule, and costs. The department  
8 shall also provide the information required under this subsection on a  
9 quarterly basis via the transportation executive information systems  
10 (TEIS).

11 ~~((14))~~ (12) The department shall apply for the competitive  
12 portion of federal transit administration funds for eligible transit-  
13 related costs of the SR 520 bridge replacement and HOV project. The  
14 federal funds described in this subsection shall not include those  
15 federal transit administration funds distributed by formula.

16 ~~((15))~~ (13) Funding provided by this act for the Alaskan Way  
17 Viaduct project shall not be spent for preliminary engineering, design,  
18 right-of-way acquisition, or construction on the project if completion  
19 of the project would more likely than not reduce the capacity of the  
20 facility. Capacity shall be measured by including the consideration of  
21 the efficient movement of people and goods on the facility.

22 ~~((16))~~ (14) The governor shall convene a collaborative process  
23 involving key leaders to determine the final project design for the  
24 Alaskan Way Viaduct.

25 (a) The process shall be guided by the following common principles:  
26 Public safety must be maintained; the final project shall meet both  
27 capacity and mobility needs; and taxpayer dollars must be spent  
28 responsibly.

29 (b) The state's project expenditures shall not exceed  
30 \$2,800,000,000.

31 (c) A final design decision shall be made by December 31, 2008.

32 ~~((17))~~ (15) During the 2007-09 biennium, the department shall  
33 proceed with a series of projects on the Alaskan Way Viaduct that are  
34 common to any design alternative. Those projects include relocation of  
35 two electrical transmission lines, Battery Street tunnel upgrades,  
36 seismic upgrades from Lenora to the Battery Street tunnel, viaduct  
37 removal from Holgate to King Street, and development of transit  
38 enhancements and other improvements to mitigate congestion during

1 construction. However, the department shall not be responsible for  
2 funding any cost increases on any early action projects for which it is  
3 not the lead agency, and funds shall not be expended by the department  
4 on the early action item project six - transit enhancements and other  
5 capital improvements until the following conditions have been met:

6 (a) The city of Seattle signs an agreement with the department  
7 waiving construction permit fees and lost parking meter revenue that  
8 will likely occur during construction of the Alaskan Way viaduct  
9 replacement projects; and

10 (b) The city of Seattle and the department determine the  
11 appropriate cost allocation for public utilities removal and  
12 replacement on the Alaskan Way viaduct replacement project, and report  
13 to the joint transportation committee by September 30, 2008, on a  
14 proposed cost sharing allocation.

15 ~~((18) The entire freight congestion relief account state~~  
16 ~~appropriation is contingent upon the enactment during the 2007-2009~~  
17 ~~fiscal biennium of a bill, resulting from the study established in~~  
18 ~~Substitute Senate Bill No. 5207, that makes available funding to~~  
19 ~~support project expenditures funded from the freight congestion relief~~  
20 ~~account created in Substitute Senate Bill No. 5207. If such a funding~~  
21 ~~bill is not enacted by June 30, 2009, the entire freight congestion~~  
22 ~~relief account state appropriation shall lapse.~~

23 ~~(19))~~ (16) The transportation 2003 account (nickel account)--state  
24 appropriation includes up to ~~(((\$874,610,000))~~ \$817,264,000 in proceeds  
25 from the sale of bonds authorized by RCW 47.10.861.

26 ~~((20))~~ (17) The transportation partnership account--state  
27 appropriation includes up to ~~(((\$900,000,000))~~ \$722,170,000 in proceeds  
28 from the sale of bonds authorized in RCW 47.10.873.

29 ~~((21))~~ (18) The special category C account--state appropriation  
30 includes up to ~~(((\$22,080,000))~~ \$22,517,000 in proceeds from the sale of  
31 bonds authorized in Substitute House Bill No. 2394. If Substitute  
32 House Bill No. 2394 is not enacted by June 30, 2007, the amount  
33 provided in this subsection shall lapse.

34 ~~((22))~~ (19) \$4,500,000 of the motor vehicle account--federal  
35 appropriation is provided solely for cost increases on the SR  
36 304/Bremerton tunnel project.

37 ~~((23) \$3,000,000))~~ (20) \$2,071,000 of the motor vehicle account--

1 (~~(state)~~) federal appropriation is provided solely for initial design  
2 and right of way work on a new southbound SR 509 to eastbound SR 518  
3 freeway-to-freeway elevated ramp.

4 (~~(+24)~~) (21) \$500,000 of the motor vehicle account--federal  
5 appropriation to the SR 543/I-5 to Canadian border project is provided  
6 solely for retaining wall facia improvements.

7 (~~(+25)~~ ~~\$1,400,000~~) (22) \$950,000 of the motor vehicle account--  
8 federal appropriation (~~(is)~~) and \$24,000 of the motor vehicle  
9 account--state appropriation are provided solely for the Westview  
10 school noise wall.

11 (~~(+26)~~) (23) \$1,600,000 of the motor vehicle account--(~~federal~~)  
12 state appropriation is provided solely for two noise walls on SR 161 in  
13 King county.

14 (~~(+27)~~) (24) (~~(\$900,000)~~) \$20,000 of the motor vehicle account--  
15 state appropriation and (~~(\$100,000)~~) \$280,000 of the motor vehicle  
16 account--federal appropriation are provided solely for interchange  
17 design and planning work on US 12 at A street and tank farm road.

18 (25) The funding described in this section includes \$19,939,000 of  
19 the transportation partnership account--state appropriation, \$29,000 of  
20 the motor vehicle account--state appropriation, \$308,000 of the motor  
21 vehicle account--private/local appropriation, and \$17,900,000 of the  
22 motor vehicle account--federal appropriation for the I-5/Columbia river  
23 crossing/Vancouver project. The funding described in this subsection  
24 includes up to \$15,000,000 awarded to Washington and Oregon jointly  
25 through the U.S. department of transportation corridors of the future  
26 program in the 2007 federal highway authority discretionary fund  
27 allocations.

28 (26) The department shall study any outstanding issues, including  
29 financial issues that may apply to the I-5/Columbia river  
30 crossing/Vancouver project. The department's efforts must include an  
31 analysis of current bi-state efforts in planning, coordination, and  
32 funding for the project; opportunities for the joining of state and  
33 local government agencies and the private sector in a strong  
34 partnership that contributes to the completion of the project; and  
35 opportunities to work with the congressional delegations of Oregon and  
36 Washington to provide federal funding and other assistance that will  
37 advance this project of national and regional significance.



1       (27) \$1,500,000 of the motor vehicle account--federal appropriation  
 2 and \$4,908,000 of the transportation partnership account--state  
 3 appropriation are provided solely for project 1090400 as identified in  
 4 the LEAP transportation document in subsection (1) of this section:  
 5 I-90/Two-Way Transit-Transit and HOV Improvements, Stages 2 and 3. Of  
 6 these amounts, up to \$550,000 of the transportation partnership  
 7 account--state appropriation is to provide funding for an independent  
 8 technical review, overseen by the joint transportation committee, of  
 9 light rail impacts on the Interstate 90 - Homer Hadley Floating Bridge.  
 10 The technical review shall complement sound transit's current and  
 11 planned engineering design work to expand light rail in the central  
 12 Puget Sound region. The department shall coordinate its work with  
 13 sound transit and seek contributions from sound transit for the review.

