
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: H-2178.8/13 8th draft

ATTY/TYPIST: BP:lel

BRIEF DESCRIPTION: Making transportation appropriations for the
2011-2013 and 2013-2015 fiscal biennia.

1 AN ACT Relating to transportation funding and appropriations;
2 amending RCW 47.64.170, 47.64.270, 43.19.642, 46.12.630, 46.18.060,
3 46.68.113, 46.68.170, 46.68.325, 47.29.170, 47.56.403, and 47.56.876;
4 amending 2012 c 86 ss 102, 201, 202, 203, 205, 206, 207, 208, 209, 210,
5 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 302,
6 303, 305, 306, 307, 308, 309, 310, 401, 402, 404, 405, 406, 407, and
7 701 (uncodified); amending 2011 c 367 s 601 (uncodified); reenacting
8 and amending RCW 46.63.170 and 70.105D.070; adding a new section to
9 chapter 47.06A RCW; creating new sections; repealing 2012 c 86 ss 702,
10 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, and
11 716 (uncodified); prescribing penalties; making appropriations and
12 authorizing expenditures for capital improvements; providing an
13 effective date; providing a contingent effective date; and declaring an
14 emergency.

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

16 **2013-2015 FISCAL BIENNIUM**

17 NEW SECTION. **Sec. 1.** (1) The transportation budget of the state
18 is hereby adopted and, subject to the provisions set forth, the several

1 amounts specified, or as much thereof as may be necessary to accomplish
2 the purposes designated, are hereby appropriated from the several
3 accounts and funds named to the designated state agencies and offices
4 for employee compensation and other expenses, for capital projects, and
5 for other specified purposes, including the payment of any final
6 judgments arising out of such activities, for the period ending June
7 30, 2015.

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

10 (a) "Fiscal year 2014" or "FY 2014" means the fiscal year ending
11 June 30, 2014.

12 (b) "Fiscal year 2015" or "FY 2015" means the fiscal year ending
13 June 30, 2015.

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

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

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

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

25 (g) "LEAP" means the legislative evaluation and accountability
26 program committee.

27 **2013-2015 FISCAL BIENNIUM**

28 **GENERAL GOVERNMENT AGENCIES--OPERATING**

29 NEW SECTION. **Sec. 101. FOR THE DEPARTMENT OF ARCHAEOLOGY AND**
30 **HISTORIC PRESERVATION**

31 Motor Vehicle Account--State Appropriation \$435,000

32 The appropriation in this section is subject to the following
33 conditions and limitations: The entire appropriation is provided
34 solely for staffing costs to be dedicated to state transportation
35 activities. Staff hired to support transportation activities must have
36 practical experience with complex construction projects.

1 section 103(3), chapter 247, Laws of 2010 and (ii) section 106
2 consultations completed under the national historic preservation act;

3 (b) Work with local, state, and regional transportation and public
4 works maintenance agencies to continue to support development of EZview
5 enhancements and customizations based on applicant needs; and

6 (c) Provide outreach and training to advance the state's interest
7 in continuing to leverage EZview web infrastructure to support and
8 accelerate local, regional, and state transportation and public works
9 planning, permitting, and compliance.

10 **NEW SECTION. Sec. 104. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

11	Motor Vehicle Account--State Appropriation	\$502,000
12	Puget Sound Ferry Operations Account--State	
13	Appropriation	\$4,480,000
14	TOTAL APPROPRIATION	\$4,982,000

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

17 (1) \$502,000 of the motor vehicle account--state appropriation is
18 provided solely for the transportation executive information system.

19 (2) \$4,480,000 of the Puget Sound ferry operations account--state
20 appropriation is provided solely for marine insurance. Coverage is for
21 ferry vessels and terminals based on certain deductibles.

22 **NEW SECTION. Sec. 105. FOR THE STATE PARKS AND RECREATION**
23 **COMMISSION**

24	Motor Vehicle Account--State Appropriation	\$986,000
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25 The appropriation in this section is subject to the following
26 conditions and limitations: The entire appropriation in this section
27 is provided solely for road maintenance purposes.

28 **NEW SECTION. Sec. 106. FOR THE DEPARTMENT OF AGRICULTURE**
29 Motor Vehicle Account--State Appropriation \$1,208,000

30 The appropriation in this section is subject to the following
31 conditions and limitations:

32 (1) \$351,000 of the motor vehicle account--state appropriation is
33 provided solely for costs associated with the motor fuel quality
34 program.

1 (2) \$857,000 of the motor vehicle account--state appropriation is
2 provided solely to test the quality of biofuel. The department must
3 test fuel quality at the biofuel manufacturer, distributor, and
4 retailer.

5 NEW SECTION. **Sec. 107. FOR THE LEGISLATIVE EVALUATION AND**
6 **ACCOUNTABILITY PROGRAM COMMITTEE**

7 Motor Vehicle Account--State Appropriation \$529,000

8 **TRANSPORTATION AGENCIES--OPERATING**

9 NEW SECTION. **Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY**
10 **COMMISSION**

11 Highway Safety Account--State Appropriation \$3,147,000
12 Highway Safety Account--Federal Appropriation \$40,629,000
13 Highway Safety Account--Private/Local Appropriation \$50,000
14 School Zone Safety Account--State Appropriation \$1,800,000
15 TOTAL APPROPRIATION \$45,626,000

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

18 (1) The commission shall develop and implement, in collaboration
19 with the Washington state patrol, a target zero team pilot program in
20 Yakima and Spokane counties. The pilot program must demonstrate the
21 effectiveness of intense, high visibility driving under the influence
22 enforcement in Washington state. The commission shall apply to the
23 national highway traffic safety administration for federal highway
24 safety grants to cover the cost of the pilot program.

25 (2) \$20,000,000 of the highway safety account--federal
26 appropriation is provided solely for federal funds that may be
27 obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the
28 2013-2015 fiscal biennium.

29 (3) The commission may oversee pilot projects implementing the use
30 of automated traffic safety cameras to detect speed violations within
31 cities west of the Cascade mountains that have a population over one
32 hundred ninety-five thousand. For the purposes of pilot projects in
33 this subsection, no more than one automated traffic safety camera may
34 be used to detect speed violations within any one jurisdiction.

1 (a) The commission shall comply with RCW 46.63.170 in administering
2 the pilot projects.

3 (b) By January 1, 2015, any local authority that is operating an
4 automated traffic safety camera to detect speed violations must provide
5 a summary to the transportation committees of the legislature
6 concerning the use of the cameras and data regarding infractions,
7 revenues, and costs.

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

Rural Arterial Trust Account--State Appropriation	\$945,000
Motor Vehicle Account--State Appropriation	\$2,186,000
County Arterial Preservation Account--State	
Appropriation	\$1,456,000
TOTAL APPROPRIATION	\$4,587,000

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

Transportation Improvement Account--State	
Appropriation	\$3,804,000

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

Motor Vehicle Account--State Appropriation	\$1,330,000
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19 The appropriation in this section is subject to the following
20 conditions and limitations:

21 (1)(a) \$325,000 of the motor vehicle account--state appropriation
22 is provided for a study of transportation cost drivers and potential
23 efficiencies to contain project costs and gain more value from
24 investments in Washington state's transportation system. The goal is
25 to enable the department of transportation to construct bridge and
26 highway projects more quickly and to build and operate them at a lower
27 cost, while ensuring that appropriate environmental and regulatory
28 protections are maintained and a quality project is delivered. The
29 joint transportation committee must convene an advisory panel to
30 provide study guidance and discuss potential efficiencies and
31 recommendations. The scope of the study must be limited to state-level
32 policies and practices relating to the planning, design, permitting,
33 construction, financing, and operation of department of transportation
34 roadway and bridge projects. The study must:

- 35 (i) Identify best practices;

1 (ii) Identify inefficiencies in state policy or agency practice
2 where changes may save money;

3 (iii) Recommend changes to improve efficiency and save money; and

4 (iv) Identify potential savings to be achieved by adopting changes
5 in practice or policy.

6 (b) The joint transportation committee shall issue a report of its
7 findings to the house of representatives and senate transportation
8 committees by December 31, 2013.

9 (2) The joint transportation committee shall coordinate a work
10 group comprised of the department of licensing, the department of
11 revenue, county auditors or other agents, and subagents to identify
12 possible issues relating to the administration of, compliance with, and
13 enforcement of the existing statutory requirement for a person to
14 provide an unexpired driver's license when registering a vehicle. The
15 work group shall provide recommendations on how administration and
16 enforcement may be modified, as needed, to address any identified
17 issues, including whether statutory changes may be needed. A report
18 presenting the recommendations must be presented to the house of
19 representatives and senate transportation committees by December 31,
20 2013.

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

22	Motor Vehicle Account--State Appropriation	\$2,773,000
23	Multimodal Transportation Account--State	
24	Appropriation	\$112,000
25	TOTAL APPROPRIATION	\$2,885,000

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

28 (1) Consistent with RCW 43.135.055, 47.60.290, and 47.60.315,
29 during the 2013-2015 fiscal biennium, the legislature authorizes the
30 transportation commission to periodically review and, if necessary,
31 adjust the schedule of fares for the Washington state ferry system only
32 in amounts not greater than those sufficient to generate the amount of
33 revenue required by the biennial transportation budget. When adjusting
34 ferry fares, the commission must consider input from affected ferry
35 users by public hearing and by review with the affected ferry advisory
36 committees, in addition to the data gathered from the current ferry
37 user survey.

1 (2) Consistent with RCW 43.135.055 and 47.46.100, during the 2013-
2 2015 fiscal biennium, the legislature authorizes the transportation
3 commission to periodically review and, if necessary, adjust the
4 schedule of toll charges applicable to the Tacoma Narrows bridge only
5 in amounts not greater than those sufficient to support (a) any
6 required costs for operating and maintaining the toll bridge, including
7 the cost of insurance, (b) any amount required by law to meet the
8 redemption of bonds and applicable interest payments, and (c) repayment
9 of the motor vehicle fund.

10 (3) In accordance with RCW 43.135.055, the transportation
11 commission may adopt, periodically review, and, if necessary, adjust
12 the schedule of toll charges applicable to the portion of state route
13 number 99 that is the deep bore tunnel as set forth and previously
14 authorized in RCW 47.56.862.

15 (4) In accordance with RCW 43.135.055, the transportation
16 commission may adopt, periodically review, and, if necessary, adjust
17 the schedule of toll charges applicable to the Columbia river crossing
18 project as set forth and previously authorized in chapter 36, Laws of
19 2012.

20 (5) In accordance with RCW 43.135.055, the transportation
21 commission may periodically review and, if necessary, adjust the
22 schedule of toll charges applicable to the state route number 520
23 corridor as set forth and previously authorized in RCW 47.56.870.

24 (6)(a) \$400,000 of the motor vehicle account--state appropriation
25 is provided solely for the development of the business case for the
26 transition to a road usage charge system as the basis for funding the
27 state transportation system, from the current motor fuel tax system.
28 The funds are provided for fiscal year 2014 only.

29 (b) The legislature finds that the efforts started in the 2011-2013
30 fiscal biennium regarding the transition to a road usage charge system
31 represent an important first step in the policy and conceptual
32 development of potential alternative systems to fund transportation
33 projects, but that the governance for the development needs
34 clarification. The legislature also finds that significant amounts of
35 research and public education are occurring in similar efforts in
36 several states and that these efforts can and should be leveraged to
37 advance the evaluation in Washington. The legislature intends,
38 therefore, that the commission and its staff lead the policy

1 development of the business case for a road usage charge system, with
2 the goal of providing the business case to the governor and the
3 legislative committees of the legislature in time for inclusion in the
4 2014 supplemental omnibus transportation appropriations act. The
5 legislature intends for additional oversight in the business case
6 development, with guidance from a steering committee as provided in
7 chapter 86, Laws of 2012, augmented with participation by the joint
8 transportation committee. The legislature further intends that the
9 department of transportation continue to address administrative,
10 technical, and conceptual operational issues related to road usage
11 charge systems, and that the department serve as a resource for
12 information gleaned from other states on this topic for the
13 commission's efforts.

14 (c) For the purposes of this subsection (6), the commission shall:

15 (i) Develop preliminary road usage charge policies that are
16 necessary to develop the business case, as well as supporting research
17 and data that will guide the potential application in Washington;

18 (ii) Develop the preferred operational concept or concepts that
19 reflect the preliminary policies;

20 (iii) Evaluate the business case for the road usage charge system
21 that would result from implementing the preliminary policies and
22 preferred operational concept or concepts. The evaluation must assess
23 likely financial outcomes if the system were to be implemented; and

24 (iv) Identify and document policy and other issues that are deemed
25 important to further refine the preferred operational concept or
26 concepts and to gain public acceptance. These identified issues should
27 form the basis for continued work beyond this funding cycle.

28 (d) The commission shall convene a steering committee to guide the
29 development of the business case. The membership must be the same as
30 provided in chapter 86, Laws of 2012, except that the membership must
31 also include the joint transportation committee executive members.

32 (e) The commission shall submit a report of the business case to
33 the governor and the transportation committees of the legislature by
34 December 15, 2013. The report must also include a proposed budget and
35 work plan for fiscal year 2015. A progress report must be submitted to
36 the governor and the joint transportation committee by November 1,
37 2013, including a presentation to the joint transportation committee.

1 (6) \$7,004,000 of the total appropriation is provided solely for
2 vehicle repair and maintenance costs of vehicles used for highway
3 purposes.

4 (7) \$1,784,000 of the total appropriation is provided solely for
5 the purpose of mission vehicles used for highway purposes in the
6 commercial vehicle and traffic investigation sections of the Washington
7 state patrol.

8 (8) \$1,974,000 of the total appropriation is provided solely for
9 the aviation aerial traffic enforcement program of the aviation section
10 of the Washington state patrol, and this is the maximum amount that the
11 Washington state patrol may expend for this purpose. The Washington
12 state patrol must, during the 2013-2015 fiscal biennium, sell one of
13 the Cessna airplanes that are currently being used for air traffic
14 control in western Washington. The Cessna airplanes, as candidates to
15 be sold, do not include the two Cessna airplanes equipped with
16 gyro-stabilized forward looking infrared (FLIR) cameras or the Cessna
17 airplane in eastern Washington. Funds from the sale of the Cessna
18 airplane must be deposited into the state patrol highway account.

19 (9) It is the intent of the legislature that the omnibus operating
20 appropriations act provide funding for any share of the debt service on
21 the mobile office platform and the narrowbanding project based on the
22 Washington state patrol cost allocation model that is not attributable
23 to transportation purposes.

24 (10) \$370,000 of the state patrol highway account--state
25 appropriation is provided solely for costs associated with the pilot
26 program described under section 216(3) of this act. The Washington
27 state patrol may incur costs related only to the assignment of cadets
28 and necessary computer equipment and to the reimbursement of the
29 department of transportation for contract costs. The appropriation in
30 this subsection must be funded from the portion of the automated
31 traffic safety camera infraction fines deposited into the state patrol
32 highway account; however, if the fines deposited into the state patrol
33 highway account from automated traffic safety camera infractions do not
34 reach three hundred seventy thousand dollars, the department of
35 transportation shall remit funds necessary to the Washington state
36 patrol to ensure the completion of the pilot program. The Washington
37 state patrol may not incur overtime as a result of this pilot program.

1 The Washington state patrol shall not assign troopers to operate or
2 deploy the pilot program equipment used in roadway construction zones.

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

4 Marine Fuel Tax Refund Account--State

5 Appropriation \$34,000

6 Motorcycle Safety Education Account--State

7 Appropriation \$4,409,000

8 State Wildlife Account--State Appropriation \$885,000

9 Highway Safety Account--State Appropriation \$152,375,000

10 Highway Safety Account--Federal Appropriation \$4,392,000

11 Motor Vehicle Account--State Appropriation \$75,888,000

12 Motor Vehicle Account--Federal Appropriation \$467,000

13 Motor Vehicle Account--Private/Local Appropriation \$1,544,000

14 Ignition Interlock Device Revolving Account--State

15 Appropriation \$2,656,000

16 Department of Licensing Services Account--State

17 Appropriation \$5,959,000

18 TOTAL APPROPRIATION \$248,609,000

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

21 (1) \$1,235,000 of the highway safety account--state appropriation
22 is provided solely for the implementation of chapter . . . (Substitute
23 House Bill No. 1752), Laws of 2013 (requirements for the operation of
24 commercial motor vehicles in compliance with federal regulations). If
25 chapter . . . (Substitute House Bill No. 1752), Laws of 2013 is not
26 enacted by June 30, 2013, the amount provided in this subsection
27 lapses.

28 (2) \$1,000,000 of the highway safety account--state appropriation
29 is provided solely for information technology field system
30 modernization.

31 NEW SECTION. **Sec. 209. FOR THE DEPARTMENT OF TRANSPORTATION--**
32 **TOLL OPERATIONS AND MAINTENANCE--PROGRAM B**

33 High-Occupancy Toll Lanes Operations Account--State

34 Appropriation \$1,860,000

35 Motor Vehicle Account--State Appropriation \$511,000

36 State Route Number 520 Corridor Account--State

1	Appropriation	\$32,547,000
2	State Route Number 520 Civil Penalties Account--State	
3	Appropriation	\$4,169,000
4	Tacoma Narrows Toll Bridge Account--State	
5	Appropriation	\$23,815,000
6	TOTAL APPROPRIATION	\$62,902,000

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

9 (1)(a) The legislature finds that the department's tolling division
10 has expanded greatly in recent years to address the demands of
11 administering several newly tolled facilities using emerging toll
12 collection technologies. The legislature intends for the department to
13 continue its good work in administering the tolled facilities of the
14 state, while at the same time implementing controls and processes to
15 ensure the efficient and judicious administration of toll payer
16 dollars.

17 (b) The legislature finds that the department has undertaken a
18 cost-of-service study in the winter and spring of 2013 for the purposes
19 of identifying in detail the costs of operating and administering
20 tolling on state route number 520, state route number 167
21 high-occupancy toll lanes, and the Tacoma Narrows bridge. The purpose
22 of the study is to provide results to establish a baseline by which
23 future activity may be compared and opportunities identified for cost
24 savings and operational efficiencies. In addition, the legislature
25 finds that the state auditor has undertaken a performance audit of the
26 department's contract for the customer service center and back office
27 processing of tolling transactions. The audit findings, which are
28 expected to include lessons learned, are due in late spring 2013.

29 (c) Using the results of the cost-of-service study and the state
30 audit as a basis, the department shall conduct a review of operations
31 using lean management principles in order to eliminate inefficiencies
32 and redundancies, incorporate lessons learned, and identify
33 opportunities to conduct operations more efficiently and effectively.
34 Within current statutory and budgetary tolling policy, the department
35 shall use the results of the review to improve operations in order to
36 conduct toll operations within the appropriations provided in
37 subsections (2) through (4) of this section. The department shall
38 submit the review, along with the status of and plans for the

1 implementation of review recommendations, to the office of financial
2 management and the house of representatives and senate transportation
3 committees by October 15, 2013.

4 (2) \$10,877,000 of the Tacoma Narrows toll bridge account--state
5 appropriation, \$17,139,000 of the state route number 520 corridor
6 account--state appropriation, \$1,232,000 of the high-occupancy toll
7 lanes operations account--state appropriation, and \$511,000 of the
8 motor vehicle account--state appropriation are provided solely for
9 nonvendor costs of administering toll operations, including the costs
10 of: Staffing the division, consultants and other personal service
11 contracts required for technical oversight and management assistance,
12 insurance, payments related to credit card processing, transponder
13 purchases and inventory management, facility operations and
14 maintenance, and other miscellaneous nonvendor costs.

15 (3) \$10,960,000 of the Tacoma Narrows toll bridge account--state
16 appropriation, \$9,408,000 of the state route number 520 corridor
17 account--state appropriation, and \$628,000 of the high-occupancy toll
18 lanes operations account--state appropriation are provided solely for
19 vendor-related costs of operating tolled facilities, including the
20 costs of: The customer service center; cash collections on the Tacoma
21 Narrows bridge; electronic payment processing; and toll collection
22 equipment maintenance, renewal, and replacement.