14       (28) \$700,000 of the motor vehicle account--state appropriation is  
 15 provided solely for a westbound passing lane west of Sultan on US  
 16 Highway 2. Additional project funding of \$4,300,000 is assumed in the  
 17 2009-2011 biennium, bringing the total project funding to \$5,000,000.  
 18 This high priority safety project will provide a safe passing lane,  
 19 reducing head-on and crossover collisions as well as improving safety  
 20 and mobility.

21       (29) An additional \$500,000 of the transportation partnership  
 22 account--state appropriation is provided solely for SR 302/Elgin  
 23 Clifton road to SR 16 (330216A).

24       (30) An additional \$1,000,000 of the motor vehicle account--state  
 25 appropriation is provided solely for the SR 28/ E End of the George  
 26 Sellar bridge (202802V).

27       **Sec. 307.** 2007 c 518 s 306 (uncodified) is amended to read as  
 28 follows:

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

30 Transportation Partnership Account--State	
31     Appropriation . . . . .	(( <del>\$220,164,000</del> ))
32	<u>\$181,666,000</u>
33 Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$71,392,000</del> ))
34	<u>\$86,540,000</u>
35 Motor Vehicle Account--Federal Appropriation . . . . .	(( <del>\$425,161,000</del> ))
36	<u>\$463,338,000</u>
37 Motor Vehicle Account--Private/Local Appropriation . . . . .	(( <del>\$15,285,000</del> ))

1		<u>\$18,138,000</u>
2	Transportation 2003 Account (Nickel Account)--State	
3	Appropriation . . . . .	(( <del>\$5,122,000</del> ))
4		<u>\$11,136,000</u>
5	Puyallup Tribal Settlement Account--State	
6	Appropriation . . . . .	(( <del>\$11,000,000</del> ))
7		<u>\$12,500,000</u>
8	TOTAL APPROPRIATION . . . . .	(( <del>\$748,124,000</del> ))
9		<u>\$773,318,000</u>

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

12       (1) Except as provided otherwise in this section, the entire  
13 transportation 2003 account (nickel account) appropriation and the  
14 entire transportation partnership account appropriation are provided  
15 solely for the projects and activities as listed by fund, project, and  
16 amount in LEAP Transportation Document ((~~2007-1~~)) 2008-1, Highway  
17 Preservation Program (P) as developed ((~~April 20, 2007~~)) February 25,  
18 2008. However, limited transfers of specific line-item project  
19 appropriations may occur between projects for those amounts listed  
20 subject to the conditions and limitations in section 603 of this act.

21       (2) ((~~\$295,000~~)) \$287,000 of the motor vehicle account--federal  
22 appropriation and ((~~\$5,000~~)) \$11,000 of the motor vehicle account--  
23 state appropriation are provided solely for the department to determine  
24 the most cost efficient way to replace the current Keller ferry.  
25 Options reviewed shall not include an expansion of the current capacity  
26 of the Keller ferry.

27       (3) ((~~\$5,513,000~~)) \$5,308,000 of the transportation partnership  
28 account--state appropriation is provided solely for the purposes of  
29 settling all identified and potential claims from the Lower Elwha  
30 Klallam Tribe related to the construction of a graving dock facility on  
31 the graving dock property. In the matter of *Lower Elwha Klallam Tribe*  
32 *et al v. State et al*, Thurston county superior court, cause no.  
33 05-2-01595-8, the Lower Elwha Klallam Tribe and the state of Washington  
34 entered into a settlement agreement that settles all claims related to  
35 graving dock property and associated construction and releases the  
36 state from all claims related to the construction of the graving dock  
37 facilities. The expenditure of this appropriation is contingent on the

1 conditions and limitations set forth in subsections (a) and (b) of this  
2 subsection.

3 (a) \$2,000,000 of the transportation partnership account--state  
4 appropriation is provided solely for the benefit of the Lower Elwha  
5 Klallam Tribe to be disbursed by the department in accordance with  
6 terms and conditions of the settlement agreement.

7 (b) (~~(\$3,513,000)~~) \$3,308,000 of the transportation partnership  
8 account--state appropriation is provided solely for the department's  
9 remediation work on the graving dock property in accordance with the  
10 terms and conditions of the settlement agreement.

11 (4) The department shall apply for surface transportation program  
12 (STP) enhancement funds to be expended in lieu of or in addition to  
13 state funds for eligible costs of projects in Programs I and P,  
14 including, but not limited to, the SR 518, SR 519, SR 520, and Alaskan  
15 Way Viaduct projects.

16 (5) The department shall, on a quarterly basis beginning July 1,  
17 2007, provide to the office of financial management and the legislature  
18 reports providing the status on each active project funded in part or  
19 whole by the transportation 2003 account (nickel account) or the  
20 transportation partnership account. Funding provided at a programmatic  
21 level for transportation partnership account projects relating to  
22 seismic bridges should be reported on a programmatic basis. Projects  
23 within this programmatic level funding should be completed on a  
24 priority basis and scoped to be completed within the current  
25 programmatic budget. Other projects may be reported on a programmatic  
26 basis. The department shall work with the office of financial  
27 management and the transportation committees of the legislature to  
28 agree on report formatting and elements. Elements shall include, but  
29 not be limited to, project scope, schedule, and costs. The department  
30 shall also provide the information required under this subsection on a  
31 quarterly basis via the transportation executive information systems  
32 (TEIS).

33 (6) The department of transportation shall continue to implement  
34 the lowest life cycle cost planning approach to pavement management  
35 throughout the state to encourage the most effective and efficient use  
36 of pavement preservation funds. Emphasis should be placed on  
37 increasing the number of roads addressed on time and reducing the  
38 number of roads past due.

1 (7) (~~(\$2,604,501)~~) \$13,257,000 of the motor vehicle account--  
2 federal appropriation and (~~(\$3,000,000)~~) \$5,000,000 of the motor  
3 vehicle account--state appropriation are for expenditures on damaged  
4 state roads due to flooding, mudslides, rock fall, or other unforeseen  
5 events.

6 (8) (~~(\$9,665)~~) \$188,000 of the motor vehicle account--state  
7 appropriation, (~~(\$12,652,812)~~) \$28,749,000 of the motor vehicle  
8 account--federal appropriation, and (~~(\$138,174,581)~~) \$105,653,000 of  
9 the transportation partnership account--state appropriation are  
10 provided solely for the Hood Canal bridge project.

11 (9) \$12,500,000 of the Puyallup tribal settlement account--state  
12 appropriation is provided solely for mitigation costs associated with  
13 the Murray Morgan/11th Street Bridge demolition. The department may  
14 negotiate with the city of Tacoma for the purpose of transferring  
15 ownership of the Murray Morgan/11th Street Bridge to the city. If the  
16 city agrees to accept ownership of the bridge, the department may use  
17 the Puyallup tribal settlement account appropriation and other  
18 appropriated funds for bridge rehabilitation, bridge replacement,  
19 bridge demolition, and related mitigation. In no event shall the  
20 department's participation exceed \$27,451,000. No funds may be  
21 expended unless the city of Tacoma agrees to take ownership of the  
22 bridge in its entirety and provides that the payment of these funds  
23 extinguishes any real or implied agreements regarding future bridge  
24 expenditures.