23 (4) \$1,300,000 of the Tacoma Narrows toll bridge account--state
24 appropriation and \$6,000,000 of the state route number 520 corridor
25 account--state appropriation are provided solely for the purposes of
26 addressing unforeseen operations and maintenance costs on the Tacoma
27 Narrows bridge and the state route number 520 bridge, respectively.
28 The office of financial management shall place the amounts provided in
29 this section, which represent a portion of the required minimum fund
30 balance under the policy of the state treasurer, in unallotted status.
31 The office may release the funds only when it determines that all other
32 funds designated for operations and maintenance purposes have been
33 exhausted.

34 (5) \$4,169,000 of the state route number 520 civil penalties
35 account--state appropriation and \$676,000 of the Tacoma Narrows toll
36 bridge account--state appropriation are provided solely for
37 expenditures related to the toll adjudication process. The department
38 shall report on the civil penalty process to the office of financial

1 management and the house of representatives and senate transportation
2 committees by the end of each calendar quarter. The reports must
3 include a summary table for each toll facility that includes: The
4 number of notices of civil penalty issued; the number of recipients who
5 pay before the notice becomes a penalty; the number of recipients who
6 request a hearing and the number who do not respond; workload costs
7 related to hearings; the cost and effectiveness of debt collection
8 activities; and revenues generated from notices of civil penalty.

9 (6) The department shall make detailed quarterly expenditure
10 reports available to the transportation commission and to the public on
11 the department's web site using current department resources. The
12 reports must include a summary of toll revenue by facility on all
13 operating toll facilities and high occupancy toll lane systems, and an
14 itemized depiction of the use of that revenue.

15 NEW SECTION. **Sec. 210. FOR THE DEPARTMENT OF TRANSPORTATION--**
16 **INFORMATION TECHNOLOGY--PROGRAM C**

17 Transportation Partnership Account--State

18	Appropriation	\$1,460,000
19	Motor Vehicle Account--State Appropriation	\$68,848,000
20	Multimodal Transportation Account--State	
21	Appropriation	\$363,000
22	Transportation 2003 Account (Nickel Account)--State	
23	Appropriation	\$1,460,000
24	TOTAL APPROPRIATION	\$72,131,000

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

27 (1) \$370,000 of the motor vehicle account--state appropriation is
28 provided solely for the department's compliance with its national
29 pollution discharge elimination system permit.

30 (2) \$1,460,000 of the transportation partnership account--state
31 appropriation and \$1,460,000 of the transportation 2003 account (nickel
32 account)--state appropriation are provided solely for maintaining the
33 department's project management reporting system.

34 (3) \$502,000 of the motor vehicle account--state appropriation is
35 provided solely for the transportation executive information system.

1 State Toxics Control Account--State Appropriation \$5,630,000
2 TOTAL APPROPRIATION \$408,422,000

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

5 (1) \$5,280,000 of the motor vehicle account--state appropriation
6 and \$5,630,000 of the state toxics control account--state appropriation
7 are provided solely for the department's compliance with its national
8 pollution discharge elimination system permit.

9 (2) The department shall continue to report maintenance
10 accountability process targets and achievements on an annual basis.

11 (3) \$10,000,000 of the highway safety account--state appropriation
12 is provided solely for the high priority maintenance backlog.
13 Addressing the maintenance backlog must result in increased levels of
14 service.

15 (4) \$393,000 of the motor vehicle account--state appropriation is
16 provided solely for the implementation of chapter . . . (Engrossed
17 Substitute House Bill No. 1007), Laws of 2013 (covered loads on
18 highways). If chapter . . . (Engrossed Substitute House Bill No.
19 1007), Laws of 2013 is not enacted by June 30, 2013, the amount
20 provided in this subsection lapses.

21 (5) \$200,000 of the motor vehicle account--state appropriation is
22 from the cities statewide fuel tax distribution under RCW 46.68.110(1)
23 for the department to contract with the department of fish and wildlife
24 to inventory, prioritize, and study fish passage barriers associated
25 with city roads and streets in the Puget Sound region. The department
26 of fish and wildlife shall submit the results to the department and to
27 organizations representing cities by June 30, 2015.

28 (6) \$95,000 of the motor vehicle account--state appropriation is
29 from the counties statewide fuel tax distribution under RCW
30 46.68.120(3) for the department to contract with the department of fish
31 and wildlife to inventory, assess, and prioritize fish passage barriers
32 associated with county roads. The department of fish and wildlife
33 shall submit the results to the department, the office of financial
34 management, and the transportation committees of the legislature by
35 June 30, 2015.

36 NEW SECTION. **Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION--**

1 **TRAFFIC OPERATIONS--PROGRAM Q--OPERATING**

2	Motor Vehicle Account--State Appropriation	\$50,565,000
3	Motor Vehicle Account--Federal Appropriation	\$2,050,000
4	Motor Vehicle Account--Private/Local Appropriation	\$250,000
5	TOTAL APPROPRIATION	\$52,865,000

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

8 (1) \$6,000,000 of the motor vehicle account--state appropriation is
9 provided solely for low-cost enhancements. The department shall give
10 priority to low-cost enhancement projects that improve safety or
11 provide congestion relief. The department shall prioritize low-cost
12 enhancement projects on a statewide rather than regional basis. By
13 September 1st of each even-numbered year, the department shall provide
14 a report to the legislature listing all low-cost enhancement projects
15 prioritized on a statewide rather than regional basis completed in the
16 prior year.

17 (2) During the 2013-2015 fiscal biennium, the department shall
18 continue a pilot program that expands private transportation providers'
19 access to high occupancy vehicle lanes. Under the pilot program, when
20 the department reserves a portion of a highway based on the number of
21 passengers in a vehicle, the following vehicles must be authorized to
22 use the reserved portion of the highway if the vehicle has the capacity
23 to carry eight or more passengers, regardless of the number of
24 passengers in the vehicle: (a) Auto transportation company vehicles
25 regulated under chapter 81.68 RCW; (b) passenger charter carrier
26 vehicles regulated under chapter 81.70 RCW, except marked or unmarked
27 stretch limousines and stretch sport utility vehicles as defined under
28 department of licensing rules; (c) private nonprofit transportation
29 provider vehicles regulated under chapter 81.66 RCW; and (d) private
30 employer transportation service vehicles. For purposes of this
31 subsection, "private employer transportation service" means regularly
32 scheduled, fixed-route transportation service that is offered by an
33 employer for the benefit of its employees. Nothing in this subsection
34 is intended to authorize the conversion of public infrastructure to
35 private, for-profit purposes or to otherwise create an entitlement or
36 other claim by private users to public infrastructure.

37 (3) The department, in consultation with the Washington state
38 patrol, must continue a pilot program for the state patrol to issue

1 infractions based on information from automated traffic safety cameras
2 in roadway construction zones on state highways. For the purpose of
3 this pilot program, during the 2013-2015 fiscal biennium, a roadway
4 construction zone includes areas where public employees or private
5 contractors may be present or where a driving condition exists that
6 would make it unsafe to drive at higher speeds, such as, when the
7 department is redirecting or realigning lanes on any public roadway
8 pursuant to ongoing construction. The department shall use the
9 following guidelines to administer the program:

10 (a) Automated traffic safety cameras may only take pictures of the
11 vehicle and vehicle license plate and only while an infraction is
12 occurring. The picture must not reveal the face of the driver or of
13 passengers in the vehicle;

14 (b) The department shall plainly mark the locations where the
15 automated traffic safety cameras are used by placing signs on locations
16 that clearly indicate to a driver that he or she is entering a roadway
17 construction zone where traffic laws are enforced by an automated
18 traffic safety camera;

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

21 (d) The owner of the vehicle is not responsible for the violation
22 if the owner of the vehicle, within fourteen days of receiving
23 notification of the violation, mails to the patrol, a declaration under
24 penalty of perjury, stating that the vehicle involved was, at the time,
25 stolen or in the care, custody, or control of some person other than
26 the registered owner, or any other extenuating circumstances;

27 (e) For purposes of the 2013-2015 fiscal biennium pilot program,
28 infractions detected through the use of automated traffic safety
29 cameras are not part of the registered owner's driving record under RCW
30 46.52.101 and 46.52.120. Additionally, infractions generated by the
31 use of automated traffic safety cameras must be processed in the same
32 manner as parking infractions for the purposes of RCW 3.50.100,
33 35.20.220, 46.16A.120, and 46.20.270(3). However, the amount of the
34 fine issued under this subsection (3) for an infraction generated
35 through the use of an automated traffic safety camera is one hundred
36 thirty-seven dollars. The court shall remit thirty-two dollars of the
37 fine to the state treasurer for deposit into the state patrol highway
38 account; and

1 (f) If a notice of infraction is sent to the registered owner and
2 the registered owner is a rental car business, the infraction must be
3 dismissed against the business if it mails to the patrol, within
4 fourteen days of receiving the notice, a declaration under penalty of
5 perjury of the name and known mailing address of the individual driving
6 or renting the vehicle when the infraction occurred. If the business
7 is unable to determine who was driving or renting the vehicle at the
8 time the infraction occurred, the business must sign a declaration
9 under penalty of perjury to this effect. The declaration must be
10 mailed to the patrol within fourteen days of receiving the notice of
11 traffic infraction. Timely mailing of this declaration to the issuing
12 agency relieves a rental car business of any liability under this
13 section for the notice of infraction. A declaration form suitable for
14 this purpose must be included with each automated traffic safety camera
15 infraction notice issued, along with instructions for its completion
16 and use.

17 (4) The department shall work with the cities of Lynnwood and
18 Edmonds to provide traffic light synchronization on state route number
19 524.

20 (5) Within existing resources and only if the department is
21 replacing existing signs, the department shall erect:

22 (a) Guide signs:

23 (i) On Interstate 405 northbound and southbound that include the
24 city of Kenmore;

25 (ii) On state route number 522 to Saint Edwards Park;

26 (iii) On Interstate 5, Interstate 405, and state route number 522
27 to Bastyr University, as the legislature finds that Bastyr University
28 hosts a significant number of conferences attracting people from out of
29 state; and

30 (iv) On Interstate 5, Interstate 405, and state route number 522 to
31 Kenmore International Air Harbor; and

32 (b) Overhead signs on Interstate 5 northbound and southbound that
33 include the city of Kenmore, if the department replaces overhead signs.

34 NEW SECTION. **Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION--**
35 **TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S**

36 Motor Vehicle Account--State Appropriation \$27,278,000

37 Motor Vehicle Account--Federal Appropriation \$30,000

1 with expertise in the evaluation of wood products to determine on a
2 life-cycle basis the cost effectiveness of using wood posts versus
3 steel posts in new guardrail installations.

4 (a) The study must include the following objectives:

5 (i) Examine wood posts that are randomly selected, are
6 representative of commonly found posts in service, and are of
7 sufficient sampling size to produce a statistically valid data set;

8 (ii) Assess the residual flexural properties of guardrail posts
9 after twenty years in service at various sites representing the
10 climatic and soil variability of the state;

11 (iii) Measure test results against AASHTO standards;

12 (iv) Determine residual preservative levels in wood posts in terms
13 of retention and penetration in order to determine the role of
14 treatment quality on performance following test procedures outlined in
15 American wood protection association standards;

16 (v) Examine the levels of decay in the guardrail posts, in terms of
17 location of pockets and the presence of viable decay fungi, through
18 culturing;

19 (vi) Investigate the effects of decay on flexural properties of
20 guardrail posts;

21 (vii) Determine an acceptable level or number of nonstandard posts
22 (i.e. posts with decay pockets that cause post strength to fall below
23 AASHTO standards) that can be present in a guardrail run without
24 compromising performance; and

25 (viii) Conduct thorough data search or identify case studies, or
26 both, on service life of wood guardrail posts. Durability test results
27 should also be factored in when evaluating service life.

28 (b) The study must be submitted to the office of financial
29 management and the transportation committees of the legislature by
30 January 1, 2015.

31 NEW SECTION. **Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION--**
32 **CHARGES FROM OTHER AGENCIES--PROGRAM U**

33	Motor Vehicle Account--State Appropriation	\$81,628,000
34	Motor Vehicle Account--Federal Appropriation	\$400,000
35	Multimodal Transportation Account--State Appropriation	\$40,000
36	TOTAL APPROPRIATION	\$82,068,000

1 The appropriations in this section are subject to the following
2 conditions and limitations: The department of enterprise services must
3 provide a detailed accounting of the revenues and expenditures of the
4 self-insurance fund to the transportation committees of the legislature
5 on December 31st and June 30th of each year.

6 NEW SECTION. **Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION--**
7 **PUBLIC TRANSPORTATION--PROGRAM V**

8	State Vehicle Parking Account--State Appropriation	\$452,000
9	Regional Mobility Grant Program Account--State	
10	Appropriation	\$40,000,000
11	Rural Mobility Grant Program Account--State	
12	Appropriation	\$17,000,000
13	Multimodal Transportation Account--State	
14	Appropriation	\$42,177,000
15	Multimodal Transportation Account--Federal	
16	Appropriation	\$3,280,000
17	TOTAL APPROPRIATION	\$102,909,000

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

20 (1) \$25,000,000 of the multimodal transportation account--state
21 appropriation is provided solely for a grant program for special needs
22 transportation provided by transit agencies and nonprofit providers of
23 transportation.

24 (a) \$5,500,000 of the multimodal transportation account--state
25 appropriation is provided solely for grants to nonprofit providers of
26 special needs transportation. Grants for nonprofit providers must be
27 based on need, including the availability of other providers of service
28 in the area, efforts to coordinate trips among providers and riders,
29 and the cost effectiveness of trips provided.

30 (b) \$19,500,000 of the multimodal transportation account--state
31 appropriation is provided solely for grants to transit agencies to
32 transport persons with special transportation needs. To receive a
33 grant, the transit agency must have a maintenance of effort for special
34 needs transportation that is no less than the previous year's
35 maintenance of effort for special needs transportation. Grants for
36 transit agencies must be prorated based on the amount expended for
37 demand response service and route deviated service in calendar year

1 2011 as reported in the "Summary of Public Transportation - 2011"
2 published by the department of transportation. No transit agency may
3 receive more than thirty percent of these distributions.

4 (2) Funds are provided for the rural mobility grant program as
5 follows:

6 (a) \$8,500,000 of the rural mobility grant program account--state
7 appropriation is provided solely for grants for those transit systems
8 serving small cities and rural areas as identified in the "Summary of
9 Public Transportation - 2011" published by the department of
10 transportation. Noncompetitive grants must be distributed to the
11 transit systems serving small cities and rural areas in a manner
12 similar to past disparity equalization programs. If the funding
13 provided in this subsection (2)(a) exceeds the amount required for
14 recipient counties to reach eighty percent of the average per capita
15 sales tax, funds in excess of that amount may be used for the
16 competitive grant process established in (b) of this subsection.

17 (b) \$8,500,000 of the rural mobility grant program account--state
18 appropriation is provided solely to providers of rural mobility service
19 in areas not served or underserved by transit agencies through a
20 competitive grant process.

21 (3)(a) \$6,000,000 of the multimodal transportation account--state
22 appropriation is provided solely for a vanpool grant program for: (a)
23 Public transit agencies to add vanpools or replace vans; and (b)
24 incentives for employers to increase employee vanpool use. The grant
25 program for public transit agencies will cover capital costs only;
26 operating costs for public transit agencies are not eligible for
27 funding under this grant program. Additional employees may not be
28 hired from the funds provided in this section for the vanpool grant
29 program, and supplanting of transit funds currently funding vanpools is
30 not allowed. The department shall encourage grant applicants and
31 recipients to leverage funds other than state funds.

32 (b) At least \$1,600,000 of the amount provided in this subsection
33 must be used for vanpool grants in congested corridors.

34 (c) \$520,000 of the amount provided in this subsection is provided
35 solely for the purchase of additional vans for use by vanpools serving
36 soldiers and civilian employees at Joint Base Lewis-McChord.

37 (4)(a) \$40,000,000 of the regional mobility grant program account--
38 state appropriation is provided solely for the regional mobility grant

1 projects identified in LEAP Transportation Document 2013-B as developed
2 April 3, 2013. The department shall review all projects receiving
3 grant awards under this program at least semiannually to determine
4 whether the projects are making satisfactory progress. Any project
5 that has been awarded funds, but does not report activity on the
6 project within one year of the grant award, must be reviewed by the
7 department to determine whether the grant should be terminated. The
8 department shall promptly close out grants when projects have been
9 completed, and any remaining funds must be used only to fund projects
10 identified in the LEAP Transportation Document referenced in this
11 subsection. The department shall provide annual status reports on
12 December 15, 2013, and December 15, 2014, to the office of financial
13 management and the transportation committees of the legislature
14 regarding the projects receiving the grants. It is the intent of the
15 legislature to appropriate funds through the regional mobility grant
16 program only for projects that will be completed on schedule.

17 (b) In order to be eligible to receive a grant under (a) of this
18 subsection during the 2013-2015 fiscal biennium, a transit agency must
19 establish a process for private transportation providers to apply for
20 the use of park and ride facilities. For purposes of this subsection,
21 (i) "private transportation provider" means: An auto transportation
22 company regulated under chapter 81.68 RCW; a passenger charter carrier
23 regulated under chapter 81.70 RCW, except marked or unmarked stretch
24 limousines and stretch sport utility vehicles as defined under
25 department of licensing rules; a private nonprofit transportation
26 provider regulated under chapter 81.66 RCW; or a private employer
27 transportation service provider; and (ii) "private employer
28 transportation service" means regularly scheduled, fixed-route
29 transportation service that is offered by an employer for the benefit
30 of its employees.

31 (5) Funds provided for the commute trip reduction (CTR) program may
32 also be used for the growth and transportation efficiency center
33 program.

34 (6) \$6,122,000 of the total appropriation in this section is
35 provided solely for CTR grants and activities. Of this amount:

36 (a) \$3,900,000 of the multimodal transportation account--state
37 appropriation is provided solely for grants to local jurisdictions,

1 selected by the CTR board, for the purpose of assisting employers meet
2 CTR goals;

3 (b) \$1,770,000 of the multimodal transportation account--state
4 appropriation is provided solely for state costs associated with CTR.
5 The department shall develop more efficient methods of CTR assistance
6 and survey procedures; and

7 (c) \$452,000 of the state vehicle parking account--state
8 appropriation is provided solely for CTR-related expenditures,
9 including all expenditures related to the guaranteed ride home program
10 and the STAR pass program.

11 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION--**
12 **MARINE--PROGRAM X**

13	Puget Sound Ferry Operations Account--State	
14	Appropriation	\$442,963,000
15	Puget Sound Ferry Operations Account--Private/Local	
16	Appropriation	\$121,000
17	Highway Safety Account--State Appropriation	\$35,000,000
18	TOTAL APPROPRIATION	\$478,084,000

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

21 (1) The office of financial management budget instructions require
22 agencies to recast enacted budgets into activities. The Washington
23 state ferries shall include a greater level of detail in its 2013-2015
24 supplemental and 2015-2017 omnibus transportation appropriations act
25 requests, as determined jointly by the office of financial management,
26 the Washington state ferries, and the transportation committees of the
27 legislature. This level of detail must include the administrative
28 functions in the operating as well as capital programs.

29 (2) Until a reservation system is operational on the San Juan
30 islands inter-island route, the department shall provide the same
31 priority loading benefits on the San Juan islands inter-island route to
32 home health care workers as are currently provided to patients
33 traveling for purposes of receiving medical treatment.

34 (3) For the 2013-2015 fiscal biennium, the department may enter
35 into a distributor controlled fuel hedging program and other methods of
36 hedging approved by the fuel hedging committee.

1 (4) \$77,310,000 of the Puget Sound ferry operations account--state
2 appropriation and \$35,000,000 of the highway safety account--state
3 appropriation are provided solely for auto ferry vessel operating fuel
4 in the 2013-2015 fiscal biennium. The amount provided in this
5 appropriation represents the fuel budget for the purposes of
6 calculating any ferry fare fuel surcharge.

7 (5) \$152,000 of the Puget Sound ferry operations account--state
8 appropriation is provided solely for the department's compliance with
9 its national pollution discharge elimination system permit.

10 NEW SECTION. **Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION--**
11 **RAIL--PROGRAM Y--OPERATING**

12 Multimodal Transportation Account--State
13 Appropriation \$33,362,000

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

16 (1) \$27,319,000 of the multimodal transportation account--state
17 appropriation is provided solely for the Amtrak service contract and
18 Talgo maintenance contract associated with providing and maintaining
19 state-supported passenger rail service. The department is directed to
20 continue to pursue efforts to reduce costs, increase ridership, and
21 review fares or fare schedules.

22 (2) Amtrak Cascades runs may not be eliminated.

23 (3) The department shall continue a pilot program by partnering
24 with the travel industry on the Amtrak Cascades service between
25 Vancouver, British Columbia, and Seattle to test opportunities for
26 increasing ridership, maximizing farebox recovery, and stimulating
27 private investment. The pilot program must run from December 31, 2013,
28 to December 31, 2014. The department may offer to Washington
29 universities an opportunity for business students to work as interns on
30 the analysis of the pilot program process and results. The department
31 shall report on the results of the pilot program to the office of
32 financial management and the legislature by January 31, 2015.

33 NEW SECTION. **Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION--**
34 **LOCAL PROGRAMS--PROGRAM Z--OPERATING**

35 Motor Vehicle Account--State Appropriation \$8,736,000
36 Motor Vehicle Account--Federal Appropriation \$2,567,000

1 TOTAL APPROPRIATION \$11,303,000

2 **TRANSPORTATION AGENCIES--CAPITAL**

3 NEW SECTION. **Sec. 301. FOR THE FREIGHT MOBILITY STRATEGIC**
4 **INVESTMENT BOARD**

5	Freight Mobility Investment Account--State	
6	Appropriation	\$11,794,000
7	Freight Mobility Multimodal Account--State	
8	Appropriation	\$9,236,000
9	Freight Mobility Multimodal Account--Private/Local	
10	Appropriation	\$1,320,000
11	Highway Safety Account--State Appropriation	\$2,450,000
12	Motor Vehicle Account--State Appropriation	\$584,000
13	Motor Vehicle Account--Federal Appropriation	\$3,250,000
14	TOTAL APPROPRIATION	\$28,634,000

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

17 (1) Except as provided otherwise in this section, the total
18 appropriation in this section is provided solely for the implementation
19 of chapter . . . (Substitute Senate Bill No. 5239), Laws of 2013
20 (addressing project selection by the freight mobility strategic
21 investment board). If chapter . . . (Substitute Senate Bill No. 5239),
22 Laws of 2013 is not enacted by June 30, 2013, the amounts provided in
23 this section lapse.

24 (2) \$2,450,000 of the highway safety account--state appropriation
25 is provided solely for grants to meet urgent freight corridor
26 improvement and preservation needs.

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

28	State Patrol Highway Account--State Appropriation	\$1,926,000
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29 The appropriation in this section is subject to the following
30 conditions and limitations:

31 (1) \$200,000 of the state patrol highway account--state
32 appropriation is provided solely for unforeseen emergency repairs on
33 facilities.

1 (2) \$426,000 of the state patrol highway account--state
2 appropriation is provided solely for the replacement of the roofs of
3 the Marysville district office and vehicle inspection building and
4 Spokane East office.

5 (3) \$450,000 of the state patrol highway account--state
6 appropriation is provided solely for upgrades to scales at South Pasco,
7 Deer Park, and Kelso required to meet current certification
8 requirements.

9 (4) \$850,000 of the state patrol highway account--state
10 appropriation is provided solely for the replacement of the damaged and
11 unrepairable scale house at the Everett southbound I-5 weigh scales,
12 including equipment, weigh-in-motion technology, and an ALPR camera.

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

14 Rural Arterial Trust Account--State

15	Appropriation	\$35,894,000
16	Highway Safety Account--State Appropriation	\$10,000,000
17	Motor Vehicle Account--State Appropriation	\$706,000
18	County Arterial Preservation Account--State	
19	Appropriation	\$28,931,000
20	TOTAL APPROPRIATION	\$75,531,000

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

22 Small City Pavement and Sidewalk Account--State

23	Appropriation	\$3,500,000
24	Highway Safety Account--State Appropriation	\$10,000,000
25	Transportation Improvement Account--State	
26	Appropriation	\$175,620,000
27	TOTAL APPROPRIATION	\$189,120,000

28 The appropriations in this section are subject to the following
29 conditions and limitations: The highway safety account--state
30 appropriation is provided solely for:

- 31 (1) The arterial preservation program to help low tax-based,
32 medium-sized cities preserve arterial pavements;
- 33 (2) The small city pavement program to help cities meet urgent
34 preservation needs; and
- 35 (3) The small city low-energy street light retrofit demonstration
36 program.

1 transfers of specific line-item project appropriations may occur
2 between projects for those amounts listed subject to the conditions and
3 limitations in section 602 of this act.

4 (2) Within the motor vehicle account--state appropriation and
5 motor vehicle account--federal appropriation, the department may
6 transfer funds between programs I and P, except for funds that are
7 otherwise restricted in this act.

8 (3) The department shall apply for the competitive portion of
9 federal transit administration funds for eligible transit-related costs
10 of the state route number 520 bridge replacement and HOV project and
11 the Columbia river crossing project. The federal funds described in
12 this subsection must not include those federal transit administration
13 funds distributed by formula.

14 (4) The transportation 2003 account (nickel account)--state
15 appropriation includes up to \$218,801,000 in proceeds from the sale of
16 bonds authorized by RCW 47.10.861.

17 (5) The transportation partnership account--state appropriation
18 includes up to \$1,143,227,000 in proceeds from the sale of bonds
19 authorized in RCW 47.10.873.

20 (6) The motor vehicle account--state appropriation includes up to
21 \$50,000,000 in proceeds from the sale of bonds authorized in RCW
22 47.10.843.

23 (7) \$286,840,000 of the transportation partnership account--state
24 appropriation, \$11,858,000 of the transportation 2003 account (nickel
25 account)--state appropriation, and \$932,000 of the motor vehicle
26 account--private/local appropriation are provided solely for the I-
27 5/Tacoma HOV Improvements (Nickel/TPA) project (300504A).

28 (8)(a) \$37,292,000 of the motor vehicle account--federal
29 appropriation, \$11,650,000 of the motor vehicle account--private/local
30 appropriation, and \$800,000 of the motor vehicle account--state
31 appropriation are provided solely for the I-5/Columbia River Crossing
32 project (400506A).

33 (b) It is the intent of the legislature that Washington and Oregon
34 have equal funding commitments and equal total expenditures to date on
35 the shared components of the Columbia river crossing project. The
36 department shall provide quarterly reports on this project beginning
37 March 31, 2012. The reports must include:

1 (i) An update on preliminary engineering and right-of-way
2 acquisition for the previous quarter;

3 (ii) Planned objectives for right-of-way and preliminary
4 engineering for the ensuing quarter;

5 (iii) An updated comparison of the total appropriation authority
6 for the project by state;

7 (iv) An updated comparison of the total expenditures to date on the
8 project by state; and

9 (v) The committed funding provided by the state of Oregon to right-
10 of-way acquisition.

11 (c) \$200,000 of the transportation partnership account--state
12 appropriation in this subsection is provided solely for the department
13 to work with the department of archaeology and historic preservation to
14 ensure that the cultural resources investigation is properly conducted
15 on the Columbia river crossing project. This project must be conducted
16 with active archaeological management and result in one report that
17 spans the single cultural area in Oregon and Washington. Additionally,
18 the department shall establish a scientific peer review of independent
19 archaeologists that are knowledgeable about the region and its cultural
20 resources.

21 (d) Consistent with the draft environmental impact statement and
22 the Columbia river crossing project's independent review panel report,
23 the Columbia river crossing project's financial plan must include
24 recognition of state transportation funding contributions from both
25 Washington and Oregon, federal transportation funding, and a funding
26 contribution from toll bond proceeds. Following the refinement of the
27 finance plan as recommended by the independent review panel, the
28 department may seek authorization from the legislature to collect tolls
29 on the existing Columbia river crossing or on a replacement crossing
30 over Interstate 5.

31 (9) Within the amounts provided for the I-5/Columbia river crossing
32 project (400506A), the department shall conduct a traffic and revenue
33 analysis for the Columbia river crossing project that will lay the
34 foundation for investment grade traffic and revenue analysis. While
35 conducting the analysis, the department must coordinate with the Oregon
36 department of transportation, the Washington state transportation
37 commission, and the Washington state legislative oversight committee.

1 (a) The department's analysis must include the assessment and
2 review of the following variables within the project:

- 3 (i) Exemptions from tolls for vehicles with two or more occupants;
- 4 (ii) A variable toll where the tolls vary by time of day and day of
5 the week; and
- 6 (iii) A frequency-based toll rate for the facility.

7 (b) The analysis must also assess the following:

8 (i) The impact that light rail service in the corridor will have on
9 estimated toll revenues;

10 (ii) The level of diversion from the Interstate 5 corridor and the
11 impact on estimated toll revenues; and

12 (iii) The estimated toll revenues from vehicle trips originating
13 within the region and outside the region by vehicle type.

14 (c) The department must submit a report of findings to the
15 transportation committees of the legislature by July 1, 2014.

16 (10)(a) \$5,000,000 of the motor vehicle account--federal
17 appropriation and \$200,000 of the motor vehicle account--state
18 appropriation are provided solely for the I-90 Comprehensive Tolling
19 Study and Environmental Review project (100067T). The department shall
20 undertake a comprehensive environmental review of tolling Interstate 90
21 between Interstate 5 and Interstate 405 for the purposes of both
22 managing traffic and providing funding for construction of the unfunded
23 state route number 520 from Interstate 5 to Medina project. The
24 environmental review must include significant outreach to potentially
25 affected communities. The department may consider traffic management
26 options that extend as far east as Issaquah.

27 (b)(i) As part of the project in this subsection (10), the
28 department shall explore and evaluate options to mitigate the effect of
29 tolling on affected residents, including:

30 (A) Allowing all Washington residents to traverse a portion of the
31 tolled section of Interstate 90 without paying a toll. Residents may
32 choose either (I) the portion of Interstate 90 between the easternmost
33 landing west of Mercer Island and the westernmost landing on Mercer
34 Island, or (II) the portion of Interstate 90 between the westernmost
35 landing east of Mercer Island and the easternmost landing on Mercer
36 Island;

37 (B) Assessing a toll only when a driver traverses, in either

1 direction, the entire portion of Interstate 90 between the easternmost
2 landing west of Mercer Island and the westernmost landing east of
3 Mercer Island; and

4 (C) Allowing affected residents to choose one portion of the tolled
5 section of Interstate 90 upon which they may travel without paying a
6 toll. Residents may choose either (I) the portion of Interstate 90
7 between the easternmost landing west of Mercer Island and the
8 westernmost landing on Mercer Island, or (II) the portion of Interstate
9 90 between the westernmost landing east of Mercer Island and the
10 easternmost landing on Mercer Island.

11 (ii) The department may also consider any alternative mitigation
12 options that conform to the purpose of this section.

13 (iii) For the purposes of this subsection (10), "affected resident"
14 means anyone who must use a portion of Interstate 90 west of Interstate
15 405 upon which tolling is considered in order to access necessary
16 medical services, such as a hospital.

17 (11) The department shall reconvene an expert review panel of no
18 more than three members as described under RCW 47.01.400 for the
19 purpose of updating the work that was previously completed by the panel
20 on the Alaskan Way viaduct replacement project and to ensure that an
21 appropriate and viable financial plan is created and regularly
22 reviewed. The expert review panel must be selected cooperatively by
23 the chairs of the senate and house of representatives transportation
24 committees, the secretary of transportation, and the governor. The
25 expert review panel must report findings and recommendations to the
26 transportation committees of the legislature, the governor's Alaskan
27 Way viaduct project oversight committee, and the transportation
28 commission annually until the project is operationally complete.

29 (12) It is important that the public and policymakers have accurate
30 and timely access to information related to the Alaskan Way viaduct
31 replacement project as it proceeds to, and during, the construction of
32 all aspects of the project including, but not limited to, information
33 regarding costs, schedules, contracts, project status, and neighborhood
34 impacts. Therefore, it is the intent of the legislature that the
35 state, city, and county departments of transportation establish a
36 single source of accountability for integration, coordination,
37 tracking, and information of all requisite components of the
38 replacement project, which must include, at a minimum:

1 (a) A master schedule of all subprojects included in the full
2 replacement project or program; and

3 (b) A single point of contact for the public, media, stakeholders,
4 and other interested parties.

5 (13) \$114,369,000 of the transportation partnership account--state
6 appropriation and \$53,755,000 of the transportation 2003 account
7 (nickel account)--state appropriation are provided solely for the I-
8 405/Kirkland Vicinity Stage 2 - Widening project (8BI1002). This
9 project must be completed as soon as practicable as a design-build
10 project. Any future savings on this project must stay on the
11 Interstate 405 corridor and be made available to either the I-405/SR
12 167 Interchange - Direct Connector project (140504C) or the I-405
13 Renton to Bellevue project.

14 (14) \$541,901,000 of the transportation partnership account--state
15 appropriation, \$144,954,000 of the motor vehicle account--federal
16 appropriation, \$129,779,000 of the motor vehicle account--private/local
17 appropriation, and \$78,004,000 of the transportation 2003 account
18 (nickel account)--state appropriation are provided solely for the SR
19 99/Alaskan Way Viaduct - Replacement project (809936Z).

20 (15) \$117,403,000 of the transportation partnership account--state
21 appropriation is provided solely for the I-90/Snoqualmie Past East -
22 Hyak to Keechelus Dam - Corridor Improvement project (509009B).

23 (16) \$7,408,000 of the transportation partnership account--state
24 appropriation, \$14,594,000 of the transportation 2003 account (nickel
25 account)--state appropriation, \$3,730,000 of the motor vehicle
26 account--state appropriation, \$1,000,000 of the multimodal
27 transportation account--state appropriation, and \$41,395,000 of the
28 motor vehicle account--federal appropriation are provided solely for
29 the US 395/North Spokane Corridor projects (600010A & 600003A).

30 (17) \$3,151,000 of the motor vehicle account--state appropriation
31 and \$11,821,000 of the motor vehicle account--federal appropriation are
32 provided solely for the I-5/SR 510 to SR 512 - Mobility Improvements
33 project (300596T).

34 (18)(a) The state route number 520 bridge replacement and HOV
35 program (8BI1003) is supported over time from multiple sources,
36 including a \$300,000,000 TIFIA loan, \$819,524,625 in Garvee bonds, toll
37 revenues, state bonds, interest earnings, and other miscellaneous
38 sources.

1 (b) The state route number 520 corridor account--state
2 appropriation includes up to \$678,869,000 in proceeds from the sale of
3 bonds authorized in RCW 47.10.879.

4 (c) The state route number 520 corridor account--federal
5 appropriation includes up to \$194,915,000 in proceeds from the sale of
6 bonds authorized in RCW 47.10.879.

7 (d) \$153,123,000 of the transportation partnership account--state
8 appropriation, \$194,915,000 of the state route number 520 corridor
9 account--federal appropriation, \$68,893,000 of the motor vehicle
10 account--federal appropriation, and \$509,790,000 of the state route
11 number 520 corridor account--state appropriation are provided solely
12 for the state route number 520 bridge replacement and HOV program
13 (BI1003).

14 (e) When developing the financial plan for the program, the
15 department shall assume that all maintenance and operation costs for
16 the new facility are to be covered by tolls collected on the toll
17 facility and not by the motor vehicle account.

18 (19) The department shall itemize all future requests for the
19 construction of new buildings on a project list. Each building
20 construction project must be listed in the project list along with all
21 other highway construction projects and submitted by the department as
22 part of its budget submittal. It is the intent of the legislature that
23 new facility construction must be transparent and not appropriated
24 within larger highway construction projects.

25 (20) The motor vehicle account--federal appropriation contained in
26 this section includes \$50,000,000 for future federal improvement
27 projects (099904Q).

28 (21) \$1,458,000 of the transportation partnership account--state
29 appropriation and \$1,348,000 of the transportation 2003 account (nickel
30 account)--state appropriation are provided solely for the Environmental
31 Mitigation Reserve - Nickel/TPA project (OBI4ENV), as indicated in the
32 LEAP transportation document referenced in subsection (1) of this
33 section. Funds may be used only for environmental mitigation work that
34 is required by permits that were issued for projects funded by the
35 transportation partnership account or transportation 2003 account
36 (nickel account).

37 (22) \$11,162,000 of the motor vehicle account--private/local

1 appropriation is provided solely for the US 2/Bickford Avenue -
2 Intersection Safety Improvements project (100210E).

3 (23) \$595,000 of the motor vehicle account--state appropriation is
4 provided solely for environmental work on the Belfair Bypass project
5 (300344C).

6 (24) \$2,405,000 of the motor vehicle account--federal appropriation
7 and \$45,000 of the motor vehicle account--state appropriation are
8 provided solely for the US 12/Nine Mile Hill to Woodward Canyon Vic -
9 Build New Highway project (501210T).

10 (25) \$155,000 of the motor vehicle account--federal appropriation
11 and \$6,000 of the motor vehicle account--state appropriation are
12 provided solely for the SR 16/Rosedale Street NW Vicinity - Frontage
13 Road project (301639C). The frontage road must be built for driving
14 speeds of no more than thirty-five miles per hour.

15 (26) \$2,112,000 of the motor vehicle account--federal
16 appropriation, \$500,000 of the motor vehicle account--private/local
17 appropriation, and \$58,000 of the motor vehicle account--state
18 appropriation are provided solely for the SR 20/Race Road to Jacob's
19 Road safety project (L2200042).

20 (27) \$790,000 of the motor vehicle account--federal appropriation
21 and \$883,000 of the motor vehicle account--state appropriation are
22 provided solely for design and right-of-way work on the I-82/Red
23 Mountain Vicinity project (508208M). The department shall continue to
24 work with the local partners in developing transportation solutions
25 necessary for the economic growth in the Red Mountain American
26 viticulture area of Benton county.

27 (28) \$631,000 of the motor vehicle account--federal appropriation
28 and \$26,000 of the motor vehicle account--state appropriation are
29 provided solely for preliminary engineering on the I-5/Marvin Road
30 Interchange study (L2200087).

31 (29) \$150,000 of the motor vehicle account--federal appropriation
32 is provided solely for the SR 150/No-See-Um Road Intersection -
33 Realignment project (L2200092).

34 (30) \$15,813,000 of the motor vehicle account--federal
35 appropriation, \$46,000 of the motor vehicle account--state
36 appropriation, and \$3,062,000 of the transportation partnership
37 account--state appropriation are provided solely for the Fish Passage
38 Barriers (TPA) project (099955F).

1 (31) If a planned roundabout in the vicinity of state route number
2 526 and 84th Street SW would divert commercial traffic onto
3 neighborhood streets, the department may not proceed with improvements
4 at state route number 526 and 84th Street SW until the traffic impacts
5 in the vicinity of state route number 526 and 40th Avenue West are
6 addressed.

7 (32) \$22,347,000 of the motor vehicle account--state appropriation
8 is provided solely to advance the design, preliminary engineering, and
9 rights-of-way acquisition for the priority projects identified in LEAP
10 Transportation Document 2013-3 as developed April 3, 2013. Funds must
11 be used to advance the emergent, initial development of these projects
12 for the purpose of expediting delivery of the associated major
13 investments when funding for such investments becomes available.
14 Funding may be reallocated between projects to maximize the
15 accomplishment of design and preliminary engineering work and
16 rights-of-way acquisition, provided that all projects are addressed.
17 It is the intent of the legislature that, while seeking to maximize the
18 outcomes in this section, the department shall provide for continuity
19 of both the state and consulting engineer workforce, while
20 strategically utilizing private sector involvement to ensure
21 consistency with the department's business plan for staffing in the
22 highway construction program in the current fiscal biennium.