25 **Sec. 308.** 2007 c 518 s 307 (uncodified) is amended to read as  
26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**  
28 **CAPITAL**

29	Motor Vehicle Account--State Appropriation . . . . .	( <del>(\$9,212,000)</del> )
30		<u>\$9,462,000</u>
31	Motor Vehicle Account--Federal Appropriation . . . . .	\$15,951,000
32	Motor Vehicle Account--Private/Local Appropriation . . . . .	\$74,000
33	TOTAL APPROPRIATION . . . . .	( <del>(\$25,237,000)</del> )
34		<u>\$25,487,000</u>

35 The appropriations in this section are subject to the following  
36 conditions and limitations: The motor vehicle account--state  
37 appropriation includes (~~(\$8,833,000)~~) \$8,959,335 provided solely for

1 state matching funds for federally selected competitive grant or  
2 congressional earmark projects. These moneys shall be placed into  
3 reserve status until such time as federal funds are secured that  
4 require a state match.

5 **Sec. 309.** 2007 c 518 s 308 (uncodified) is amended to read as  
6 follows:

7 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**  
8 **CONSTRUCTION--PROGRAM W**

9	Puget Sound Capital Construction Account--State	
10	Appropriation . . . . .	(( <del>\$139,139,000</del> ))
11		<u>\$143,155,000</u>
12	Puget Sound Capital Construction Account--Federal	
13	Appropriation . . . . .	(( <del>\$66,145,000</del> ))
14		<u>\$43,979,000</u>
15	<u>Puget Sound Capital Construction Account--</u>	
16	<u>Private/Local Appropriation . . . . .</u>	<u>\$2,089,000</u>
17	Multimodal Transportation Account--State	
18	Appropriation . . . . .	\$4,100,000
19	Transportation 2003 Account (Nickel Account)--State	
20	Appropriation . . . . .	(( <del>\$76,525,000</del> ))
21		<u>\$51,431,000</u>
22	TOTAL APPROPRIATION . . . . .	(( <del>\$285,909,000</del> ))
23		<u>\$244,754,000</u>

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

26 (1) ((~~\$6,432,000~~)) \$36,500,000 of the Puget Sound capital  
27 construction account--state appropriation is provided solely for  
28 ((~~emergency capital costs~~)) project 944470A as identified in the LEAP  
29 Transportation Document 2008-1, Ferries Construction Program (W) as  
30 developed February 25, 2008, for the construction of three marine  
31 vessels to replace the steel electric auto ferry vessels. The document  
32 includes a total of \$84,500,000 for these replacement vessels.

33 (2) ((~~\$16,567,000~~)) \$22,922,823 of the Puget Sound capital  
34 construction account--state appropriation ((~~and~~)), \$4,100,000 of the  
35 multimodal transportation account--state appropriation, \$5,410,000 of  
36 the transportation 2003 account (nickel account)--state appropriation,  
37 \$4,490,000 of the Puget Sound capital construction account--federal

1 appropriation, and \$2,089,000 of the Puget Sound capital construction  
2 account--private/local appropriation are provided solely for the  
3 terminal projects listed:

4 (a) Anacortes ferry terminal - utilities work; right-of-way  
5 purchase for a holding area during construction; and completion of  
6 design and permitting on the terminal building, pick-up and drop-off  
7 sites, ~~((and))~~ pedestrian and bicycle facilities, and paving;

8 (b) Bainbridge Island ferry terminal - environmental planning and  
9 a traffic signalization project in the vicinity of SR 305 Harborview  
10 drive;

11 (c) Bremerton ferry terminal - overhead loading control system and  
12 moving the terminal agent's office;

13 (d) Clinton ferry terminal - septic system replacement;

14 (e) Edmonds ferry terminal - right-of-way acquisition costs  
15 ~~((and))~~, federal match requirements, and removal of Unocal Pier;

16 (f) Friday Harbor ferry terminal - parking resurfacing;

17 (g) Keystone and Port Townsend ferry terminals - route  
18 environmental planning;

19 (h) Kingston ferry terminal - transfer span retrofit and overhead  
20 vehicle holding control system modifications;

21 (i) Mukilteo ferry terminal - right-of-way acquisition,  
22 archaeological studies, ~~((and))~~ environmental planning, and additional  
23 vehicle holding;

24 (j) Orcas ferry terminal - dolphin replacement;

25 (k) Port Townsend ferry terminal - wingwall replacement, interim  
26 holding, tie-up slip, and initial reservation system;

27 ~~((+k))~~ (l) Seattle ferry terminal - environmental planning,  
28 coordination with local jurisdictions, ((and)) coordination with  
29 highway projects, and contractor payment for automated re-entry gates;  
30 ~~((and~~

31 ~~(+l))~~ (m) Southworth ferry terminal - federal grant to conduct  
32 preliminary studies and planning for a 2nd operating slip; and

33 (n) Vashon Island and Seattle ferry terminals - modify the  
34 passenger-only facilities.

35 ~~((4) \$76,525,000))~~ (3) \$46,020,666 of the transportation 2003  
36 account (nickel account)--state appropriation and ~~((50,985,000))~~  
37 \$3,750,000 of the Puget Sound capital construction account--~~((state))~~

1 federal appropriation are provided solely for the procurement of  
2 (~~four~~) up to three 144-vehicle auto-passenger ferry vessels.

3 (~~(+5)~~) (4) \$18,716,000 of the Puget Sound capital construction  
4 account--state appropriation is provided solely for the Eagle Harbor  
5 maintenance facility preservation project. These funds may not be used  
6 for relocating any warehouses not currently on the Eagle Harbor site.

7 (~~(+6)~~) (5) The department shall research an asset management  
8 system to improve Washington state ferries' management of capital  
9 assets and the department's ability to estimate future preservation  
10 needs. The department shall report its findings regarding a new asset  
11 management system to the governor and the transportation committees of  
12 the legislature no later than January 15, 2008.

13 (~~(+7)~~) (6) The department shall sell the M.V. Chinook and M.V.  
14 Snohomish passenger-only fast ferries as soon as practicable and  
15 deposit the proceeds of the sales into the passenger ferry account  
16 created in RCW 47.60.645. Once the department ceases to provide  
17 passenger-only ferry service, the department shall sell the M.V. Kalama  
18 and M.V. Skagit passenger-only ferries and deposit the proceeds of the  
19 sales into the passenger ferry account created in RCW 47.60.645.

20 (~~(+8)~~) (7) The department shall, on a quarterly basis beginning  
21 July 1, 2007, provide to the office of financial management and the  
22 legislature reports providing the status on each project listed in this  
23 section and in the project lists submitted pursuant to this act and on  
24 any additional projects for which the department has expended funds  
25 during the 2007-09 fiscal biennium. Elements shall include, but not be  
26 limited to, project scope, schedule, and costs. The department shall  
27 also provide the information required under this subsection via the  
28 transportation executive information systems (TEIS).