23 (33) The legislature finds that there are sixteen companies
24 involved in wood preserving in the state that employ four hundred
25 workers and have an annual payroll of fifteen million dollars. Prior
26 to the department's switch to steel guardrails, ninety percent of the
27 twenty-five hundred mile guardrail system was constructed of preserved
28 wood and one hundred ten thousand wood guardrail posts were produced
29 annually for state use. Moreover, the policy of using steel posts
30 requires the state to use imported steel. Given these findings, where
31 practicable, and until June 30, 2015, the department shall include the
32 design option to use wood guardrail posts, in addition to steel posts,
33 in new guardrail installations. The selection of posts must be
34 consistent with the agency design manual policy that existed before
35 December 2009.

36 (34) The legislature finds that "right-sizing" is a lean,
37 metric-based approach to determining project investments. This concept
38 entails compromise between project cost and design, incorporating local

1 community needs, desired outcomes, and available funding. Furthermore,
2 the legislature finds that the concepts and principles the department
3 has utilized in the safety analyst program have been effective tools to
4 prioritize projects and reduce project costs. Therefore, the
5 department shall establish a pilot project on the SR 3/Belfair Bypass
6 - New Alignment (300344C) to begin implementing the concept of
7 "right-sizing" in the highway construction program.

8 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION--**
9 **PRESERVATION--PROGRAM P**

10 Transportation Partnership Account--State

11	Appropriation	\$36,473,000
12	Highway Safety Account--State Appropriation	\$10,000,000
13	Motor Vehicle Account--State Appropriation	\$61,634,000
14	Motor Vehicle Account--Federal Appropriation	\$600,133,000
15	Motor Vehicle Account--Private/Local Appropriation	\$11,271,000
16	Tacoma Narrows Toll Bridge Account--State Appropriation	\$3,008,000
17	Transportation 2003 Account (Nickel Account)--State	
18	Appropriation	\$2,285,000
19	TOTAL APPROPRIATION	\$724,804,000

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

22 (1) Except as provided otherwise in this section, the entire
23 transportation 2003 account (nickel account) appropriation and the
24 entire transportation partnership account appropriation are provided
25 solely for the projects and activities as listed by fund, project, and
26 amount in LEAP Transportation Document 2013-1 as developed April 3,
27 2013, Program - Highway Preservation Program (P). However, limited
28 transfers of specific line-item project appropriations may occur
29 between projects for those amounts listed subject to the conditions and
30 limitations in section 602 of this act.

31 (2) Within the motor vehicle account--state appropriation and motor
32 vehicle account--federal appropriation, the department may transfer
33 funds between programs I and P, except for funds that are otherwise
34 restricted in this act.

35 (3) \$27,278,000 of the motor vehicle account--federal appropriation
36 and \$1,141,000 of the motor vehicle account--state appropriation are
37 provided solely for the SR 167/Puyallup River Bridge Replacement

1 project (316725A). This project must be completed as a design-build
 2 project. The department must work with local jurisdictions and the
 3 community during the environmental review process to develop
 4 appropriate esthetic design elements, at no additional cost to the
 5 department, and traffic management plans pertaining to this project.
 6 The department must report to the transportation committees of the
 7 legislature on estimated cost and/or time savings realized as a result
 8 of using the design-build process.

9 (4) \$1,371,000 of the motor vehicle account--federal appropriation,
 10 \$206,000 of the motor vehicle account--private/local appropriation, and
 11 \$72,000 of the motor vehicle account--state appropriation are provided
 12 solely for the SR 21/Keller Ferry Boat - Replace Boat project
 13 (602110J).

14 (5) \$60,000 of the motor vehicle account--federal appropriation is
 15 provided solely for the Seismic Bridges Program - High & Med. Risk
 16 (TPA) project (099955H).

17 (6) The department shall examine the use of electric arc furnace
 18 slag for use as an aggregate for new roads and paving projects in high
 19 traffic areas and report back to the legislature on its current use in
 20 other areas of the country and any characteristics that can provide
 21 greater wear resistance and skid resistance in new pavement
 22 construction.

23 NEW SECTION. **Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION--**
 24 **TRAFFIC OPERATIONS--PROGRAM Q--CAPITAL**

25	Motor Vehicle Account--State Appropriation	\$3,194,000
26	Motor Vehicle Account--Federal Appropriation	\$7,959,000
27	TOTAL APPROPRIATION	\$11,153,000

28 NEW SECTION. **Sec. 309. FOR THE DEPARTMENT OF TRANSPORTATION--**
 29 **WASHINGTON STATE FERRIES CONSTRUCTION--PROGRAM W**

30	Puget Sound Capital Construction Account--State	
31	Appropriation	\$53,506,000
32	Puget Sound Capital Construction Account--Federal	
33	Appropriation	\$92,648,000
34	Puget Sound Capital Construction Account--Private/Local	
35	Appropriation	\$1,145,000
36	Multimodal Transportation Account--State Appropriation . . .	\$1,534,000

1 Transportation 2003 Account (Nickel Account)--State
 2 Appropriation \$107,446,000
 3 TOTAL APPROPRIATION \$256,279,000

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

6 (1) Except as provided otherwise in this section, the entire
 7 appropriations in this section are provided solely for the projects and
 8 activities as listed in LEAP Transportation Document 2013-2 ALL
 9 PROJECTS as developed April 3, 2013, Program - Washington State Ferries
 10 Capital Program (W).

11 (2) The Puget Sound capital construction account--state
 12 appropriation includes up to \$20,000,000 in proceeds from the sale of
 13 bonds authorized in RCW 47.10.843.

14 (3) \$107,138,000 of the transportation 2003 account (nickel
 15 account)--state appropriation is provided solely for the acquisition of
 16 two 144-car vessels (projects L2200038 and L2200039). The department
 17 shall use as much already procured equipment as practicable on the 144-
 18 car vessels.

19 (4) \$13,739,000 of the total appropriation is provided solely for
 20 the Mukilteo ferry terminal (project 952515P). The department shall
 21 seek additional federal funding for this project.

22 (5) \$4,395,000 of the Puget Sound capital construction account--
 23 state appropriation is provided solely for emergency capital repair
 24 costs (project 999910K).

25 (6) Consistent with RCW 47.60.662, which requires the Washington
 26 state ferry system to collaborate with passenger-only ferry and transit
 27 providers to provide service at existing terminals, the department
 28 shall ensure that multimodal access, including for passenger-only
 29 ferries and transit service providers, is not precluded by any future
 30 modifications at the terminal.

31 (7) \$3,800,000 of the Puget Sound capital construction account--
 32 state appropriation is provided solely for the reservation and
 33 communications system projects (L200041 & L200042).

34 NEW SECTION. **Sec. 310. FOR THE DEPARTMENT OF TRANSPORTATION--**
 35 **RAIL--PROGRAM Y--CAPITAL**

36 Essential Rail Assistance Account--State
 37 Appropriation \$455,000

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

3 (ii) Self-sustaining economic development that creates family-wage
4 jobs;

5 (iii) Preservation of transportation corridors that would otherwise
6 be lost;

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

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

11 (vi) Mitigation of impacts of increased rail traffic on
12 communities.

13 (3) \$309,460,000 of the multimodal transportation account--federal
14 appropriation and \$4,772,000 of the multimodal transportation account--
15 state appropriation are provided solely for expenditures related to
16 passenger high-speed rail grants. At one and one-half percent of the
17 total project funds, the multimodal transportation account--state funds
18 are provided solely for expenditures that are not federally
19 reimbursable. Funding in this subsection is the initial portion of
20 multiyear high-speed rail program grants awarded to Washington state
21 for high-speed intercity passenger rail investments. Funding will
22 allow for two additional round trips between Seattle and Portland and
23 other rail improvements.

24 (4) As allowable under federal rail authority rules and existing
25 competitive bidding practices, when purchasing new train sets, the
26 department shall give preference to bidders that propose train sets
27 with characteristics and maintenance requirements most similar to those
28 currently owned by the department.

29 (5) Funds generated by the grain train program are solely for
30 operating, sustaining, and enhancing the grain train program including,
31 but not limited to, operations, capital investments, inspection,
32 developing business plans for future growth, and fleet management. Any
33 funds deemed by the department, in consultation with relevant port
34 districts, to be in excess of current operating needs or capital
35 reserves of the grain train program may be transferred from the
36 miscellaneous program account to the essential rail assistance account
37 for the purpose of sustaining the grain train program through

1 maintaining the Palouse river and Coulee City railroad line, on which
2 the grain train program operates.

3 (6) \$144,000 of the essential rail assistance account--state
4 appropriation and \$2,299,000 of the multimodal transportation account--
5 state appropriation are provided solely for the purpose of
6 rehabilitation and maintenance of the Palouse river and Coulee City
7 railroad line.

8 NEW SECTION. **Sec. 311. FOR THE DEPARTMENT OF TRANSPORTATION--**
9 **LOCAL PROGRAMS--PROGRAM Z--CAPITAL**

10	Highway Infrastructure Account--State Appropriation	\$207,000
11	Highway Infrastructure Account--Federal	
12	Appropriation	\$1,602,000
13	Freight Mobility Investment Account--State	
14	Appropriation	\$11,794,000
15	Transportation Partnership Account--State	
16	Appropriation	\$7,214,000
17	Highway Safety Account--State Appropriation	\$11,255,000
18	Motor Vehicle Account--State Appropriation	\$2,168,000
19	Motor Vehicle Account--Federal Appropriation	\$29,013,000
20	Freight Mobility Multimodal Account--State	
21	Appropriation	\$9,236,000
22	Freight Mobility Multimodal Account--Private/Local	
23	Appropriation	\$1,320,000
24	Multimodal Transportation Account--State	
25	Appropriation	\$13,913,000
26	TOTAL APPROPRIATION	\$87,722,000

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

29 (1) Federal funds may be transferred from program Z to programs I
30 and P and state funds must be transferred from programs I and P to
31 program Z to replace those federal funds in a dollar-for-dollar match.
32 Fund transfers authorized under this subsection shall not affect
33 project prioritization status. Appropriations must initially be
34 allotted as appropriated in this act. The department may not transfer
35 funds as authorized under this subsection without approval of the
36 office of financial management. The department shall submit a report

1 on those projects receiving fund transfers to the office of financial
2 management and the transportation committees of the legislature by
3 December 1, 2013, and December 1, 2014.

4 (2) Except as provided otherwise in this section, the entire
5 appropriations in this section are provided solely for the projects and
6 activities as listed by project and amount in LEAP Transportation
7 Document 2013-2 ALL PROJECTS as developed April 3, 2013, Program -
8 Local program (Z).

9 (3) With each department budget submittal, the department shall
10 provide an update on the status of the repayment of the twenty million
11 dollars of unobligated federal funds authority advanced by the
12 department in September 2010 to the city of Tacoma for the Murray
13 Morgan/11th Street bridge project.

14 (4) In accordance with the distribution of federal transportation
15 funds agreement reached on October 23, 2012, \$12,160,000 of the
16 multimodal transportation account--state appropriation, \$8,805,000 of
17 the highway safety account--state appropriation, \$6,824,000 of the
18 transportation partnership account--state appropriation, and
19 \$10,662,000 of the motor vehicle account--federal appropriation are
20 provided solely for the pedestrian and bicycle safety program projects
21 and safe routes to schools projects.

22 (5) \$584,000 of the motor vehicle account--state appropriation,
23 \$3,250,000 of the motor vehicle account--federal appropriation,
24 \$2,450,000 of the highway safety account--state appropriation,
25 \$11,794,000 of the freight mobility investment account--state
26 appropriation, \$9,236,000 of the freight mobility multimodal account--
27 state appropriation, and \$1,320,000 of the freight mobility multimodal
28 account--private/local appropriation are provided solely for the
29 projects and activities as listed by project and amount in LEAP
30 Transportation Document 2013-C as developed April 3, 2013. If chapter
31 . . . (Substitute Senate Bill No. 5239), Laws of 2013 is enacted by
32 June 30, 2013, the amounts provided in this subsection lapse.

33 NEW SECTION. **Sec. 312. REPORTING REQUIREMENTS FOR CAPITAL**
34 **PROGRAM**

35 On a quarterly basis, the department of transportation shall
36 provide to the office of financial management and the legislative

1 transportation committees the following reports for all capital
2 programs:

3 (1) For active projects, the report must include:

4 (a) A TEIS version containing actual capital expenditures for all
5 projects consistent with the structure of the most recently enacted
6 budget;

7 (b) Anticipated cost savings, cost increases, reappropriations, and
8 schedule adjustments for all projects consistent with the structure of
9 the most recently enacted budget;

10 (c) The award amount, the engineer's estimate, and the number of
11 bidders for all active projects consistent with the structure of the
12 most recently enacted budget;

13 (d) Projected costs and schedule for individual projects that are
14 funded at a programmatic level for projects relating to bridge rail,
15 guard rail, fish passage barrier removal, roadside safety projects, and
16 seismic bridges. Projects within this programmatic level funding must
17 be completed on a priority basis and scoped to be completed within the
18 current programmatic budget;

19 (e) Highway projects that may be reduced in scope and still achieve
20 a functional benefit;

21 (f) Highway projects that have experienced scope increases and that
22 can be reduced in scope;

23 (g) Highway projects that have lost significant local or regional
24 contributions that were essential to completing the project; and

25 (h) Contingency amounts for all projects consistent with the
26 structure of the most recently enacted budget.

27 (2) For completed projects, the report must:

28 (a) Compare the original project cost estimates and schedule
29 approved in the transportation 2003 and 2005 transportation partnership
30 project lists to the completed cost of the project;

31 (b) Compare the costs and operationally complete date for projects
32 on the transportation 2003 and 2005 transportation partnership project
33 lists to the last legislatively adopted project list prior to the
34 completion of a project;

35 (c) Compare the costs and operationally complete date for projects
36 with budgets of twenty million dollars that are funded with preexisting
37 funds to the original project cost estimates and schedule; and

1 (d) Provide a list of nickel and TPA projects charging to the
2 nickel/TPA environmental mitigation reserve (OBI4ENV) and the amount
3 each project is charging.

4 (3) For prospective projects, the report must:

5 (a) Identify the estimated advertisement date for all projects
6 consistent with the structure of the most recently enacted budget that
7 are going to advertisement during the current biennium;

8 (b) Identify the anticipated operationally complete date for all
9 projects consistent with the structure of the most recently enacted
10 budget that are going to advertisement during the current biennium; and

11 (c) Identify the estimated cost of completion for all projects
12 consistent with the structure of the most recently enacted budget that
13 are going to advertisement during the current biennium.

14 NEW SECTION. **Sec. 313. FEDERAL FUNDS RECEIVED FOR CAPITAL**
15 **PROJECT EXPENDITURES**

16 To the greatest extent practicable, the department of
17 transportation shall expend federal funds received for capital project
18 expenditures before state funds.

19 **TRANSFERS AND DISTRIBUTIONS**

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

24 Transportation Partnership Account--State

25	Appropriation	\$10,289,000
26	Motor Vehicle Account--State Appropriation	\$630,000
27	State Route Number 520 Corridor Account--State	
28	Appropriation	\$3,866,000
29	Highway Bond Retirement Account--State	
30	Appropriation	\$1,076,005,000
31	Ferry Bond Retirement Account--State Appropriation	\$31,824,000
32	Transportation Improvement Board Bond Retirement	
33	Account--State Appropriation	\$16,267,000
34	Nondebt-Limit Reimbursable Bond Retirement Account--State	

1 Appropriation \$25,825,000
2 Toll Facility Bond Retirement Account--State
3 Appropriation \$52,050,000
4 Transportation 2003 Account (Nickel Account)--State
5 Appropriation \$1,969,000
6 Toll Facility Bond Retirement Account--Federal
7 Appropriation \$64,982,000
8 Special Category C Account--State Appropriation \$2,000
9 TOTAL APPROPRIATION \$1,283,709,000

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

13 Transportation Partnership Account--State
14 Appropriation \$1,143,000
15 Motor Vehicle Account--State Appropriation \$70,000
16 State Route Number 520 Corridor Account--State
17 Appropriation \$531,000
18 Transportation 2003 Account (Nickel Account)--State
19 Appropriation \$218,000
20 TOTAL APPROPRIATION \$1,962,000

21 NEW SECTION. **Sec. 403. FOR THE STATE TREASURER--BOND RETIREMENT**
22 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
23 **MVFT BONDS AND TRANSFERS**

24 The department of transportation is authorized to sell up to
25 \$20,000,000 in bonds authorized by RCW 47.10.843 for vessel and
26 terminal acquisition, major and minor improvements, and long lead-time
27 materials acquisition for the Washington state ferries.

28 NEW SECTION. **Sec. 404. FOR THE STATE TREASURER--STATE REVENUES**
29 **FOR DISTRIBUTION**

30 Motor Vehicle Account--State Appropriation: For
31 motor vehicle fuel tax distributions to cities
32 and counties \$474,610,000

33 NEW SECTION. **Sec. 405. FOR THE STATE TREASURER--TRANSFERS**

34 Motor Vehicle Account--State Appropriation: For

1 motor vehicle fuel tax refunds and statutory
2 transfers \$1,235,491,000

3 NEW SECTION. **Sec. 406. FOR THE DEPARTMENT OF LICENSING--**
4 **TRANSFERS**

5 Motor Vehicle Account--State Appropriation: For motor
6 vehicle fuel tax refunds and transfers \$138,627,000

7 NEW SECTION. **Sec. 407. FOR THE STATE TREASURER--ADMINISTRATIVE**
8 **TRANSFERS**

9 (1) Recreational Vehicle Account--State
10 Appropriation: For transfer to the Motor Vehicle
11 Account--State \$1,300,000

12 (2) Multimodal Transportation Account--State
13 Appropriation: For transfer to the Puget Sound
14 Ferry Operations Account--State \$13,000,000

15 (3) Rural Mobility Grant Program Account--State
16 Appropriation: For transfer to the Multimodal
17 Transportation Account--State \$3,000,000

18 (4) Motor Vehicle Account--State
19 Appropriation: For transfer to the Special Category C
20 Account--State \$1,500,000

21 (5) Capital Vessel Replacement Account--State
22 Appropriation: For transfer to the Transportation 2003
23 Account (Nickel Account)--State \$7,702,000

24 (6) Multimodal Transportation Account--State
25 Appropriation: For transfer to the Public Transportation
26 Grant Program Account--State \$26,000,000

27 (7) Motor Vehicle Account--State Appropriation:
28 For transfer to the Puget Sound Ferry Operations
29 Account--State \$26,000,000

30 (8) Motor Vehicle Account--State Appropriation:
31 For transfer to the Puget Sound Capital Construction
32 Account--State \$48,000,000

33 (9) State Route Number 520 Civil Penalties
34 Account--State Appropriation: For transfer to the
35 State Route Number 520 Corridor Account--State \$886,000

36 (10) Multimodal Transportation Account--State

1 Appropriation: For transfer to the Highway Safety
2 Account--State \$10,000,000
3 (11) Motor Vehicle Account--State Appropriation:
4 For transfer to the State Patrol Highway
5 Account--State \$22,000,000

6 NEW SECTION. **Sec. 408. FOR THE STATE TREASURER: FOR**
7 **DISTRIBUTION TO TRANSIT ENTITIES**

8 Public Transportation Grant Program Account--State
9 Appropriation \$26,000,000

10 The appropriation in this section is subject to the following
11 conditions and limitations:

12 (1) One-eighth of the appropriation in this section must be
13 distributed quarterly to transit authorities according to the
14 distribution formula in subsection (2) of this section. Funding must
15 be used for operations.

16 (2) Of the amounts provided in subsection (1) of this section:

17 (a) One-third must be distributed based on vehicle miles of service
18 provided;

19 (b) One-third must be distributed based on the number of vehicle
20 hours of service provided; and

21 (c) One-third must be distributed based on the number of passenger
22 trips.

23 (3) For the purposes of this section:

24 (a) "Transit authorities" has the same meaning as in RCW
25 9.91.025(2)(c).

26 (b) "Vehicle miles of service," "vehicle hours of service," and
27 "passenger trips" are transit service metrics as reported by the public
28 transportation program of the department of transportation in the
29 annual report required in RCW 35.58.2796 for calendar year 2011.

30 NEW SECTION. **Sec. 409. STATUTORY APPROPRIATIONS**

31 In addition to the amounts appropriated in this act for revenue for
32 distribution, state contributions to the law enforcement officers' and
33 firefighters' retirement system, and bond retirement and interest
34 including ongoing bond registration and transfer charges, transfers,
35 interest on registered warrants, and certificates of indebtedness,

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

4 NEW SECTION. **Sec. 410.** The department of transportation is
5 authorized to undertake federal advance construction projects under the
6 provisions of 23 U.S.C. Sec. 115 in order to maintain progress in
7 meeting approved highway construction and preservation objectives. The
8 legislature recognizes that the use of state funds may be required to
9 temporarily fund expenditures of the federal appropriations for the
10 highway construction and preservation programs for federal advance
11 construction projects prior to conversion to federal funding.

12 **COMPENSATION**

13 NEW SECTION. **Sec. 501. COLLECTIVE BARGAINING AGREEMENTS NOT**
14 **IMPAIRED**

15 Nothing in this act prohibits the expenditure of any funds by an
16 agency or institution of the state for benefits guaranteed by any
17 collective bargaining agreement in effect on the effective date of this
18 section.

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

20 Sections 503 through 516 of this act represent the results of the
21 2013-2015 collective bargaining process required under chapters 47.64,
22 41.80, and 41.56 RCW. Provisions of the collective bargaining
23 agreements contained in sections 503 through 516 of this act are
24 described in general terms. Only major economic terms are included in
25 the descriptions. These descriptions do not contain the complete
26 contents of the agreements. The collective bargaining agreements or
27 the continuation of terms and conditions of the 2011-2013 agreements
28 contained in sections 503 through 516 of this act may also be funded by
29 expenditures from nonappropriated accounts. If positions are funded
30 with lidded grants or dedicated fund sources with insufficient revenue,
31 additional funding from other sources is not provided.

1 NEW SECTION. **Sec. 503. DEPARTMENT OF TRANSPORTATION MARINE**
2 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--OPEIU**

3 An agreement has been reached between the governor and the office
4 and professional employees international union local eight (OPEIU)
5 pursuant to chapter 47.64 RCW for the 2013-2015 fiscal biennium.
6 Funding is provided for an additional step on the OPEIU salary
7 schedule. The agreement also includes a one percent salary increase
8 for all bargaining unit members effective July 1, 2014, through June
9 30, 2015, contingent on the state collecting \$200,000,000 or more in
10 unanticipated general fund--state revenue from increased economic
11 activity.

12 NEW SECTION. **Sec. 504. DEPARTMENT OF TRANSPORTATION MARINE**
13 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--FASPAA**

14 An agreement has been reached between the governor and the ferry
15 agents, supervisors, and project administrators association pursuant to
16 chapter 47.64 RCW for the 2013-2015 fiscal biennium. Funding is
17 provided for a one percent salary increase for all bargaining unit
18 members beginning July 1, 2013, and a one percent salary increase for
19 all bargaining unit members beginning July 1, 2014.

20 NEW SECTION. **Sec. 505. DEPARTMENT OF TRANSPORTATION MARINE**
21 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--SEIU LOCAL 6**

22 An agreement has been reached between the governor and the service
23 employees international union local six pursuant to chapter 47.64 RCW
24 for the 2013-2015 fiscal biennium. Funding is provided for a new step
25 on the salary schedule. The agreement also includes a one percent
26 salary increase for all bargaining unit members effective July 1, 2014,
27 through June 30, 2015, contingent on the state collecting \$200,000,000
28 or more in unanticipated general fund--state revenue from economic
29 activity.

30 NEW SECTION. **Sec. 506. DEPARTMENT OF TRANSPORTATION MARINE**
31 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--CARPENTERS**

32 An agreement has been reached between the governor and the pacific
33 northwest regional council of carpenters pursuant to chapter 47.64 RCW
34 for the 2013-2015 fiscal biennium. Funding is provided for a one and

1 one-half percent salary increase for all bargaining unit members
2 beginning July 1, 2013, and a one and one-half percent salary increase
3 for all bargaining unit members beginning July 1, 2014.

4 NEW SECTION. **Sec. 507. DEPARTMENT OF TRANSPORTATION MARINE**
5 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--METAL TRADES**

6 An agreement has been reached between the governor and the Puget
7 Sound metal trades council through an interest arbitration decision
8 pursuant to chapter 47.64 RCW for the 2013-2015 fiscal biennium.
9 Funding is provided for the awarded one and one-half percent salary
10 increase for all bargaining unit members beginning July 1, 2013, and a
11 one and one-half percent salary increase for all bargaining unit
12 members beginning July 1, 2014.

13 NEW SECTION. **Sec. 508. DEPARTMENT OF TRANSPORTATION MARINE**
14 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--MEBA-UL**

15 An agreement has been reached between the governor and the marine
16 engineers' beneficial association unlicensed engine room employees
17 through an interest arbitration decision pursuant to chapter 47.64 RCW
18 for the 2013-2015 fiscal biennium. Funding is provided for the awarded
19 one percent salary increase for all bargaining unit members beginning
20 July 1, 2013, a one percent salary increase for all bargaining unit
21 members beginning July 1, 2014, and additional vacation accrual
22 beginning July 1, 2014.

23 NEW SECTION. **Sec. 509. DEPARTMENT OF TRANSPORTATION MARINE**
24 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--MEBA-L**

25 An agreement has been reached between the governor and the marine
26 engineers' beneficial association licensed engineer officers through an
27 interest arbitration decision pursuant to chapter 47.64 RCW for the
28 2013-2015 fiscal biennium. Funding is provided for the awarded one
29 percent salary increase for all bargaining unit members beginning July
30 1, 2013, a one percent salary increase for all bargaining unit members
31 beginning July 1, 2014, and additional vacation accrual beginning July
32 1, 2014.

33 NEW SECTION. **Sec. 510. DEPARTMENT OF TRANSPORTATION MARINE**
34 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--MM&P MATES**

1 An agreement has been reached between the governor and the masters,
2 mates, and pilots - mates through an interest arbitration decision
3 pursuant to chapter 47.64 RCW for the 2013-2015 fiscal biennium.
4 Funding is provided for the awarded three percent salary increase for
5 all bargaining unit members beginning July 1, 2014, additional pay for
6 relief employees, increased uniform allowance, and increased Friday
7 Harbor relief pay.

8 NEW SECTION. **Sec. 511. DEPARTMENT OF TRANSPORTATION MARINE**
9 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--MM&P MASTERS**

10 An agreement has been reached between the governor and the masters,
11 mates, and pilots - masters through an interest arbitration decision
12 pursuant to chapter 47.64 RCW for the 2013-2015 fiscal biennium.
13 Funding is provided for a one percent salary increase for all
14 bargaining unit members beginning July 1, 2013, a one percent salary
15 increase for all bargaining unit members beginning July 1, 2014, relief
16 assignment pay for all compensated hours beginning July 1, 2014,
17 increased uniform allowance, increased license renewal allowance, and
18 increased Friday Harbor relief pay.

19 NEW SECTION. **Sec. 512. DEPARTMENT OF TRANSPORTATION MARINE**
20 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--MM&P WATCH SUPERVISORS**

21 An agreement has been reached between the governor and the masters,
22 mates, and pilots - watch supervisors through an interest arbitration
23 decision pursuant to chapter 47.64 RCW for the 2013-2015 fiscal
24 biennium. Funding is provided for the awarded 16.125 percent salary
25 increase for all bargaining unit members beginning July 1, 2013, and a
26 16.125 percent salary increase for all bargaining unit members
27 beginning July 1, 2014.

28 NEW SECTION. **Sec. 513. DEPARTMENT OF TRANSPORTATION MARINE**
29 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--IBU**

30 An agreement has been reached between the governor and the
31 inlandboatmen's union of the pacific pursuant to chapter 47.64 RCW for
32 the 2013-2015 fiscal biennium. Funding is provided for an eighteen
33 percent increase for entry-level wage rates for all bargaining unit
34 members beginning July 1, 2013. For all other wage rates, funding is
35 provided to increase rates two and one-half percent for all bargaining

1 unit members beginning July 1, 2013, and to increase rates two and one-
2 half percent for all bargaining unit members beginning July 1, 2014.
3 Funding is also provided for marine license fees.

4 NEW SECTION. **Sec. 514. COLLECTIVE BARGAINING AGREEMENTS--PTE**
5 **LOCAL 17**

6 An agreement has been reached between the governor and the
7 professional and technical employees local seventeen under chapter
8 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to
9 add a longevity step. The agreement also includes a one percent salary
10 increase for all bargaining unit members effective July 1, 2014,
11 through June 30, 2015, contingent on the state collecting \$200,000,000
12 or more in unanticipated general fund--state revenue from increased
13 economic activity.

14 NEW SECTION. **Sec. 515. COLLECTIVE BARGAINING AGREEMENTS--WSP**
15 **TROOPERS ASSOCIATION**

16 An agreement has been reached between the governor and the
17 Washington state patrol troopers association through an interest
18 arbitration decision under chapter 41.56 RCW for the 2013-2015 fiscal
19 biennium. Funding is provided for the awarded three percent salary
20 increase for all bargaining unit members effective July 1, 2013, and a
21 one percent increase to longevity pay for years five through nine
22 effective July 1, 2014.

23 NEW SECTION. **Sec. 516. COLLECTIVE BARGAINING AGREEMENTS--WSP**
24 **LIEUTENANTS ASSOCIATION**

25 An agreement has been reached between the governor and the
26 Washington state patrol lieutenants association through an interest
27 arbitration decision under chapter 41.56 RCW for the 2013-2015 fiscal
28 biennium. Funding is provided for the awarded three percent salary
29 increase for all bargaining unit members effective July 1, 2014, and
30 for parking of department-issued vehicles for employees assigned
31 vehicles at the general administration building or capitol campus.

32 NEW SECTION. **Sec. 517. COMPENSATION--REPRESENTED EMPLOYEES--**
33 **SUPER COALITION--INSURANCE BENEFITS**

1 No agreement has been reached between the governor and the health
2 care super coalition under chapter 41.80 RCW for the 2013-2015 fiscal
3 biennium. Appropriations in this act for state agencies, including
4 institutions of higher education, are sufficient to continue the
5 provisions of the 2011-2013 collective bargaining agreement and are
6 subject to the following conditions and limitations:

7 (1)(a) The monthly employer funding rate for insurance benefit
8 premiums, public employees' benefits board administration, and the
9 uniform medical plan must not exceed \$809 per eligible employee for
10 fiscal year 2014. For fiscal year 2015, the monthly employer funding
11 rate must not exceed \$820 per eligible employee.

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

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

24 (2) The health care authority, subject to the approval of the
25 public employees' benefits board, shall provide subsidies for health
26 benefit premiums to eligible retired or disabled public employees and
27 school district employees who are eligible for medicare, pursuant to
28 RCW 41.05.085. For calendar years 2014 and 2015, the subsidy must be
29 \$150.00 per month.

30 NEW SECTION. **Sec. 518. COMPENSATION--REPRESENTED EMPLOYEES**
31 **OUTSIDE SUPER COALITION--INSURANCE BENEFITS**

32 Appropriations for state agencies in this act are sufficient for
33 represented employees outside the super coalition for health benefits
34 and are subject to the following conditions and limitations:

35 (1)(a) The monthly employer funding rate for insurance benefit
36 premiums, public employees' benefits board administration, and the

1 uniform medical plan must not exceed \$809 per eligible employee for
2 fiscal year 2014. For fiscal year 2015, the monthly employer funding
3 rate must not exceed \$820 per eligible employee.

4 (b) In order to achieve the level of funding provided for health
5 benefits, the public employees' benefits board shall require any of the
6 following: Employee premium copayments; increases in point-of-service
7 cost sharing; the implementation of managed competition; or other
8 changes to benefits consistent with RCW 41.05.065.

9 (c) The health care authority shall deposit any moneys received on
10 behalf of the uniform medical plan as a result of rebates on
11 prescription drugs, audits of hospitals, subrogation payments, or any
12 other moneys recovered as a result of prior uniform medical plan claims
13 payments into the public employees' and retirees' insurance account to
14 be used for insurance benefits. Such receipts must not be used for
15 administrative expenditures.

16 (2) The health care authority, subject to the approval of the
17 public employees' benefits board, shall provide subsidies for health
18 benefit premiums to eligible retired or disabled public employees and
19 school district employees who are eligible for medicare, pursuant to
20 RCW 41.05.085. For calendar years 2014 and 2015, the subsidy must be
21 \$150.00 per month.

22 NEW SECTION. **Sec. 519. COMPENSATION--NONREPRESENTED EMPLOYEES--**
23 **INSURANCE BENEFITS**

24 Appropriations for state agencies in this act are sufficient for
25 nonrepresented state employee health benefits for state agencies,
26 including institutions of higher education, and are subject to the
27 following conditions and limitations:

28 (1)(a) The monthly employer funding rate for insurance benefit
29 premiums, public employees' benefits board administration, and the
30 uniform medical plan must not exceed \$809 per eligible employee for
31 fiscal year 2014. For fiscal year 2015, the monthly employer funding
32 rate must not exceed \$820 per eligible employee.

33 (b) In order to achieve the level of funding provided for health
34 benefits, the public employees' benefits board shall require any of the
35 following: Employee premium copayments; increases in point-of-service
36 cost sharing; the implementation of managed competition; or make other
37 changes to benefits consistent with RCW 41.05.065.

1 (c) The health care authority shall deposit any moneys received on
2 behalf of the uniform medical plan as a result of rebates on
3 prescription drugs, audits of hospitals, subrogation payments, or any
4 other moneys recovered as a result of prior uniform medical plan claims
5 payments into the public employees' and retirees' insurance account to
6 be used for insurance benefits. Such receipts must not be used for
7 administrative expenditures.

8 (2) The health care authority, subject to the approval of the
9 public employees' benefits board, shall provide subsidies for health
10 benefit premiums to eligible retired or disabled public employees and
11 school district employees who are eligible for medicare, pursuant to
12 RCW 41.05.085. For calendar years 2014 and 2015, the subsidy must be
13 \$150.00 per month.

14 NEW SECTION. **Sec. 520. COMPENSATION--NONREPRESENTED EMPLOYEES--**
15 **SALARIES AND WAGES**

16 For classified state employees, except those within the Washington
17 management service and those represented by a bargaining unit under
18 chapter 41.80, 41.56, or 47.64 RCW, funding is provided within agency
19 appropriations for implementation of a longevity step, in accordance
20 with rules adopted under RCW 41.06.133.

21 **Sec. 521.** RCW 47.64.170 and 2011 c 367 s 712 are each amended to
22 read as follows:

23 (1) Any ferry employee organization certified as the bargaining
24 representative shall be the exclusive representative of all ferry
25 employees in the bargaining unit and shall represent all such employees
26 fairly.

27 (2) A ferry employee organization or organizations and the governor
28 may each designate any individual as its representative to engage in
29 collective bargaining negotiations.

30 (3) Negotiating sessions, including strategy meetings of the
31 employer or employee organizations, mediation, and the deliberative
32 process of arbitrators are exempt from the provisions of chapter 42.30
33 RCW. Hearings conducted by arbitrators may be open to the public by
34 mutual consent of the parties.

35 (4) Terms of any collective bargaining agreement may be enforced by

1 civil action in Thurston county superior court upon the initiative of
2 either party.

3 (5) Ferry system employees or any employee organization shall not
4 negotiate or attempt to negotiate directly with anyone other than the
5 person who has been appointed or authorized a bargaining representative
6 for the purpose of bargaining with the ferry employees or their
7 representative.

8 (6)(a) Within ten working days after the first Monday in September
9 of every odd-numbered year, the parties shall attempt to agree on an
10 interest arbitrator to be used if the parties are not successful in
11 negotiating a comprehensive collective bargaining agreement. If the
12 parties cannot agree on an arbitrator within the ten-day period, either
13 party may request a list of seven arbitrators from the federal
14 mediation and conciliation service. The parties shall select an
15 interest arbitrator using the coin toss/alternate strike method within
16 thirty calendar days of receipt of the list. Immediately upon
17 selecting an interest arbitrator, the parties shall cooperate to
18 reserve dates with the arbitrator for potential arbitration between
19 August 1st and September 15th of the following even-numbered year. The
20 parties shall also prepare a schedule of at least five negotiation
21 dates for the following year, absent an agreement to the contrary. The
22 parties shall execute a written agreement before November 1st of each
23 odd-numbered year setting forth the name of the arbitrator and the
24 dates reserved for bargaining and arbitration. This subsection (6)(a)
25 imposes minimum obligations only and is not intended to define or limit
26 a party's full, good faith bargaining obligation under other sections
27 of this chapter.

28 (b) The negotiation of a proposed collective bargaining agreement
29 by representatives of the employer and a ferry employee organization
30 shall commence on or about February 1st of every even-numbered year.

31 (c) For negotiations covering the 2009-2011 biennium and subsequent
32 biennia, the time periods specified in this section, and in RCW
33 47.64.210 and 47.64.300 through 47.64.320, must ensure conclusion of
34 all agreements on or before October 1st of the even-numbered year next
35 preceding the biennial budget period during which the agreement should
36 take effect. These time periods may only be altered by mutual
37 agreement of the parties in writing. Any such agreement and any
38 impasse procedures agreed to by the parties under RCW 47.64.200 must

1 include an agreement regarding the new time periods that will allow
2 final resolution by negotiations or arbitration by October 1st of each
3 even-numbered year.

4 (7) It is the intent of this section that the collective bargaining
5 agreement or arbitrator's award shall commence on July 1st of each odd-
6 numbered year and shall terminate on June 30th of the next odd-numbered
7 year to coincide with the ensuing biennial budget year, as defined by
8 RCW 43.88.020(7), to the extent practical. It is further the intent of
9 this section that all collective bargaining agreements be concluded by
10 October 1st of the even-numbered year before the commencement of the
11 biennial budget year during which the agreements are to be in effect.
12 After the expiration date of a collective bargaining agreement
13 negotiated under this chapter, except to the extent provided in
14 subsection (11) of this section and RCW 47.64.270(4), all of the terms
15 and conditions specified in the collective bargaining agreement remain
16 in effect until the effective date of a subsequently negotiated
17 agreement, not to exceed one year from the expiration date stated in
18 the agreement. Thereafter, the employer may unilaterally implement
19 according to law.

20 (8) The office of financial management shall conduct a salary
21 survey, for use in collective bargaining and arbitration, which must be
22 conducted through a contract with a firm nationally recognized in the
23 field of human resources management consulting.

24 (9) Except as provided in subsection (11) of this section:

25 (a) The governor shall submit a request either for funds necessary
26 to implement the collective bargaining agreements including, but not
27 limited to, the compensation and fringe benefit provisions or for
28 legislation necessary to implement the agreement, or both. Requests
29 for funds necessary to implement the collective bargaining agreements
30 shall not be submitted to the legislature by the governor unless such
31 requests:

32 (i) Have been submitted to the director of the office of financial
33 management by October 1st before the legislative session at which the
34 requests are to be considered; and

35 (ii) Have been certified by the director of the office of financial
36 management as being feasible financially for the state.

37 (b) The governor shall submit a request either for funds necessary
38 to implement the arbitration awards or for legislation necessary to

1 implement the arbitration awards, or both. Requests for funds
2 necessary to implement the arbitration awards shall not be submitted to
3 the legislature by the governor unless such requests:

4 (i) Have been submitted to the director of the office of financial
5 management by October 1st before the legislative session at which the
6 requests are to be considered; and

7 (ii) Have been certified by the director of the office of financial
8 management as being feasible financially for the state.