29 (8) The department of transportation is authorized to sell up to  
30 \$90,000,000 in bonds authorized by RCW 47.10.843 for vessel and  
31 terminal acquisition, major and minor improvements, and long lead-time  
32 materials acquisition for the Washington state ferries.

33 (9) The department shall review the costs and benefits of continued  
34 use of the primavera scheduling system in the Washington state ferries  
35 marine division and include that review with its 2009-2011 budget  
36 submittal.

37 (10) The department shall review staffing in its capital  
38 engineering divisions to ensure core competency in, and a focus on,

1 terminal and vessel preservation, with staffing sufficient to implement  
2 the preservation program in the capital plan. The department shall not  
3 fill any current or future vacancies in the capital program until the  
4 completion of the capital plan.

5 (11) The department shall submit a plan for the disposal or sale of  
6 the four steel electric auto-ferry vessels to the joint transportation  
7 committee by July 1, 2008.

8 **Sec. 310.** 2007 c 518 s 309 (uncodified) is amended to read as  
9 follows:

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

11	Essential Rail Assistance Account--State Appropriation . . .	\$500,000
12	( <del>Freight Congestion Relief Account--State</del>	
13	<del>Appropriation . . . . .</del>	<del>\$25,000,000</del> )
14	Transportation Infrastructure Account--State	
15	Appropriation . . . . .	(( <del>\$2,500,000</del> ))
16		<u>\$1,713,000</u>
17	<u>Transportation Infrastructure Account--Federal</u>	
18	<u>Appropriation . . . . .</u>	<u>\$787,000</u>
19	Multimodal Transportation Account--State	
20	Appropriation . . . . .	(( <del>\$154,637,000</del> ))
21		<u>\$165,492,000</u>
22	Multimodal Transportation Account--Federal	
23	Appropriation . . . . .	(( <del>\$30,450,000</del> ))
24		<u>\$33,906,000</u>
25	Multimodal Transportation Account--Private/Local	
26	Appropriation . . . . .	(( <del>\$7,894,000</del> ))
27		<u>\$2,659,000</u>
28	TOTAL APPROPRIATION . . . . .	(( <del>\$220,981,000</del> ))
29		<u>\$205,057,000</u>

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

32 (1)(a) Except as provided otherwise in (~~subsection (8) of~~) this  
33 section, the entire appropriations in this section are provided solely  
34 for the projects and activities as listed by fund, project, and amount  
35 in LEAP Transportation Document ((~~2007-1~~)) 2008-1, Rail Capital Program  
36 (Y) as developed ((~~April 20, 2007~~)) February 25, 2008. However,



1 limited transfers of specific line-item project appropriations may  
2 occur between projects for those amounts listed subject to the  
3 conditions and limitations in section 603 of this act.

4 (b) Within the amounts provided in this section, (~~(\$2,500,000)~~)  
5 \$1,500,000 of the transportation infrastructure account--state  
6 appropriation (~~(is)~~) and \$787,000 of the transportation infrastructure  
7 account--federal appropriation are for low-interest loans for rail  
8 capital projects through the freight rail investment bank program. The  
9 department shall issue a call for projects based upon the legislative  
10 priorities specified in subsection (7)(a) of this section. Application  
11 must be received by the department by (~~November 1, 2007~~) October 1,  
12 2008. By (~~December 1, 2007~~) November 1, 2008, the department shall  
13 submit a prioritized list of recommended projects to the office of  
14 financial management and the transportation committees of the  
15 legislature. The department shall award low-interest loans to the port  
16 of Moses Lake in the amount of \$213,000, and based upon the prioritized  
17 list of rail capital projects most recently submitted to the  
18 legislature pursuant to this subsection, as follows: Port of Benton  
19 County (\$250,000); Port of Everett (\$250,000); Central Terminals, LLC  
20 (\$250,000); Tacoma Rail--Maintenance Facility (\$250,000); NW Container  
21 Service (\$250,000); Port of Chehalis (\$250,000); Ballard Terminal  
22 Railroad (\$250,000); Eastern Washington Gateway Railroad (\$36,875);  
23 Spokane County (\$250,000); Tacoma Rail--Locomotive Idling (\$250,000).

24 (c) Within the amounts provided in this section, (~~(\$3,335,000)~~)  
25 \$2,561,000 of the multimodal transportation account--state  
26 appropriation is for statewide - emergent freight rail assistance  
27 projects. However, the department shall perform a cost/benefit  
28 analysis of the projects according to the legislative priorities  
29 specified in subsection (7)(a) of this section, and shall give priority  
30 to the following projects: Rail - Tacoma rail yard switching upgrades  
31 (\$500,000); Rail - Port of Ephrata spur rehabilitation (\$127,000); Rail  
32 - Lewis and Clark rail improvements (\$1,100,000); Rail - Port of Grays  
33 Harbor rail access improvements (\$543,000); and Rail - Port of Longview  
34 rail loop construction (\$291,000)(~~(; and Rail - Port of Chehalis~~  
35 ~~(\$774,000))~~). If the relative cost of any of the six projects  
36 identified in this subsection (1)(c) is not substantially less than the  
37 public benefits to be derived from the project, then the department  
38 shall not assign the funds to the project, and instead shall use those

1 funds toward those projects identified by the department in the  
2 attachments to the "Washington State Department of Transportation  
3 FREIGHT RAIL ASSISTANCE FUNDING PROGRAM: 2007-2009 Prioritized Project  
4 List and Program Update" dated December 2006 for which the proportion  
5 of public benefits to be gained compared to the cost of the project is  
6 greatest.

7 ~~(d) ((Within the amounts provided in this section, \$25,000,000 of  
8 the freight congestion relief account state appropriation is for  
9 modifications to the Stampede Pass rail tunnel to facilitate the  
10 movement of double stacked rail cars. The department shall quantify  
11 and report to the legislature by December 1, 2007, the volume of  
12 freight traffic that would likely be shipped by rail rather than trucks  
13 if the Stampede Pass rail tunnel were modified to accommodate double  
14 stacked rail cars.~~

15 ~~(e))~~ Within the amounts provided in this section, ~~(((\$200,000))~~  
16 \$339,000 of the multimodal transportation account--state appropriation  
17 is for rescoping and completion of a programmatic EIS for the Kelso to  
18 Martin's Bluff - 3rd Mainline and Storage Tracks project. The rescoped  
19 project may include funds that are committed to the project by local or  
20 private funding partners. However, the rescoped project must be  
21 capable of being completed with not more than \$49,470,000 in future  
22 state funding, inclusive of inflation costs. Subject to this funding  
23 constraint, the rescoped project must maximize capacity improvements  
24 along the rail mainline.

25 ~~((+f))~~ (e) Within the amounts provided in this section, \$3,600,000  
26 of the multimodal transportation account--state appropriation is for  
27 work items on the Palouse River and Coulee City Railroad lines.

28 (2) The multimodal transportation account--state appropriation  
29 includes up to ~~(((\$137,620,000))~~ \$144,500,000 in proceeds from the sale  
30 of bonds authorized by RCW 47.10.867.

31 (3) The department is directed to seek the use of unprogrammed  
32 federal rail crossing funds to be expended in lieu of or in addition to  
33 state funds for eligible costs of projects in Program Y, including, but  
34 not limited to the "Tacoma -- bypass of Pt. Defiance" project.

35 (4) If new federal funding for freight or passenger rail is  
36 received, the department shall consult with the transportation  
37 committees of the legislature and the office of financial management  
38 prior to spending the funds on existing or additional projects.

1 (5) The department shall sell any ancillary property, acquired when  
2 the state purchased the right-of-ways to the PCC rail line system, to  
3 a lessee of the ancillary property who is willing to pay fair market  
4 value for the property. The department shall deposit the proceeds from  
5 the sale of ancillary property into the transportation infrastructure  
6 account.

7 ~~((The entire freight congestion relief account state  
8 appropriation is contingent upon the enactment during the 2007-2009  
9 fiscal biennium of a bill, resulting from the study established in  
10 Substitute Senate Bill No. 5207, that makes available funding to  
11 support project expenditures funded from the freight congestion relief  
12 account created in Substitute Senate Bill No. 5207. If such a funding  
13 bill is not enacted by June 30, 2009, the entire freight congestion  
14 relief account state appropriation shall lapse.~~

15 ~~(7))~~(a) The department shall develop and implement the  
16 benefit/impact evaluation methodology recommended in the statewide rail  
17 capacity and needs study finalized in December 2006. The  
18 benefit/impact evaluation methodology shall be developed using the  
19 following priorities, in order of relative importance:

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

22 (ii) Self-sustaining economic development that creates family-wage  
23 jobs;

24 (iii) Preservation of transportation corridors that would otherwise  
25 be lost;

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

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

30 (vi) Mitigation of impacts of increased rail traffic on  
31 communities.

32 (b) The department shall convene a work group to collaborate on the  
33 development of the benefit/impact analysis method to be used in the  
34 evaluation. The work group must include, at a minimum, the freight  
35 mobility strategic investment board, the department of agriculture, and  
36 representatives from the various users and modes of the state's rail  
37 system.

1 (c) The department shall use the benefit/impact analysis and  
2 priorities in (a) of this subsection when submitting requests for state  
3 funding for rail projects. The department shall develop a standardized  
4 format for submitting requests for state funding for rail projects that  
5 includes an explanation of the analysis undertaken, and the conclusions  
6 derived from the analysis.

7 (d) The department and the freight mobility strategic investment  
8 board shall collaborate to submit a report to the office of financial  
9 management and the transportation committees of the legislature by  
10 September 1, 2008, listing proposed freight highway and rail projects.  
11 The report must describe the analysis used for selecting such projects,  
12 as required by this act for the department and as required by chapter  
13 47.06A RCW for the board. When developing its list of proposed freight  
14 highway and rail projects, the freight mobility strategic investment  
15 board shall use the priorities identified in (a) of this subsection to  
16 the greatest extent possible.

17 ~~((8) \$5,000,000 of the multimodal transportation account state  
18 appropriation is reappropriated and provided solely for the costs of  
19 acquisition of the PCC railroad associated with the memorandum of  
20 understanding (MOU), which was executed between Washington state and  
21 Watco. Total costs associated with the MOU shall not exceed  
22 \$10,937,000.))~~

23 (7) The department shall apply at the earliest possible date for  
24 grants, pursuant to the new competitive intercity rail grant program  
25 announced by the federal railroad administration on February 19, 2008,  
26 for any projects that may qualify for such federal grants and are  
27 currently identified on the project list referenced in subsection  
28 (1)(a) of this section.

29 (8) Up to \$8,500,000 of any state funding designated on the project  
30 list referenced in subsection (1)(a) of this section for the  
31 "Vancouver-Rail Bypass and W 39th Street Bridge" project may be used to  
32 upgrade, to class 2 condition, track owned by Clark county between  
33 Vancouver and Battle Ground.

34 **Sec. 311.** 2007 c 518 s 310 (uncodified) is amended to read as  
35 follows:

36 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**

1	<b>CAPITAL</b>	
2	Highway Infrastructure Account--State Appropriation . . . . .	\$207,000
3	Highway Infrastructure Account--Federal	
4	Appropriation . . . . .	\$1,602,000
5	Freight Mobility Investment Account--State	
6	Appropriation . . . . .	(( <del>\$12,500,000</del> ))
7		<u>\$12,378,000</u>
8	( <del>Freight Congestion Relief Account--State</del>	
9	<del>    Appropriation . . . . .</del>	<del>\$46,720,000</del> )
10	Transportation Partnership Account--State	
11	Appropriation . . . . .	(( <del>\$2,906,000</del> ))
12		<u>\$3,906,000</u>
13	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$9,854,000</del> ))
14		<u>\$12,273,000</u>
15	Motor Vehicle Account--Federal Appropriation . . . . .	(( <del>\$60,150,000</del> ))
16		<u>\$62,222,000</u>
17	Freight Mobility Multimodal Account--State	
18	Appropriation . . . . .	(( <del>\$12,100,000</del> ))
19		<u>\$12,750,000</u>
20	<u>Freight Mobility Multimodal Account--</u>	
21	<u>    Private/Local Appropriation . . . . .</u>	<u>\$3,755,000</u>
22	Multimodal Transportation Account--Federal	
23	Appropriation . . . . .	(( <del>\$3,500,000</del> ))
24		<u>\$4,180,000</u>
25	Multimodal Transportation Account--State	
26	Appropriation . . . . .	(( <del>\$33,158,000</del> ))
27		<u>\$32,134,000</u>
28	Transportation 2003 Account (Nickel Account)--State	
29	Appropriation . . . . .	(( <del>\$2,706,000</del> ))
30		<u>\$2,721,000</u>
31	Passenger Ferry Account--State Appropriation . . . . .	\$8,500,000
32	TOTAL APPROPRIATION . . . . .	(( <del>\$193,903,000</del> ))
33		<u>\$156,628,000</u>

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

- 36 (1) The department shall, on a quarterly basis, provide status  
37 reports to the legislature on the delivery of projects as outlined in  
38 the project lists incorporated in this section. For projects funded by

1 new revenue in the 2003 and 2005 transportation packages, reporting  
2 elements shall include, but not be limited to, project scope, schedule,  
3 and costs. Other projects may be reported on a programmatic basis.  
4 The department shall also provide the information required under this  
5 subsection on a quarterly basis via the transportation executive  
6 information system (TEIS).

7 (2) \$8,500,000 of the passenger ferry account--state appropriation  
8 is provided solely for near and long-term costs of capital improvements  
9 in a business plan approved by the governor for passenger ferry  
10 service.

11 (3) The department shall seek the use of unprogrammed federal rail  
12 crossing funds to be expended in lieu of or in addition to state funds  
13 for eligible costs of projects in local programs, program Z capital.

14 (4) The department shall apply for surface transportation program  
15 (STP) enhancement funds to be expended in lieu of or in addition to  
16 state funds for eligible costs of projects in local programs, program  
17 Z capital.