9 (c) The legislature shall approve or reject the submission of the
10 request for funds necessary to implement the collective bargaining
11 agreements or arbitration awards as a whole for each agreement or
12 award. The legislature shall not consider a request for funds to
13 implement a collective bargaining agreement or arbitration award unless
14 the request is transmitted to the legislature as part of the governor's
15 budget document submitted under RCW 43.88.030 and 43.88.060. If the
16 legislature rejects or fails to act on the submission, either party may
17 reopen all or part of the agreement and award or the exclusive
18 bargaining representative may seek to implement the procedures provided
19 for in RCW 47.64.210 and 47.64.300.

20 (10) If, after the compensation and fringe benefit provisions of an
21 agreement are approved by the legislature, a significant revenue
22 shortfall occurs resulting in reduced appropriations, as declared by
23 proclamation of the governor or by resolution of the legislature, both
24 parties shall immediately enter into collective bargaining for a
25 mutually agreed upon modification of the agreement.

26 (11)(a) For the collective bargaining agreements negotiated for the
27 2011-2013 fiscal biennium, the legislature may consider a request for
28 funds to implement a collective bargaining agreement even if the
29 request for funds was not received by the office of financial
30 management by October 1st and was not transmitted to the legislature as
31 part of the governor's budget document submitted under RCW 43.88.030
32 and 43.88.060.

33 (b) For the ((2011-2013)) 2013-2015 fiscal biennium, a collective
34 bargaining agreement related to employee health care benefits
35 negotiated between the employer and coalition pursuant to RCW
36 41.80.020(3) regarding the dollar amount expended on behalf of each
37 employee must be a separate agreement for which the governor may
38 request funds necessary to implement the agreement. ((If such an

1 ~~agreement is negotiated and funded by the legislature, this agreement~~
2 ~~will supersede any terms and conditions of an expired 2009-2011~~
3 ~~biennial master collective bargaining agreement under this chapter~~
4 ~~regarding health care benefits.))~~ The legislature may act upon a 2013-
5 2015 collective bargaining agreement related to employee health care
6 benefits if an agreement is reached and submitted to the office of
7 financial management and legislative budget committees before final
8 legislative action on the biennial or supplemental operating budget by
9 the sitting legislature.

10 (c) For the collective bargaining agreements negotiated for the
11 2013-2015 fiscal biennium, the legislature may consider a request for
12 funds to implement a collective bargaining agreement reached after
13 October 1st after a determination of financial infeasibility by the
14 director of the office of financial management if the request for funds
15 is transmitted to the legislature as part of the governor's budget
16 document submitted under RCW 43.88.030 and 43.88.060.

17 **Sec. 522.** RCW 47.64.270 and 2011 c 367 s 713 are each amended to
18 read as follows:

19 (1) The employer and one coalition of all the exclusive bargaining
20 representatives subject to this chapter and chapter 41.80 RCW shall
21 conduct negotiations regarding the dollar amount expended on behalf of
22 each employee for health care benefits.

23 (2) Absent a collective bargaining agreement to the contrary, the
24 department of transportation shall provide contributions to insurance
25 and health care plans for ferry system employees and dependents, as
26 determined by the state health care authority, under chapter 41.05 RCW.

27 (3) The employer and employee organizations may collectively
28 bargain for insurance plans other than health care benefits, and
29 employer contributions may exceed that of other state agencies as
30 provided in RCW 41.05.050.

31 (4) For the ~~((2011-2013))~~ 2013-2015 fiscal biennium, a collective
32 bargaining agreement related to employee health care benefits
33 negotiated between the employer and coalition pursuant to RCW
34 41.80.020(3) regarding the dollar amount expended on behalf of each
35 employee must be a separate agreement for which the governor may
36 request funds necessary to implement the agreement. ~~((If such an~~
37 ~~agreement is negotiated and funded by the legislature, this agreement~~

1 ~~will supersede any terms and conditions of an expired 2009-2011~~
2 ~~biennial collective bargaining agreement under this chapter regarding~~
3 ~~health care benefits.))~~

4 **IMPLEMENTING PROVISIONS**

5 **NEW SECTION. Sec. 601. STAFFING LEVELS**

6 (1) As the department of transportation completes delivery of the
7 projects funded by the 2003 and 2005 transportation revenue packages,
8 it is clear that the current staffing levels necessary to deliver these
9 projects are not sustainable into the future. Therefore, the
10 department is directed to quickly move forward to develop and implement
11 new business practices so that a smaller, more nimble state workforce
12 can effectively and efficiently deliver transportation improvement
13 programs as they are approved in the future, in strong partnership with
14 the private sector, while protecting the public's interests and assets.

15 (2) To this end, the department of transportation is directed to
16 reduce the size of its engineering and technical workforce to a level
17 sustained by current law revenue levels currently estimated at two
18 thousand FTEs by the end of the 2013-2015 fiscal biennium. The
19 department's current two thousand eight hundred FTE engineering and
20 technical workforce levels for highway construction will be reduced in
21 the 2011-2013 fiscal biennium, with a target of two thousand four
22 hundred FTEs by June 30, 2013, and to a level of two thousand FTEs by
23 June 30, 2015. The department shall submit a report on the progress
24 made in 2011-2013 by July 1, 2013.

25 (3) In order to successfully deliver the highway construction
26 program as funded, the department of transportation may continue to
27 contract out engineering and technical services. In addition, the
28 department may continue the incentive program for retirements and
29 employee separations.

30 **NEW SECTION. Sec. 602. FUND TRANSFERS**

31 (1) The transportation 2003 projects or improvements and the 2005
32 transportation partnership projects or improvements are listed in the
33 LEAP list titled 2013-1 as developed April 3, 2013, which consists of
34 a list of specific projects by fund source and amount over a sixteen-

1 year period. Current fiscal biennium funding for each project is a
2 line-item appropriation, while the outer year funding allocations
3 represent a sixteen-year plan. The department is expected to use the
4 flexibility provided in this section to assist in the delivery and
5 completion of all transportation partnership account and transportation
6 2003 account (nickel account) projects on the LEAP transportation
7 documents referenced in this act. For the 2011-2013 and 2013-2015
8 project appropriations, unless otherwise provided in this act, the
9 director of financial management may authorize a transfer of
10 appropriation authority between projects funded with transportation
11 2003 account (nickel account) appropriations, or transportation
12 partnership account appropriations, in order to manage project spending
13 and efficiently deliver all projects in the respective program under
14 the following conditions and limitations:

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

17 (b) Transfers from a project may not be made as a result of the
18 reduction of the scope of a project or be made to support increases in
19 the scope of a project;

20 (c) Each transfer between projects may only occur if the director
21 of financial management finds that any resulting change will not hinder
22 the completion of the projects as approved by the legislature;

23 (d) Transfers from a project may be made if the funds appropriated
24 to the project are in excess of the amount needed to complete the
25 project;

26 (e) Transfers may not occur for projects not identified on the
27 applicable project list;

28 (f) Transfers may not be made while the legislature is in session;
29 and

30 (g) Transfers between projects may be made by the department of
31 transportation until the transfer amount by project exceeds two hundred
32 fifty thousand dollars, or ten percent of the total project, whichever
33 is less. These transfers must be reported quarterly to the director of
34 financial management and the chairs of the house of representatives and
35 senate transportation committees.

36 (2) At the time the department submits a request to transfer funds
37 under this section, a copy of the request must be submitted to the
38 transportation committees of the legislature.

1 (3) The office of financial management shall work with legislative
2 staff of the house of representatives and senate transportation
3 committees to review the requested transfers in a timely manner.

4 (4) The office of financial management shall document approved
5 transfers and schedule changes in the transportation executive
6 information system, compare changes to the legislative baseline funding
7 and schedules identified by project identification number identified in
8 the LEAP transportation documents referenced in this act, and transmit
9 revised project lists to chairs of the transportation committees of the
10 legislature on a quarterly basis.

11 NEW SECTION. **Sec. 603. CAPITAL BUDGETING EVALUATION**

12 The office of financial management shall convene a work group by
13 June 2013 to evaluate the financial oversight of department of
14 transportation capital projects when the legislature is not in session.
15 Representatives of the group must include office of financial
16 management staff, house of representatives and senate transportation
17 committee staff, department of transportation capital budget
18 representatives, joint transportation committee staff, and house of
19 representatives and senate caucus staff. The group shall develop
20 recommendations for 2015-2017 budget instructions, reporting
21 enhancements, and budget system improvements, and make other
22 recommendations in order to enhance the transparency and accountability
23 of department of transportation capital projects.

24 NEW SECTION. **Sec. 604. ACQUISITION OF PROPERTIES AND FACILITIES**
25 **THROUGH FINANCIAL CONTRACTS**

26 (1) The following agencies may enter into financial contracts, paid
27 from any funds of an agency, appropriated or nonappropriated, for the
28 purposes indicated and in not more than the principal amounts
29 indicated, plus financing expenses and required reserves pursuant to
30 chapter 39.94 RCW. When securing properties under this section,
31 agencies shall use the most economical financial contract option
32 available, including long-term leases, lease-purchase agreements,
33 lease-development with option to purchase agreements, or financial
34 contracts using certificates of participation. Expenditures made by an
35 agency for one of the indicated purposes before the issue date of the
36 authorized financial contract and any certificates of participation

1 therein are intended to be reimbursed from proceeds of the financial
2 contract and any certificates of participation therein to the extent
3 provided in the agency's financing plan approved by the state finance
4 committee.

5 (2) State agencies may enter into agreements with the department of
6 enterprise services and the state treasurer's office to develop
7 requests to the legislature for the acquisition of properties and
8 facilities through financial contracts. The agreements may include
9 charges for services rendered.

10 (a) Department of transportation: Enter into a financing contract
11 for up to \$13,425,000 plus financing expenses and required reserves
12 pursuant to chapter 39.94 RCW for the design and construction of a
13 traffic management center.

14 (b) Washington state patrol: Enter into a financing contract for
15 up to \$3,867,000 plus financing expenses and required reserves pursuant
16 to chapter 39.94 RCW to purchase and install mobile office platforms in
17 state patrol and pursuit vehicles.

18 **NEW SECTION. Sec. 605. MEGA-PROJECT REPORTING**

19 Mega-projects are defined as individual or groups of related
20 projects that cost \$1,000,000,000 or more. These projects include, but
21 are not limited to: Alaskan Way viaduct, SR 520, SR 167, I-405, North
22 Spokane corridor, I-5 Tacoma HOV, I-90 Snoqualmie Pass, and the
23 Columbia river crossing. The department of transportation shall track
24 mega-projects and report the financial status and schedule of these
25 projects at least quarterly to the transportation committees of the
26 legislature and the office of financial management. The design of
27 mega-projects must be evaluated considering cost, capacity, safety,
28 mobility needs, and how well the design of the facility fits within its
29 urban environment.

30 **NEW SECTION. Sec. 606.** (1) The department of transportation shall
31 prepare an updated facilities and property plan to improve the
32 oversight of real estate procurement and property management across all
33 department programs and regions, including the Washington state
34 ferries. The plan must be submitted to the office of financial
35 management and the transportation committees of the legislature by
36 September 1, 2014. The plan must include:

1 (a) An inventory of all currently owned and leased buildings,
2 including tunnel and bridge operation or maintenance facilities, and
3 traffic management centers as provided by the state's facilities
4 inventory process prescribed by the office of financial management
5 annually by September 1st;

6 (b) A land inventory, as of July 2014, including an indication of
7 whether the land is being held for right-of-way, disposition, or future
8 operational facilities;

9 (c) A prioritized list of all facilities that are planned to be
10 constructed, renovated, or remodeled in the next ten years, including
11 each facilities' purpose and use, and the funding source indicating
12 whether the funding that is assumed for the facility improvements is
13 project or operational funding;

14 (d) A list of options for consolidating staff, equipment, and
15 operational activities to reduce costs with an emphasis on
16 consolidating facilities from leased facilities into state-owned
17 facilities. New locations for a permanent state program or activity,
18 unless a life-cycle cost analysis supports leasing in lieu of ownership
19 or funds are not available for construction, should be state owned
20 facilities; and

21 (e) A department-wide coordinated process and plan for regularly
22 evaluating facility needs, which includes all facilities in the
23 inventory under (a) of this subsection.

24 (2) Except as provided otherwise in this act, the department of
25 transportation may not enter into new leases, equal value exchanges, or
26 property transactions, including land acquisitions, except for right-
27 of-way purchases for projects on the legislative project lists, without
28 first consulting with the office of financial management.

29 **NEW SECTION. Sec. 607. FOR THE DEPARTMENT OF TRANSPORTATION**

30 As part of its 2014 supplemental budget submittal, the department
31 shall provide a report to the legislature and the office of financial
32 management that:

33 (1) Identifies, by capital project, the amount of state funding
34 that has been reappropriated from the 2011-2013 fiscal biennium into
35 the 2013-2015 fiscal biennium; and

36 (2) Identifies, for each project, the amount of cost savings or

1 increases in funding that have been identified as compared to the 2013
2 enacted omnibus transportation appropriations act.

3 NEW SECTION. **Sec. 608. FOR THE DEPARTMENT OF TRANSPORTATION**

4 As part of its annual budget submittal, the department shall
5 provide an annual update to the legislature and the office of financial
6 management that:

7 (1) Compares the original project cost estimates approved in the
8 transportation 2003 and 2005 transportation partnership project lists
9 to the completed cost of the project, or the most recent legislatively
10 approved budget and total project costs for projects not yet completed;

11 (2) Identifies highway projects that may be reduced in scope and
12 still achieve a functional benefit;

13 (3) Identifies highway projects that have experienced scope
14 increases and that can be reduced in scope;

15 (4) Identifies highway projects that have lost significant local or
16 regional contributions that were essential to completing the project;
17 and

18 (5) Identifies contingency amounts allocated to projects.

19 NEW SECTION. **Sec. 609.** The department of transportation, in
20 conjunction with the office of minority and women's business
21 enterprises, shall review existing minority and women's business
22 enterprise inclusion plans that have been implemented in the state of
23 Washington or other states at the local or state level for project
24 contracts. The review must also: Analyze and recommend what contract
25 amount levels would benefit from an inclusion plan as part of the
26 contract bidding process; determine whether the inclusion plan would
27 replace or complement existing outreach plans; develop options for how
28 to determine market availability of qualified firms; develop options
29 for how bidders would establish their goals in their project bid
30 submittals; and, for project bid scoring, how the processes work for
31 market place availability, identification of women and minority-owned
32 enterprises to be utilized during the project time frame, and
33 contractor past performance in achieving market place availability.
34 The review must include options for post-project review of actual
35 results compared with the inclusion plan submitted with the original
36 bid documents. The review must also include options with advantages

1 and disadvantages of using a minority and women's business enterprise
2 expert in the bid process. A report is due to the transportation
3 committees of the legislature by December 1, 2013.

4 NEW SECTION. **Sec. 610. VOLUNTARY RETIREMENT AND SEPARATION**
5 **INCENTIVES**

6 As a management tool to reduce costs and make more effective use of
7 resources, while improving employee productivity and morale, agencies
8 may implement a voluntary retirement and/or separation program that is
9 cost neutral or results in cost savings, including costs to the state
10 pension systems, over a two-year period following the commencement of
11 the program, provided that the program is approved by the director of
12 financial management. Agencies participating in this authorization may
13 offer voluntary retirement and/or separation incentives and options
14 according to procedures and guidelines established by the office of
15 financial management, in consultation with the office of the state
16 human resources director and the department of retirement systems. The
17 options may include, but are not limited to, financial incentives for
18 voluntary separation or retirement. An employee does not have any
19 contractual right to a financial incentive offered pursuant to this
20 section. Offers must be reviewed and monitored jointly by the office
21 of the state human resources director and the department of retirement
22 systems. Agencies must submit a report by July 30, 2015, to the
23 legislature and the office of financial management on the outcome of
24 their approved incentive program. The report should include
25 information on the details of the program, including the incentive
26 payment amount for each participant, the total cost to the state, and
27 the projected or actual net dollar savings over the two-year period.

28 The department of retirement systems may collect from employers the
29 actuarial cost of any incentive provided under this program, or any
30 other incentive to retire provided by employers to members of the
31 state's pension systems, for deposit in the appropriate pension
32 account.

33 NEW SECTION. **Sec. 611. COMPENSATION--REVISE PENSION CONTRIBUTION**
34 **RATES**

35 The appropriations for school districts and state agencies,
36 including institutions of higher education, are subject to the

1 following conditions and limitations: Appropriations are adjusted to
2 reflect changes to agency appropriations to reflect pension
3 contribution rates adopted by the pension funding council and the law
4 enforcement officers' and firefighters' retirement system plan 2 board.

5 NEW SECTION. **Sec. 612.** The department of transportation may
6 provide up to \$3,000,000 in toll credits to Kitsap Transit for its role
7 in passenger-only ferry service and ferry corridor-related projects.
8 The number of toll credits provided must be equal to, but no more than,
9 the number sufficient to meet federal match requirements for grant
10 funding for passenger-only ferry service, but must not exceed the
11 amount authorized in this section.

12 **MISCELLANEOUS 2013-2015 FISCAL BIENNIUM**

13 **Sec. 701.** RCW 43.19.642 and 2012 c 86 s 802 are each amended to
14 read as follows:

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

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

28 (3) All state agencies using biodiesel fuel shall, beginning on
29 July 1, 2006, file biannual reports with the department of enterprise
30 services documenting the use of the fuel and a description of how any
31 problems encountered were resolved.

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

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

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

6 (5) During the 2011-2013 and 2013-2015 fiscal (~~(biennium)~~) biennia,
7 the Washington state ferries is required to use a minimum of five
8 percent biodiesel as compared to total volume of all diesel purchased
9 made by the Washington state ferries for the operation of the
10 Washington state ferries diesel-powered vessels, as long as the price
11 of a B5 biodiesel blend does not exceed the price of conventional
12 diesel fuel by five percent or more.

13 **Sec. 702.** RCW 46.12.630 and 2012 c 86 s 803 are each amended to
14 read as follows:

15 In addition to any other authority which it may have, the
16 department of licensing may furnish lists of registered and legal
17 owners of motor vehicles only for the purposes specified in this
18 section to:

19 (1)~~(a)~~ (a) The manufacturers of motor vehicles, or their authorized
20 agents, to be used:

21 ~~((+a))~~ (i) To enable those manufacturers to carry out the
22 provisions of the national traffic and motor vehicle safety act of 1966
23 (15 U.S.C. Sec. 1382-1418), including amendments or additions thereto,
24 respecting safety-related defects in motor vehicles; or

25 ~~((+b))~~ (ii) During the 2011-2013 fiscal biennium, in research
26 activities, and in producing statistical reports, as long as the
27 personal information is not published, redisclosed, or used to contact
28 individuals; or

29 (b) During fiscal year 2014, an entity that is an authorized agent
30 of a motor vehicle manufacturer, for purposes of using lists of
31 registered and legal owner information to conduct research activities
32 and produce statistical reports, as long as the entity does not allow
33 personal information received under this section to be published,
34 redisclosed, or used to contact individuals;

35 (2) Any governmental agency of the United States or Canada, or
36 political subdivisions thereof, to be used by it or by its authorized
37 commercial agents or contractors only in connection with the

1 enforcement of motor vehicle or traffic laws by, or programs related to
2 traffic safety of, that government agency. Only such parts of the list
3 as are required for completion of the work required of the agent or
4 contractor shall be provided to such agent or contractor;

5 (3) A commercial parking company requiring the names and addresses
6 of registered owners to notify them of outstanding parking violations.
7 Subject to the disclosure agreement provisions of RCW 46.12.635 and the
8 requirements of Executive Order 97-01, the department may provide only
9 the parts of the list that are required for completion of the work
10 required of the company;

11 (4) An authorized agent or contractor of the department, to be used
12 only in connection with providing motor vehicle excise tax, licensing,
13 title, and registration information to motor vehicle dealers;

14 (5) Any business regularly making loans to other persons to finance
15 the purchase of motor vehicles, to be used to assist the person
16 requesting the list to determine ownership of specific vehicles for the
17 purpose of determining whether or not to provide such financing; or

18 (6) A company or its agents operating a toll facility under chapter
19 47.46 RCW or other applicable authority requiring the names, addresses,
20 and vehicle information of motor vehicle registered owners to identify
21 toll violators.

22 Where both a mailing address and residence address are recorded on
23 the vehicle record and are different, only the mailing address will be
24 disclosed. Both addresses will be disclosed in response to requests
25 for disclosure from courts, law enforcement agencies, or government
26 entities with enforcement, investigative, or taxing authority and only
27 for use in the normal course of conducting their business.

28 If a list of registered and legal owners of motor vehicles is used
29 for any purpose other than that authorized in this section, the
30 manufacturer, governmental agency, commercial parking company,
31 authorized agent, contractor, financial institution, toll facility
32 operator, or their authorized agents or contractors responsible for the
33 unauthorized disclosure or use will be denied further access to such
34 information by the department of licensing.

35 **Sec. 703.** RCW 46.18.060 and 2012 c 65 s 6 are each amended to read
36 as follows:

1 (1) The department must review and either approve or reject special
2 license plate applications submitted by sponsoring organizations.

3 (2) Duties of the department include, but are not limited to, the
4 following:

5 (a) Review and approve the annual financial reports submitted by
6 sponsoring organizations with active special license plate series and
7 present those annual financial reports to the joint transportation
8 committee;

9 (b) Report annually to the joint transportation committee on the
10 special license plate applications that were considered by the
11 department;

12 (c) Issue approval and rejection notification letters to sponsoring
13 organizations, the executive committee of the joint transportation
14 committee, and the legislative sponsors identified in each application.
15 The letters must be issued within seven days of making a determination
16 on the status of an application; and

17 (d) Review annually the number of plates sold for each special
18 license plate series created after January 1, 2003. The department may
19 submit a recommendation to discontinue a special plate series to the
20 executive committee of the joint transportation committee.

21 (3) Except as provided in RCW 46.18.245, in order to assess the
22 effects and impact of the proliferation of special license plates, the
23 legislature declares a temporary moratorium on the issuance of any
24 additional plates until July 1, (~~(2013))~~ 2015. During this period of
25 time, the department is prohibited from accepting, reviewing,
26 processing, or approving any applications. Additionally, a special
27 license plate may not be enacted by the legislature during the
28 moratorium, unless the proposed license plate has been approved by the
29 former special license plate review board before February 15, 2005.

30 (4) The limitations under subsection (3) of this section do not
31 apply to the following special license plates:

32 (a) 4-H license plates created under RCW 46.18.200;

33 (b) Music Matters license plates created under RCW 46.18.200;

34 (c) State flower license plates created under RCW 46.18.200;

35 (d) Volunteer firefighter license plates created under RCW
36 46.18.200.

1 **Sec. 704.** RCW 46.63.170 and 2012 c 85 s 3 and 2012 c 83 s 7 are
2 each reenacted and amended to read as follows:

3 (1) The use of automated traffic safety cameras for issuance of
4 notices of infraction is subject to the following requirements:

5 (a) The appropriate local legislative authority must prepare an
6 analysis of the locations within the jurisdiction where automated
7 traffic safety cameras are proposed to be located: (i) Before enacting
8 an ordinance allowing for the initial use of automated traffic safety
9 cameras; and (ii) before adding additional cameras or relocating any
10 existing camera to a new location within the jurisdiction. Automated
11 traffic safety cameras may be used to detect one or more of the
12 following: Stoplight, railroad crossing, or school speed zone
13 violations. At a minimum, the local ordinance must contain the
14 restrictions described in this section and provisions for public notice
15 and signage. Cities and counties using automated traffic safety
16 cameras before July 24, 2005, are subject to the restrictions described
17 in this section, but are not required to enact an authorizing
18 ordinance. Beginning one year after June 7, 2012, cities and counties
19 using automated traffic safety cameras must post an annual report of
20 the number of traffic accidents that occurred at each location where an
21 automated traffic safety camera is located as well as the number of
22 notices of infraction issued for each camera and any other relevant
23 information about the automated traffic safety cameras that the city or
24 county deems appropriate on the city's or county's web site.

25 (b) Use of automated traffic safety cameras is restricted to the
26 following locations only: (i) Intersections of two arterials with
27 traffic control signals that have yellow change interval durations in
28 accordance with RCW 47.36.022, which interval durations may not be
29 reduced after placement of the camera; (ii) railroad crossings; and
30 (iii) school speed zones.

31 (c) During the 2011-2013 and 2013-2015 fiscal (~~(biennium)~~) biennia,
32 automated traffic safety cameras may be used to detect speed violations
33 for the purposes of (~~section 201(2), chapter 367, Laws of 2011~~)
34 section 201(3) of this act if the local legislative authority first
35 enacts an ordinance authorizing the use of cameras to detect speed
36 violations.

37 (d) Automated traffic safety cameras may only take pictures of the
38 vehicle and vehicle license plate and only while an infraction is

1 occurring. The picture must not reveal the face of the driver or of
2 passengers in the vehicle. The primary purpose of camera placement is
3 to take pictures of the vehicle and vehicle license plate when an
4 infraction is occurring. Cities and counties shall consider installing
5 cameras in a manner that minimizes the impact of camera flash on
6 drivers.

7 (e) A notice of infraction must be mailed to the registered owner
8 of the vehicle within fourteen days of the violation, or to the renter
9 of a vehicle within fourteen days of establishing the renter's name and
10 address under subsection (3)(a) of this section. The law enforcement
11 officer issuing the notice of infraction shall include with it a
12 certificate or facsimile thereof, based upon inspection of photographs,
13 microphotographs, or electronic images produced by an automated traffic
14 safety camera, stating the facts supporting the notice of infraction.
15 This certificate or facsimile is prima facie evidence of the facts
16 contained in it and is admissible in a proceeding charging a violation
17 under this chapter. The photographs, microphotographs, or electronic
18 images evidencing the violation must be available for inspection and
19 admission into evidence in a proceeding to adjudicate the liability for
20 the infraction. A person receiving a notice of infraction based on
21 evidence detected by an automated traffic safety camera may respond to
22 the notice by mail.

23 (f) The registered owner of a vehicle is responsible for an
24 infraction under RCW 46.63.030(1)(d) unless the registered owner
25 overcomes the presumption in RCW 46.63.075, or, in the case of a rental
26 car business, satisfies the conditions under subsection (3) of this
27 section. If appropriate under the circumstances, a renter identified
28 under subsection (3)(a) of this section is responsible for an
29 infraction.

30 (g) Notwithstanding any other provision of law, all photographs,
31 microphotographs, or electronic images prepared under this section are
32 for the exclusive use of law enforcement in the discharge of duties
33 under this section and are not open to the public and may not be used
34 in a court in a pending action or proceeding unless the action or
35 proceeding relates to a violation under this section. No photograph,
36 microphotograph, or electronic image may be used for any purpose other
37 than enforcement of violations under this section nor retained longer
38 than necessary to enforce this section.

1 (h) All locations where an automated traffic safety camera is used
2 must be clearly marked at least thirty days prior to activation of the
3 camera by placing signs in locations that clearly indicate to a driver
4 that he or she is entering a zone where traffic laws are enforced by an
5 automated traffic safety camera. Signs placed in automated traffic
6 safety camera locations after June 7, 2012, must follow the
7 specifications and guidelines under the manual of uniform traffic
8 control devices for streets and highways as adopted by the department
9 of transportation under chapter 47.36 RCW.

10 (i) If a county or city has established an authorized automated
11 traffic safety camera program under this section, the compensation paid
12 to the manufacturer or vendor of the equipment used must be based only
13 upon the value of the equipment and services provided or rendered in
14 support of the system, and may not be based upon a portion of the fine
15 or civil penalty imposed or the revenue generated by the equipment.

16 (2) Infractions detected through the use of automated traffic
17 safety cameras are not part of the registered owner's driving record
18 under RCW 46.52.101 and 46.52.120. Additionally, infractions generated
19 by the use of automated traffic safety cameras under this section shall
20 be processed in the same manner as parking infractions, including for
21 the purposes of RCW 3.50.100, 35.20.220, 46.16A.120, and 46.20.270(3).
22 The amount of the fine issued for an infraction generated through the
23 use of an automated traffic safety camera shall not exceed the amount
24 of a fine issued for other parking infractions within the jurisdiction.
25 However, the amount of the fine issued for a traffic control signal
26 violation detected through the use of an automated traffic safety
27 camera shall not exceed the monetary penalty for a violation of RCW
28 46.61.050 as provided under RCW 46.63.110, including all applicable
29 statutory assessments.

30 (3) If the registered owner of the vehicle is a rental car
31 business, the law enforcement agency shall, before a notice of
32 infraction being issued under this section, provide a written notice to
33 the rental car business that a notice of infraction may be issued to
34 the rental car business if the rental car business does not, within
35 eighteen days of receiving the written notice, provide to the issuing
36 agency by return mail:

37 (a) A statement under oath stating the name and known mailing

1 address of the individual driving or renting the vehicle when the
2 infraction occurred; or

3 (b) A statement under oath that the business is unable to determine
4 who was driving or renting the vehicle at the time the infraction
5 occurred because the vehicle was stolen at the time of the infraction.
6 A statement provided under this subsection must be accompanied by a
7 copy of a filed police report regarding the vehicle theft; or

8 (c) In lieu of identifying the vehicle operator, the rental car
9 business may pay the applicable penalty.

10 Timely mailing of this statement to the issuing law enforcement
11 agency relieves a rental car business of any liability under this
12 chapter for the notice of infraction.

13 (4) Nothing in this section prohibits a law enforcement officer
14 from issuing a notice of traffic infraction to a person in control of
15 a vehicle at the time a violation occurs under RCW 46.63.030(1) (a),
16 (b), or (c).

17 (5) For the purposes of this section, "automated traffic safety
18 camera" means a device that uses a vehicle sensor installed to work in
19 conjunction with an intersection traffic control system, a railroad
20 grade crossing control system, or a speed measuring device, and a
21 camera synchronized to automatically record one or more sequenced
22 photographs, microphotographs, or electronic images of the rear of a
23 motor vehicle at the time the vehicle fails to stop when facing a
24 steady red traffic control signal or an activated railroad grade
25 crossing control signal, or exceeds a speed limit in a school speed
26 zone as detected by a speed measuring device. During the 2011-2013 and
27 2013-2015 fiscal (~~(biennium)~~) biennia, an automated traffic safety
28 camera includes a camera used to detect speed violations for the
29 purposes of (~~(section 201(2), chapter 367, Laws of 2011)~~) section
30 201(3) of this act.

31 (6) During the 2011-2013 and 2013-2015 fiscal (~~(biennium)~~) biennia,
32 this section does not apply to automated traffic safety cameras for the
33 purposes of (~~(section 216(5), chapter 367, Laws of 2011)~~) section
34 218(3) of this act.

35 **Sec. 705.** RCW 46.68.113 and 2011 c 353 s 7 are each amended to
36 read as follows:

37 (1) During the 2013-2015 fiscal biennium, cities and towns shall

1 provide to the transportation commission, or its successor entity,
2 preservation rating information on at least seventy percent of the
3 total city and town arterial network. Thereafter, the preservation
4 rating information requirement shall increase in five percent
5 increments in subsequent biennia, but in no case shall it exceed eighty
6 percent. The rating system used by cities and towns must be based upon
7 the Washington state pavement rating method or an equivalent standard
8 approved by the department of transportation. Beginning January 1,
9 2007, the preservation rating information shall be submitted to the
10 department.

11 (2) Cities and towns are exempt from the requirement to report
12 preservation rating information to the department through the 2013-2015
13 fiscal biennium.

14 **Sec. 706.** RCW 46.68.170 and 2011 c 367 s 715 are each amended to
15 read as follows:

16 There is hereby created in the motor vehicle fund the RV account.
17 All moneys hereafter deposited in said account shall be used by the
18 department of transportation for the construction, maintenance, and
19 operation of recreational vehicle sanitary disposal systems at safety
20 rest areas in accordance with the department's highway system plan as
21 prescribed in chapter 47.06 RCW. During the ((2009-2011 and)) 2011-
22 2013 and 2013-2015 fiscal biennia, the legislature may transfer from
23 the RV account to the motor vehicle fund such amounts as reflect the
24 excess fund balance of the RV account to accomplish the purposes
25 identified in this section.

26 **Sec. 707.** RCW 46.68.325 and 2011 c 367 s 721 are each amended to
27 read as follows:

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

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

1 (3) During the 2011-2013 and 2013-2015 fiscal (~~biennium~~) biennia,
2 the legislature may transfer from the rural mobility grant program
3 account to the multimodal transportation account such amounts as
4 reflect the excess fund balance of the rural mobility grant program
5 account.

6 NEW SECTION. Sec. 708. A new section is added to chapter 47.06A
7 RCW to read as follows:

8 During the 2013-2015 fiscal biennium, members of the freight
9 advisory committee group created as a standing committee of the board
10 may be reimbursed for travel expenses as provided in RCW 43.03.050 and
11 43.03.060.

12 **Sec. 709.** RCW 47.29.170 and 2011 c 367 s 701 are each amended to
13 read as follows:

14 Before accepting any unsolicited project proposals, the commission
15 must adopt rules to facilitate the acceptance, review, evaluation, and
16 selection of unsolicited project proposals. These rules must include
17 the following:

18 (1) Provisions that specify unsolicited proposals must meet
19 predetermined criteria;

20 (2) Provisions governing procedures for the cessation of
21 negotiations and consideration;

22 (3) Provisions outlining that unsolicited proposals are subject to
23 a two-step process that begins with concept proposals and would only
24 advance to the second step, which are fully detailed proposals, if the
25 commission so directed;

26 (4) Provisions that require concept proposals to include at least
27 the following information: Proposers' qualifications and experience;
28 description of the proposed project and impact; proposed project
29 financing; and known public benefits and opposition; and

30 (5) Provisions that specify the process to be followed if the
31 commission is interested in the concept proposal, which must include
32 provisions:

33 (a) Requiring that information regarding the potential project
34 would be published for a period of not less than thirty days, during
35 which time entities could express interest in submitting a proposal;

1 (b) Specifying that if letters of interest were received during the
2 thirty days, then an additional sixty days for submission of the fully
3 detailed proposal would be allowed; and

4 (c) Procedures for what will happen if there are insufficient
5 proposals submitted or if there are no letters of interest submitted in
6 the appropriate time frame.

7 The commission may adopt other rules as necessary to avoid
8 conflicts with existing laws, statutes, or contractual obligations of
9 the state.

10 The commission may not accept or consider any unsolicited proposals
11 before July 1, (~~2013~~) 2015.

12 **Sec. 710.** RCW 47.56.403 and 2011 c 367 s 709 are each amended to
13 read as follows:

14 (1) The department may provide for the establishment, construction,
15 and operation of a pilot project of high occupancy toll lanes on state
16 route 167 high occupancy vehicle lanes within King county. The
17 department may issue, buy, and redeem bonds, and deposit and expend
18 them; secure and remit financial and other assistance in the
19 construction of high occupancy toll lanes, carry insurance, and handle
20 any other matters pertaining to the high occupancy toll lane pilot
21 project.

22 (2) Tolls for high occupancy toll lanes will be established as
23 follows:

24 (a) The schedule of toll charges for high occupancy toll lanes must
25 be established by the transportation commission and collected in a
26 manner determined by the commission.

27 (b) Toll charges shall not be assessed on transit buses and vanpool
28 vehicles owned or operated by any public agency.

29 (c) The department shall establish performance standards for the
30 state route 167 high occupancy toll lane pilot project. The department
31 must automatically adjust the toll charge, using dynamic tolling, to
32 ensure that toll-paying single-occupant vehicle users are only
33 permitted to enter the lane to the extent that average vehicle speeds
34 in the lane remain above forty-five miles per hour at least ninety
35 percent of the time during peak hours. The toll charge may vary in
36 amount by time of day, level of traffic congestion within the highway
37 facility, vehicle occupancy, or other criteria, as the commission may

1 deem appropriate. The commission may also vary toll charges for
2 single-occupant inherently low-emission vehicles such as those powered
3 by electric batteries, natural gas, propane, or other clean burning
4 fuels.

5 (d) The commission shall periodically review the toll charges to
6 determine if the toll charges are effectively maintaining travel time,
7 speed, and reliability on the highway facilities.

8 (3) The department shall monitor the state route 167 high occupancy
9 toll lane pilot project and shall annually report to the transportation
10 commission and the legislature on operations and findings. At a
11 minimum, the department shall provide facility use data and review the
12 impacts on:

- 13 (a) Freeway efficiency and safety;
- 14 (b) Effectiveness for transit;
- 15 (c) Person and vehicle movements by mode;
- 16 (d) Ability to finance improvements and transportation services
17 through tolls; and

18 (e) The impacts on all highway users. The department shall analyze
19 aggregate use data and conduct, as needed, separate surveys to assess
20 usage of the facility in relation to geographic, socioeconomic, and
21 demographic information within the corridor in order to ascertain
22 actual and perceived questions of equitable use of the facility.

23 (4) The department shall modify the pilot project to address
24 identified safety issues and mitigate negative impacts to high
25 occupancy vehicle lane users.

26 (5) Authorization to impose high occupancy vehicle tolls for the
27 state route 167 high occupancy toll pilot project expires if either of
28 the following two conditions apply:

29 (a) If no contracts have been let by the department to begin
30 construction of the toll facilities associated with this pilot project
31 within four years of July 24, 2005; or

32 (b) If high occupancy vehicle tolls are being collected on June 30,
33 ((2013)) 2015.

34 (6) The department of transportation shall adopt rules that allow
35 automatic vehicle identification transponders used for electronic toll
36 collection to be compatible with other electronic payment devices or
37 transponders from the Washington state ferry system, other public

1 transportation systems, or other toll collection systems to the extent
2 that technology permits.

3 (7) The conversion of a single existing high occupancy vehicle lane
4 to a high occupancy toll lane as proposed for SR-167 must be taken as
5 the exception for this pilot project.

6 (8) A violation of the lane restrictions applicable to the high
7 occupancy toll lanes established under this section is a traffic
8 infraction.

9 (9) Procurement activity associated with this pilot project shall
10 be open and competitive in accordance with chapter 39.29 RCW.

11 **Sec. 711.** RCW 47.56.876 and 2011 c 367 s 720 are each amended to
12 read as follows:

13 ~~((1))~~ A special account to be known as the state route number 520
14 civil penalties account is created in the state treasury. All state
15 route number 520 bridge replacement and HOV program civil penalties
16 generated from the nonpayment of tolls on the state route number 520
17 corridor must be deposited into the account, as provided under RCW
18 47.56.870(4)(b)(vii). Moneys in the account may be spent only after
19 appropriation. Expenditures from the account may be used to fund any
20 project within the state route number 520 bridge replacement and HOV
21 program, including mitigation. During the 2011-2013 and 2013-2015
22 fiscal ~~((biennium))~~ biennia, the legislature may transfer from the
23 state route number 520 civil penalties account to the state route
24 number 520 corridor account such amounts as reflect the excess fund
25 balance of the state route number 520 civil penalties account. Funds
26 transferred must be used solely for capital expenditures for the state
27 route number 520 bridge replacement and HOV project (8BI1003).

28 ~~((2) This section is contingent on the enactment by June 30, 2010,
29 of either chapter 249, Laws of 2010 or chapter . . . (Substitute House
30 Bill No. 2897), Laws of 2010, but if the enacted bill does not
31 designate the department as the toll penalty adjudicating agency, this
32 section is null and void.))~~

33 **Sec. 712.** RCW 70.105D.070 and 2012 2nd sp.s. c 7 s 920 and 2012
34 2nd sp.s. c 2 s 6005 are each reenacted and amended to read as follows:

35 (1) The state toxics control account and the local toxics control
36 account are hereby created in the state treasury.