18 (5) Federal funds may be transferred from program Z to programs I  
19 and P and state funds shall be transferred from programs I and P to  
20 program Z to replace those federal funds in a dollar-for-dollar match.  
21 Fund transfers authorized under this subsection shall not affect  
22 project prioritization status. Appropriations shall initially be  
23 allotted as appropriated in this act. The department may not transfer  
24 funds as authorized under this subsection without approval of the  
25 office of financial management. The department shall submit a report  
26 on those projects receiving fund transfers to the office of financial  
27 management and the transportation committees of the legislature by  
28 December 1, 2007, and December 1, 2008.

29 (6) The city of Winthrop may utilize a design-build process for the  
30 Winthrop bike path project. Of the amount appropriated in this section  
31 for this project, \$500,000 of the multimodal transportation account--  
32 state appropriation is contingent upon the state receiving from the  
33 city of Winthrop \$500,000 in federal funds awarded to the city of  
34 Winthrop by its local planning organization.

35 (7) (~~(\$7,000,000)~~) \$11,591,224 of the multimodal transportation  
36 account--state appropriation, (~~(\$7,000,000)~~) \$8,640,239 of the motor  
37 vehicle account--federal appropriation, and \$4,000,000 of the motor  
38 vehicle account--federal appropriation are provided solely for the

1 pedestrian and bicycle safety program projects and safe routes to  
2 schools program projects identified in the LEAP Transportation Document  
3 2007-A, pedestrian and bicycle safety program projects and safe routes  
4 to schools program projects as developed April 20, 2007. Projects must  
5 be allocated funding based on order of priority. The department shall  
6 review all projects receiving grant awards under this program at least  
7 semiannually to determine whether the projects are making satisfactory  
8 progress. Any project that has been awarded funds, but does not report  
9 activity on the project within one year of the grant award, shall be  
10 reviewed by the department to determine whether the grant should be  
11 terminated. The department shall promptly close out grants when  
12 projects have been completed, and identify where unused grant funds  
13 remain because actual project costs were lower than estimated in the  
14 grant award.

15 (8) Up to a maximum of \$5,000,000 of the multimodal transportation  
16 account--state appropriation and up to a maximum of \$2,000,000 of the  
17 motor vehicle account--federal appropriation are reappropriated for the  
18 pedestrian and bicycle safety program projects and safe routes to  
19 schools program projects identified in the LEAP transportation document  
20 2006-B, pedestrian and bicycle safety program projects and safe routes  
21 to schools program projects as developed March 8, 2006. Projects must  
22 be allocated funding based on order of priority. The department shall  
23 review all projects receiving grant awards under this program at least  
24 semiannually to determine whether the projects are making satisfactory  
25 progress. Any project that has been awarded funds, but does not report  
26 activity on the project within one year of the grant award, shall be  
27 reviewed by the department to determine whether the grant should be  
28 terminated. The department shall promptly close out grants when  
29 projects have been completed, and identify where unused grant funds  
30 remain because actual project costs were lower than estimated in the  
31 grant award.

32 (9) ~~((The entire freight congestion relief account state~~  
33 ~~appropriation is contingent upon the enactment during the 2007-2009~~  
34 ~~fiscal biennium of a bill, resulting from the study established in~~  
35 ~~Substitute Senate Bill No. 5207, that makes available funding to~~  
36 ~~support project expenditures funded from the freight congestion relief~~  
37 ~~account created in Substitute Senate Bill No. 5207. If such a funding~~

1 ~~bill is not enacted by June 30, 2009, the entire freight congestion~~  
2 ~~relief account state appropriation shall lapse.~~

3 ~~(10))~~ \$3,500,000 of the multimodal transportation account--federal  
4 appropriation is provided solely for the Museum of Flight pedestrian  
5 bridge safety project.

6 ~~((11))~~ (10) \$250,000 of the multimodal transportation account--  
7 state appropriation is provided solely for the icicle rail station in  
8 Leavenworth.

9 ~~((12))~~ (11) \$1,500,000 of the motor vehicle account--state  
10 appropriation is provided solely for the Union Gap city road project.

11 ~~((13) \$350,000)~~ (12) \$250,000 of the motor vehicle account--state  
12 appropriation is provided solely for the Saltwater state park bridge  
13 project and off-site traffic control costs.

14 ~~((14))~~ (13) \$1,000,000 of the motor vehicle account--state  
15 appropriation ~~((is))~~ and \$4,688,000 of the motor vehicle account--  
16 federal appropriation are provided solely for the coal creek parkway  
17 project.

18 ~~((15))~~ (14) \$250,000 of the multimodal transportation account--  
19 state appropriation is provided solely for a streetcar feasibility  
20 study in downtown Spokane.

21 ~~((16))~~ (15) \$500,000 of the motor vehicle account--~~((state))~~  
22 federal appropriation is provided solely for ~~((the))~~ slide repairs  
23 completed during 2007 and 2008 at or in the vicinity of marine view  
24 drive bridge ~~((project))~~ on Marine View Drive and on Des Moines  
25 Memorial Drive in Des Moines.

26 (16) \$1,100,000 of the motor vehicle account--state appropriation  
27 is provided solely for local road improvements that connect to the SR  
28 I-82 valley mall boulevard project (5082010). Planned funding of an  
29 additional \$2,000,000 shall be made available to this project in the  
30 2009-11 biennium.

31 (17) \$2,400,000 of the motor vehicle account--state appropriation  
32 is provided solely for completion of the riverside avenue extension  
33 project in the city of Spokane.

#### 34 TRANSFERS AND DISTRIBUTIONS

35 **Sec. 401.** 2007 c 518 s 401 (uncodified) is amended to read as  
36 follows:



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

5	Highway Bond Retirement Account Appropriation . . . . .	(( <del>\$570,030,000</del> ))
6		<u>\$530,160,000</u>
7	Ferry Bond Retirement Account Appropriation . . . . .	(( <del>\$38,059,000</del> ))
8		<u>\$37,380,000</u>
9	Transportation Improvement Board Bond Retirement	
10	Account--State Appropriation . . . . .	(( <del>\$27,749,000</del> ))
11		<u>\$26,462,000</u>
12	Nondebt-Limit Reimbursable Account Appropriation . . . . .	(( <del>\$19,359,000</del> ))
13		<u>\$11,194,000</u>
14	Transportation Partnership Account--State	
15	Appropriation . . . . .	(( <del>\$6,694,000</del> ))
16		<u>\$4,838,000</u>
17	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$986,000</del> ))
18		<u>\$1,011,000</u>
19	Transportation Improvement Account--State Appropriation . . . . .	(( <del>\$68,000</del> ))
20		<u>\$59,000</u>
21	Multimodal Transportation Account--State	
22	Appropriation . . . . .	(( <del>\$1,032,000</del> ))
23		<u>\$1,373,000</u>
24	Transportation 2003 Account (Nickel Account)--State	
25	Appropriation . . . . .	(( <del>\$6,560,000</del> ))
26		<u>\$5,468,000</u>
27	Urban Arterial Trust Account--State Appropriation . . . . .	(( <del>\$473,000</del> ))
28		<u>\$113,000</u>
29	Special Category C Account Appropriation . . . . .	(( <del>\$160,000</del> ))
30		<u>\$233,000</u>
31	TOTAL APPROPRIATION . . . . .	(( <del>\$671,170,000</del> ))
32		<u>\$618,291,000</u>

33 **Sec. 402.** 2007 c 518 s 402 (uncodified) is amended to read as  
 34 follows:

35 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**  
 36 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**

1	<b>FISCAL AGENT CHARGES</b>	
2	Transportation Partnership Account--State	
3	Appropriation . . . . .	(( <del>\$2,254,000</del> ))
4		<u>\$315,000</u>
5	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$329,000</del> ))
6		<u>\$60,000</u>
7	Transportation Improvement Account--State Appropriation . . . . .	(( <del>\$5,000</del> ))
8		<u>\$3,000</u>
9	Multimodal Transportation Account--State Appropriation . . . . .	(( <del>\$130,000</del> ))
10		<u>\$72,000</u>
11	Transportation 2003 Account (Nickel Account)--State	
12	Appropriation . . . . .	(( <del>\$2,187,000</del> ))
13		<u>\$357,000</u>
14	Urban Arterial Trust Account--State Appropriation . . . . .	(( <del>\$38,000</del> ))
15		<u>\$7,000</u>
16	Special Category C Account--State Appropriation . . . . .	(( <del>\$53,000</del> ))
17		<u>\$13,000</u>
18	TOTAL APPROPRIATION . . . . .	(( <del>\$4,996,000</del> ))
19		<u>\$827,000</u>

20       **Sec. 403.** 2007 c 518 s 403 (uncodified) is amended to read as  
21 follows:

22 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**  
23 **BOND REGISTRATION AND TRANSFER CHARGES: FOR MVFT BONDS AND TRANSFERS**

24       (1) Motor Vehicle Account--State Reappropriation:  
25 For transfer to the Tacoma Narrows Toll Bridge  
26 Account . . . . . ((~~\$131,016,000~~))  
27 \$18,000,000

28       (~~The department of transportation is authorized to sell up to~~  
29 ~~\$131,016,000 in bonds authorized by RCW 47.10.843 for the Tacoma~~  
30 ~~Narrows bridge project. Proceeds from the sale of the bonds shall be~~  
31 ~~deposited into the motor vehicle account. The department of~~  
32 ~~transportation shall inform the treasurer of the amount to be~~  
33 ~~deposited.))~~

34       (2) Motor Vehicle Account--State Appropriation:  
35 For transfer to the Puget Sound Capital Construction  
36 Account . . . . . ((~~\$131,500,000~~))  
37 \$83,000,000

1 ((The department of transportation is authorized to sell up to  
2 \$131,500,000 in bonds authorized by RCW 47.10.843 for vessel and  
3 terminal acquisition, major and minor improvements, and long lead time  
4 materials acquisition for the Washington state ferries.))

5 **Sec. 404.** 2007 c 518 s 404 (uncodified) is amended to read as  
6 follows:

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

8 Motor Vehicle Account Appropriation for  
9 motor vehicle fuel tax distributions to cities  
10 and counties . . . . . ((\$526,320,000))  
11 \$501,783,827

12 **Sec. 405.** 2007 c 518 s 405 (uncodified) is amended to read as  
13 follows:

14 **FOR THE STATE TREASURER--TRANSFERS**

15 Motor Vehicle Account--State  
16 Appropriation: For motor vehicle fuel tax  
17 refunds and statutory transfers . . . . . ((\$937,181,000))  
18 \$918,908,000

19 **Sec. 406.** 2007 c 518 s 406 (uncodified) is amended to read as  
20 follows:

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

22 Motor Vehicle Account--State  
23 Appropriation: For ((motor vehicle fuel tax  
24 refunds and transfers)) statutory license,  
25 permit, and fee distributions to other accounts . . . ((\$346,657,000))  
26 \$333,207,000

27 **Sec. 407.** 2007 c 518 s 407 (uncodified) is amended to read as  
28 follows:

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

30 (1) Recreational Vehicle Account--State  
31 Appropriation: For transfer to the Motor Vehicle  
32 Account--State . . . . . ((\$3,005,000))  
33 \$4,505,000

34 (2) License Plate Technology Account--State

1 Appropriation: For the Multimodal Transportation  
 2 Account--State . . . . . \$4,500,000  
 3 (3) Motor Vehicle Account--State Appropriation:  
 4 For transfer to the High-Occupancy Toll Lanes Operations--  
 5 State Account . . . . . \$3,000,000  
 6 (4) Motor Vehicle Account--State Appropriation:  
 7 For transfer to the Puget Sound Capital Construction  
 8 Account--State . . . . . ((~~\$20,000,000~~))  
 9 \$28,000,000  
 10 (5) Multimodal Transportation Account--State  
 11 Appropriation: For transfer to the Puget Sound  
 12 Ferry Operations Account--State . . . . . ((~~\$39,000,000~~))  
 13 \$66,000,000  
 14 (6) Advanced Right-of-Way Revolving Account--State  
 15 Appropriation: For transfer to the Motor Vehicle  
 16 Account--State . . . . . \$30,000,000  
 17 (7) Waste Tire Removal Account--State Appropriation:  
 18 For transfer to the Motor Vehicle Account--State . . . . . \$5,600,000  
 19 (8) Motor Vehicle Account--State Appropriation:  
 20 For transfer to the Transportation Partnership  
 21 Account--State . . . . . ((~~\$25,000,000~~))  
 22 \$18,000,000  
 23 ((~~+10~~)) (9) Multimodal Transportation Account--State  
 24 Appropriation: For transfer to the Transportation  
 25 Infrastructure Account--State . . . . . ((~~\$7,000,000~~))  
 26 \$6,000,000  
 27 ((~~+11~~)) (10) Highway Safety Account--State Appropriation:  
 28 For transfer to the Multimodal Transportation  
 29 Account--State . . . . . \$9,500,000  
 30 (11) Urban Arterial Trust Account--State Appropriation:  
 31 For transfer to the Small City Pavement and Sidewalk  
 32 Account--State . . . . . \$1,400,000  
 33 (12) Multimodal Transportation Account--Federal  
 34 Appropriation: For transfer to the Transportation  
 35 Infrastructure Account--Federal . . . . . \$1,000,000  
 36 The transfers identified in this section are subject to the  
 37 following conditions and limitations: ((~~+a~~)) The amount transferred

1 in subsection (3) of this section may be spent only on "highway  
2 purposes" as that term is construed in Article II, section 40 of the  
3 Washington state Constitution.

4 **COMPENSATION**

5 **Sec. 501.** 2007 c 518 s 501 (uncodified) is amended to read as  
6 follows:

7 **COMPENSATION--NONREPRESENTED EMPLOYEES--INSURANCE BENEFITS.** The  
8 appropriations for state agencies, are subject to the following  
9 conditions and limitations:

10 (1)(a) The monthly employer funding rate for insurance benefit  
11 premiums, public employees' benefits board administration, and the  
12 uniform medical plan, shall not exceed \$707 per eligible employee for  
13 fiscal year 2008. For fiscal year 2009 the monthly employer funding  
14 rate shall not exceed (~~(\$732)~~) \$575 per eligible employee.

15 (b) In order to achieve the level of funding provided for health  
16 benefits, the public employees' benefits board shall require any or all  
17 of the following: Employee premium copayments, increases in  
18 point-of-service cost sharing, the implementation of managed  
19 competition, or make other changes to benefits consistent with RCW  
20 41.05.065.

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

28 (2) The health care authority, subject to the approval of the  
29 public employees' benefits board, shall provide subsidies for health  
30 benefit premiums to eligible retired or disabled public employees and  
31 school district employees who are eligible for medicare, pursuant to  
32 RCW 41.05.085. From January 1, 2008, through December 31, 2008, the  
33 subsidy shall be \$165.31. Starting January 1, 2009, the subsidy shall  
34 be \$184.26 per month.

1       **Sec. 502.** 2007 c 518 s 502 (uncodified) is amended to read as  
2 follows:

3       **COMPENSATION--REPRESENTED EMPLOYEES OUTSIDE SUPER COALITION--INSURANCE**  
4 **BENEFITS.** The appropriations for state agencies, are subject to the  
5 following conditions and limitations:

6       (1)(a) The monthly employer funding rate for insurance benefit  
7 premiums, public employees' benefits board administration, and the  
8 uniform medical plan, for represented employees outside the super  
9 coalition under chapter 41.80 RCW, shall not exceed \$707 per eligible  
10 employee for fiscal year 2008. For fiscal year 2009 the monthly  
11 employer funding rate shall not exceed (~~(\$732)~~) \$575 per eligible  
12 employee.

13       (b) In order to achieve the level of funding provided for health  
14 benefits, the public employees' benefits board shall require any or all  
15 of the following: Employee premium copayments, increases in  
16 point-of-service cost sharing, the implementation of managed  
17 competition, or make other changes to benefits consistent with RCW  
18 41.05.065.

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

26       (2) The health care authority, subject to the approval of the  
27 public employees' benefits board, shall provide subsidies for health  
28 benefit premiums to eligible retired or disabled public employees and  
29 school district employees who are eligible for medicare, pursuant to  
30 RCW 41.05.085. From January 1, 2008, through December 31, 2008, the  
31 subsidy shall be \$165.31. Starting January 1, 2009, the subsidy shall  
32 be \$184.26 per month.

33       **Sec. 503.** 2007 c 518 s 503 (uncodified) is amended to read as  
34 follows:

35       **COMPENSATION--REPRESENTED EMPLOYEES--SUPER COALITION.** Collective  
36 bargaining agreements negotiated as part of the super coalition under  
37 chapter 41.80 RCW include employer contributions to health insurance

1 premiums at 88% of the cost. Funding rates at this level are currently  
2 \$707 per month for fiscal year 2008 and (~~(\$732)~~) \$575 per month for  
3 fiscal year 2009. The agreements also include a one-time payment of  
4 \$756 for each employee who is eligible for insurance for the month of  
5 June, 2007, and is covered by a 2007-2009 collective bargaining  
6 agreement pursuant to chapter 41.80 RCW, as well as continuation of the  
7 salary increases that were negotiated for the twelve-month period  
8 beginning July 1, 2006, and scheduled to terminate June 30, 2007.

9

#### MISCELLANEOUS

10 **Sec. 601.** RCW 46.68.110 and 2007 c 148 s 1 are each amended to  
11 read as follows:

12 Funds credited to the incorporated cities and towns of the state as  
13 set forth in RCW 46.68.090 shall be subject to deduction and  
14 distribution as follows:

15 (1) One and one-half percent of such sums distributed under RCW  
16 46.68.090 shall be deducted monthly as such sums are credited and set  
17 aside for the use of the department of transportation for the  
18 supervision of work and expenditures of such incorporated cities and  
19 towns on the city and town streets thereof, including the supervision  
20 and administration of federal-aid programs for which the department of  
21 transportation has responsibility: PROVIDED, That any moneys so  
22 retained and not expended shall be credited in the succeeding biennium  
23 to the incorporated cities and towns in proportion to deductions herein  
24 made;

25 (2) Thirty-three one-hundredths of one percent of such funds  
26 distributed under RCW 46.68.090 shall be deducted monthly, as such  
27 funds accrue, and set aside for the use of the department of  
28 transportation for the purpose of funding the cities' share of the  
29 costs of highway jurisdiction studies and other studies. Any funds so  
30 retained and not expended shall be credited in the succeeding biennium  
31 to the cities in proportion to the deductions made;

32 (3) One percent of such funds distributed under RCW 46.68.090 shall  
33 be deducted monthly, as such funds accrue, to be deposited in the small  
34 city pavement and sidewalk account, to implement the city hardship  
35 assistance program, as provided in RCW 47.26.164. However, any moneys  
36 so retained and not required to carry out the program under this

1 subsection as of July 1st of each odd-numbered year thereafter, shall  
2 be retained in the account and used for maintenance, repair, and  
3 resurfacing of city and town streets for cities and towns with a  
4 population of less than five thousand.

5 (4) Except as provided in RCW 47.26.080, after making the  
6 deductions under subsections (1) through (3) of this section and RCW  
7 35.76.050, the balance remaining to the credit of incorporated cities  
8 and towns shall be apportioned monthly as such funds accrue among the  
9 several cities and towns within the state ratably on the basis of the  
10 population last determined by the office of financial management.

11 NEW SECTION. Sec. 602. A new section is added to 2007 c 518  
12 (uncodified) to read as follows:

13 In order to promote the receipt of federal enhancement funds, or  
14 other applicable federal or state grant funds, the following portions  
15 of highway are designated as part of the scenic and recreational  
16 highway system: Beginning at the Anacortes ferry landing, the  
17 Washington state ferries Anacortes/San Juan Islands route, which  
18 includes stops at Lopez, Shaw, Orcas, and San Juan Islands; and the  
19 roads on San Juan and Orcas Islands as described in San Juan Island  
20 county council resolution no. 7, adopted February 5, 2008.

21 NEW SECTION. Sec. 603. If any provision of this act or its  
22 application to any person or circumstance is held invalid, the  
23 remainder of the act or the application of the provision to other  
24 persons or circumstances is not affected.

25 NEW SECTION. Sec. 604. This act is necessary for the immediate  
26 preservation of the public peace, health, or safety, or support of the  
27 state government and its existing public institutions, and takes effect  
28 immediately.

(End of bill)



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**ESHB 2878** - S COMM AMD  
By Committee on Transportation

1       On page 1, line 1 of the title, after "appropriations;" strike the  
2 remainder of the title and insert "amending RCW 46.68.110; amending  
3 2007 c 518 ss 101, 102, 103, 104, 105, 106, 201, 202, 203, 204, 205,  
4 206, 207, 208, 209, 210, 212, 213, 214, 215, 216, 217, 218, 219, 220,  
5 221, 222, 223, 224, 225, 226, 227, 301, 302, 303, 304, 305, 306, 307,  
6 308, 309, 310, 401, 402, 403, 404, 405, 406, 407, 501, 502, and 503  
7 (uncodified); adding new sections to 2007 c 518 (uncodified); making  
8 appropriations and authorizing capital improvements; and declaring an  
9 emergency."

--- END ---