1 (2) The following moneys shall be deposited into the state toxics
2 control account: (a) Those revenues which are raised by the tax
3 imposed under RCW 82.21.030 and which are attributable to that portion
4 of the rate equal to thirty-three one-hundredths of one percent; (b)
5 the costs of remedial actions recovered under this chapter or chapter
6 70.105A RCW; (c) penalties collected or recovered under this chapter;
7 and (d) any other money appropriated or transferred to the account by
8 the legislature. Moneys in the account may be used only to carry out
9 the purposes of this chapter, including but not limited to the
10 following activities:

11 (i) The state's responsibility for hazardous waste planning,
12 management, regulation, enforcement, technical assistance, and public
13 education required under chapter 70.105 RCW;

14 (ii) The state's responsibility for solid waste planning,
15 management, regulation, enforcement, technical assistance, and public
16 education required under chapter 70.95 RCW;

17 (iii) The hazardous waste cleanup program required under this
18 chapter;

19 (iv) State matching funds required under the federal cleanup law;

20 (v) Financial assistance for local programs in accordance with
21 chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

22 (vi) State government programs for the safe reduction, recycling,
23 or disposal of hazardous wastes from households, small businesses, and
24 agriculture;

25 (vii) Hazardous materials emergency response training;

26 (viii) Water and environmental health protection and monitoring
27 programs;

28 (ix) Programs authorized under chapter 70.146 RCW;

29 (x) A public participation program, including regional citizen
30 advisory committees;

31 (xi) Public funding to assist potentially liable persons to pay for
32 the costs of remedial action in compliance with cleanup standards under
33 RCW 70.105D.030(2)(e) but only when the amount and terms of such
34 funding are established under a settlement agreement under RCW
35 70.105D.040(4) and when the director has found that the funding will
36 achieve both (A) a substantially more expeditious or enhanced cleanup
37 than would otherwise occur, and (B) the prevention or mitigation of
38 unfair economic hardship;

1 (xii) Development and demonstration of alternative management
2 technologies designed to carry out the hazardous waste management
3 priorities of RCW 70.105.150;

4 (xiii) During the 2009-2011 and 2011-2013 fiscal biennia, shoreline
5 update technical assistance;

6 (xiv) During the 2009-2011 fiscal biennium, multijurisdictional
7 permitting teams;

8 (xv) During the 2011-2013 fiscal biennium, actions for reducing
9 public exposure to toxic air pollution, and actions taken through the
10 family forest fish passage program to correct barriers to fish passage
11 on privately owned small forest lands; (~~and~~)

12 (xvi) During the 2011-2013 fiscal biennium, the department of
13 ecology's water quality, shorelands and environmental assessment,
14 hazardous waste, waste to resources, nuclear waste, and air quality
15 programs; and

16 (xvii) During the 2013-2015 fiscal biennium, storm water permit
17 compliance activities at the department of transportation.

18 (3) The following moneys shall be deposited into the local toxics
19 control account: Those revenues which are raised by the tax imposed
20 under RCW 82.21.030 and which are attributable to that portion of the
21 rate equal to thirty-seven one-hundredths of one percent.

22 (a) Moneys deposited in the local toxics control account shall be
23 used by the department for grants or loans to local governments for the
24 following purposes in descending order of priority:

25 (i) Remedial actions;

26 (ii) Hazardous waste plans and programs under chapter 70.105 RCW;

27 (iii) Solid waste plans and programs under chapters 70.95, 70.95C,
28 70.95I, and 70.105 RCW;

29 (iv) Funds for a program to assist in the assessment and cleanup of
30 sites of methamphetamine production, but not to be used for the initial
31 containment of such sites, consistent with the responsibilities and
32 intent of RCW 69.50.511; and

33 (v) Cleanup and disposal of hazardous substances from abandoned or
34 derelict vessels, defined for the purposes of this section as vessels
35 that have little or no value and either have no identified owner or
36 have an identified owner lacking financial resources to clean up and
37 dispose of the vessel, that pose a threat to human health or the
38 environment.

1 (b) Funds for plans and programs shall be allocated consistent with
2 the priorities and matching requirements established in chapters
3 70.105, 70.95C, 70.95I, and 70.95 RCW, except that any applicant that
4 is a Puget Sound partner, as defined in RCW 90.71.010, along with any
5 project that is referenced in the action agenda developed by the Puget
6 Sound partnership under RCW 90.71.310, shall, except as conditioned by
7 RCW 70.105D.120, receive priority for any available funding for any
8 grant or funding programs or sources that use a competitive bidding
9 process. During the 2007-2009 fiscal biennium, moneys in the account
10 may also be used for grants to local governments to retrofit public
11 sector diesel equipment and for storm water planning and implementation
12 activities.

13 (c) To expedite cleanups throughout the state, the department shall
14 partner with local communities and liable parties for cleanups. The
15 department is authorized to use the following additional strategies in
16 order to ensure a healthful environment for future generations:

17 (i) The director may alter grant-matching requirements to create
18 incentives for local governments to expedite cleanups when one of the
19 following conditions exists:

20 (A) Funding would prevent or mitigate unfair economic hardship
21 imposed by the clean-up liability;

22 (B) Funding would create new substantial economic development,
23 public recreational, or habitat restoration opportunities that would
24 not otherwise occur; or

25 (C) Funding would create an opportunity for acquisition and
26 redevelopment of vacant, orphaned, or abandoned property under RCW
27 70.105D.040(5) that would not otherwise occur;

28 (ii) The use of outside contracts to conduct necessary studies;

29 (iii) The purchase of remedial action cost-cap insurance, when
30 necessary to expedite multiparty clean-up efforts.

31 (d) To facilitate and expedite cleanups using funds from the local
32 toxics control account, during the 2009-2011 fiscal biennium the
33 director may establish grant-funded accounts to hold and disperse local
34 toxics control account funds and funds from local governments to be
35 used for remedial actions.

36 (4) Except for unanticipated receipts under RCW 43.79.260 through
37 43.79.282, moneys in the state and local toxics control accounts may be
38 spent only after appropriation by statute.

1 (5) Except during the 2011-2013 fiscal biennium, one percent of the
2 moneys deposited into the state and local toxics control accounts shall
3 be allocated only for public participation grants to persons who may be
4 adversely affected by a release or threatened release of a hazardous
5 substance and to not-for-profit public interest organizations. The
6 primary purpose of these grants is to facilitate the participation by
7 persons and organizations in the investigation and remedying of
8 releases or threatened releases of hazardous substances and to
9 implement the state's solid and hazardous waste management priorities.
10 No grant may exceed sixty thousand dollars. Grants may be renewed
11 annually. Moneys appropriated for public participation from either
12 account which are not expended at the close of any biennium shall
13 revert to the state toxics control account.

14 (6) No moneys deposited into either the state or local toxics
15 control account may be used for solid waste incinerator feasibility
16 studies, construction, maintenance, or operation, or, after January 1,
17 2010, for projects designed to address the restoration of Puget Sound,
18 funded in a competitive grant process, that are in conflict with the
19 action agenda developed by the Puget Sound partnership under RCW
20 90.71.310.

21 (7) The department shall adopt rules for grant or loan issuance and
22 performance.

23 (8) During the 2011-2013 fiscal biennium, the legislature may
24 transfer from the local toxics control account to the state toxics
25 control account such amounts as reflect excess fund balance in the
26 account.

27 (9) During the 2011-2013 fiscal biennium, the local toxics control
28 account may also be used for local government shoreline update grants
29 and actions for reducing public exposure to toxic air pollution;
30 funding to local governments for flood levee improvements; and grants
31 to local governments for brownfield redevelopment.

32 **2011-2013 FISCAL BIENNIUM**
33 **GENERAL GOVERNMENT AGENCIES--OPERATING**

34 **Sec. 801.** 2012 c 86 s 102 (uncodified) is amended to read as
35 follows:

1 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

2	Motor Vehicle Account--State Appropriation	((\$2,128,000))
3		<u>\$2,058,000</u>
4	Puget Sound Ferry Operations Account--State	
5	Appropriation	\$1,260,000
6	Multimodal Transportation Account--State	
7	Appropriation	\$350,000
8	TOTAL APPROPRIATION	((\$3,738,000))
9		<u>\$3,668,000</u>

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

12 (1) The office of financial management, in consultation with the
13 transportation committees of the legislature, shall conduct a budget
14 evaluation study for the new traffic management center proposed by the
15 department of transportation. The study must consider data resulting
16 from the plan identified in section 604 (~~of this act~~), chapter 367,
17 Laws of 2011. The budget evaluation study team approach using value
18 engineering techniques must be utilized by the office of financial
19 management in conducting the study. The office of financial management
20 shall select the budget evaluation study team members, contract for the
21 study, and report the results to the transportation committees of the
22 legislature and the department of transportation in a timely manner
23 following the study. Options reviewed must include use of existing
24 facilities, including the Wheeler building data center in Olympia.
25 Funds allocated for the new traffic management center must be used by
26 the office of financial management through an interagency agreement
27 with the department of transportation to cover the cost of the study.

28 (2) \$1,116,000 of the Puget Sound ferry operations account--state
29 appropriation is provided solely for marine insurance. The amount in
30 this subsection as well as the amount in section 103(2) (~~of this~~
31 ~~act~~), chapter 86, Laws of 2012 is intended to fully fund a two-year
32 policy. For fiscal year 2012, the office of financial management shall
33 increase the deductible to ten million dollars and reduce components of
34 the policy in order to keep the total cost of the two-year policy at or
35 below the appropriation in this subsection and section 103(2) (~~of this~~
36 ~~act~~), chapter 86, Laws of 2012.

37 (3) \$840,000 of the motor vehicle account--state appropriation is
38 provided out of funds set aside out of statewide fuel taxes distributed

1 to counties according to RCW 46.68.120(3) solely for the office of
2 financial management to contract with the Washington state association
3 of counties to identify, evaluate, and implement performance measures
4 associated with county transportation activities. The performance
5 measures must include, at a minimum, those related to safety, system
6 preservation, mobility, environmental protection, and project
7 completion. A report on the county transportation performance
8 implementation project must be provided to the transportation
9 committees of the legislature by December 31, 2012.

10 (4) \$169,000 of the motor vehicle account--state appropriation is
11 provided solely for the office of regulatory assistance integrated
12 permitting project.

13 (5) \$40,000 of the Puget Sound ferry operations account--state
14 appropriation is provided solely for the state's share of the marine
15 salary survey.

16 (6) The office of financial management shall study the available
17 data regarding statewide transit, bicycle, and pedestrian trips and
18 recommend additional performance measures that will effectively measure
19 the state's performance in increasing transit ridership and bicycle and
20 pedestrian trips. The office of financial management shall report its
21 findings and recommendations to the transportation committees of the
22 legislature by November 15, 2011, and integrate the new performance
23 measures into the report prepared by the office of financial management
24 pursuant to RCW 47.04.280 regarding progress towards achieving
25 Washington state's transportation system policy goals.

26 (7) \$350,000 of the multimodal transportation account--state
27 appropriation is provided solely for the office of financial management
28 to contract with a statewide organization representing Washington
29 cities and a statewide organization representing Washington counties to
30 work with the Washington state governor's office of regulatory
31 assistance to:

32 (a) Fulfill completion of recent iPRMT enhancements developed to
33 consolidate applications and expedite local, state, and regional
34 transportation and public works maintenance permitting related to (i)
35 general hydraulic project approval permits issued consistent with
36 section 103(3), chapter 247, Laws of 2010 and (ii) section 106
37 consultations completed under the national historic preservation act;

1 (b) Work with local, state, and regional transportation and public
2 works maintenance agencies to continue to support development of iPRMT
3 enhancements and customizations based on applicant needs; and

4 (c) Provide outreach and training to advance the state's interest
5 in continuing to leverage iPRMT web infrastructure to support and
6 accelerate local, regional, and state transportation and public works
7 planning, permitting, and compliance.

8 (8) \$400,000 of the motor vehicle account--state appropriation is
9 from the cities statewide fuel tax distributions under RCW 46.68.110(2)
10 for the department of transportation to contract with the department of
11 fish and wildlife to inventory, assess, and prioritize fish passage
12 barriers associated with city roads and streets in the Puget Sound
13 region. The department of transportation shall submit the results to
14 the office of financial management and the transportation committees of
15 the legislature by December 31, 2013.

16 **TRANSPORTATION AGENCIES--OPERATING**

17 **Sec. 901.** 2012 c 86 s 201 (uncodified) is amended to read as
18 follows:

19 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

20 Highway Safety Account--State Appropriation	((\$2,983,000))
	<u>\$2,982,000</u>
22 Highway Safety Account--Federal Appropriation	((\$42,507,000))
	<u>\$42,497,000</u>
24 Highway Safety Account--Private/Local Appropriation	\$50,000
25 School Zone Safety Account--State Appropriation	((\$3,340,000))
	<u>\$2,340,000</u>
27 TOTAL APPROPRIATION	((\$48,880,000))
	<u>\$47,869,000</u>

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

31 (1) \$1,673,900 of the highway safety account--federal appropriation
32 is provided solely for the conclusion of the target zero trooper pilot
33 program, which the commission has developed and implemented in
34 collaboration with the Washington state patrol. The pilot program must
35 continue to demonstrate the effectiveness of intense, high visibility,

1 driving under the influence enforcement in Washington. The commission
2 shall continue to apply to the national highway traffic safety
3 administration for federal highway safety grants to cover the cost of
4 the pilot program. State funding is provided in section ((207)) 907 of
5 this act for the state patrol to continue the target zero trooper
6 program in fiscal year 2013.

7 (2) The commission may oversee pilot projects implementing the use
8 of automated traffic safety cameras to detect speed violations within
9 cities west of the Cascade mountains that have a population over one
10 hundred ninety-five thousand. For the purposes of pilot projects in
11 this subsection, no more than one automated traffic safety camera may
12 be used to detect speed violations within any one jurisdiction.

13 (a) The commission shall comply with RCW 46.63.170 in administering
14 the pilot projects.

15 (b) In order to ensure adequate time in the 2011-2013 fiscal
16 biennium to evaluate the effectiveness of the pilot projects, any
17 projects authorized by the commission must be authorized by December
18 31, 2011.

19 (c) By January 1, 2013, the commission shall provide a report to
20 the legislature regarding the use, public acceptance, outcomes, and
21 other relevant issues regarding automated traffic safety cameras
22 demonstrated by the pilot projects.

23 (3) \$460,000 of the highway safety account--state appropriation is
24 provided solely for the implementation of chapter ... (Engrossed Second
25 Substitute House Bill No. 1789), Laws of 2011 (addressing DUI
26 accountability). If chapter ... (Engrossed Second Substitute House
27 Bill No. 1789), Laws of 2011 is not enacted by June 30, 2011, the
28 amount provided in this subsection lapses.

29 (4) The commission shall conduct a review of the literature on
30 potential safety benefits realized from drivers using their headlights
31 and windshield wipers simultaneously and shall report to the
32 transportation committees of the legislature by December 1, 2011.

33 (5) \$22,000,000 of the highway safety account--federal
34 appropriation is provided solely for federal funds that may be
35 obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the
36 2011-2013 fiscal biennium.

1 what efficiencies were achieved, and an explanation of any
2 recommendations that were not implemented.

3 **Sec. 904.** 2012 c 86 s 205 (uncodified) is amended to read as
4 follows:

5 **FOR THE TRANSPORTATION COMMISSION**

6 Motor Vehicle Account--State Appropriation	((\$3,028,000))
7	<u>\$3,025,000</u>
8 Multimodal Transportation Account--State Appropriation	\$112,000
9 TOTAL APPROPRIATION	((\$3,140,000))
10	<u>\$3,137,000</u>

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

13 (1) Consistent with RCW 43.135.055, 47.60.290, and 47.60.315,
14 during the 2011-2013 fiscal biennium, the legislature authorizes the
15 transportation commission to periodically review and, if necessary,
16 adjust the schedule of fares for the Washington state ferry system only
17 in amounts not greater than those sufficient to generate the amount of
18 revenue required by the biennial transportation budget. When adjusting
19 ferry fares, the commission must consider input from affected ferry
20 users by public hearing and by review with the affected ferry advisory
21 committees, in addition to the data gathered from the current ferry
22 user survey.

23 (2) Consistent with RCW 43.135.055 and 47.46.100, during the
24 2011-2013 fiscal biennium, the legislature authorizes the
25 transportation commission to periodically review and, if necessary,
26 adjust the schedule of toll charges applicable to the Tacoma Narrows
27 bridge only in amounts not greater than those sufficient to support (a)
28 any required costs for operating and maintaining the toll bridge,
29 including the cost of insurance, (b) any amount required by law to meet
30 the redemption of bonds and applicable interest payments, and (c)
31 repayment of the motor vehicle fund.

32 (3) Consistent with its authority in RCW 47.56.840, the
33 transportation commission shall consider the need for a citizen
34 advisory group that provides oversight on new tolled facilities.

35 (4) \$775,000 of the motor vehicle account--state appropriation is
36 provided solely to determine the feasibility of transitioning from the
37 gas tax to a road user assessment system of paying for transportation.

1 (a) The transportation commission, with direction from the steering
2 committee created in (b) of this subsection, must: Review relevant
3 reports and data related to models of road user assessments and methods
4 of transitioning to a road user assessment system; analyze the research
5 to identify issues for policy decisions in Washington; make
6 recommendations for the design of systemwide trials; develop a plan to
7 assess public perspectives and educate the public on the current
8 transportation funding system and options for a new system; and perform
9 other tasks as deemed necessary by the steering committee.

10 (b) The transportation commission must convene a steering committee
11 to provide direction to and guide the transportation commission's work.
12 Membership of the steering committee must include, but is not limited
13 to, members representing the following interests: The trucking
14 industry; business; cities and counties; public transportation;
15 environmental; user fee technology; auto and light truck manufacturers;
16 and the motoring public. In addition, a member from each of the two
17 largest caucuses of the senate, appointed by the president of the
18 senate, and a member from each of the two largest caucuses of the house
19 of representatives, appointed by the speaker of the house of
20 representatives, must serve on the steering committee.

21 (c) The transportation commission must update the governor and the
22 legislature on this work by January 1, 2013. In addition, this update
23 must include a plan and budget request for work to be completed during
24 the 2013-2015 fiscal biennium.

25 (5) \$160,000 of the motor vehicle account--state appropriation is
26 provided solely for the transportation commission to establish a
27 statewide transportation survey panel and conduct two surveys on
28 transportation funding and policy issues during the 2011-2013 fiscal
29 biennium. At a minimum, the results of the first survey must be
30 submitted to the legislature by January 2013.

31 **Sec. 905.** 2012 c 86 s 206 (uncodified) is amended to read as
32 follows:

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

34 Motor Vehicle Account--State Appropriation	((\$781,000))
35	<u>\$780,000</u>

36 The appropriation in this section is subject to the following
37 conditions and limitations:

1 (1) \$100,000 of the motor vehicle account--state appropriation is
2 provided solely for an additional staff person for the freight mobility
3 strategic investment board.

4 (2) The freight mobility strategic investment board shall submit a
5 report to the transportation committees of the legislature by December
6 1, 2011, on the implementation of the recommendations that resulted
7 from the evaluation of efficiencies in the delivery of transportation
8 funding and services to local governments that was required under
9 section 204(8), chapter 247, Laws of 2010. The report must include a
10 description of how recommendations were implemented, what efficiencies
11 were achieved, and an explanation of any recommendations that were not
12 implemented.

13 **Sec. 906.** 2012 c 86 s 207 (uncodified) is amended to read as
14 follows:

15 **FOR THE WASHINGTON STATE PATROL**

16	Multimodal Transportation Account--State Appropriation	\$132,000
17	(Ignition Interlock Device Revolving Account	
18	State Appropriation	\$212,000)
19	State Patrol Highway Account--State	
20	Appropriation	((\$350,605,000))
21		<u>\$348,755,000</u>
22	State Patrol Highway Account--Federal	
23	Appropriation	\$10,903,000
24	State Patrol Highway Account--Private/Local	
25	Appropriation	((\$3,494,000))
26		<u>\$3,674,000</u>
27	Highway Safety Account--State Appropriation	((\$432,000))
28		<u>\$5,984,000</u>
29	TOTAL APPROPRIATION	((\$365,778,000))
30		<u>\$369,448,000</u>

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

33 (1) Washington state patrol officers engaged in off-duty uniformed
34 employment providing traffic control services to the department of
35 transportation or other state agencies may use state patrol vehicles
36 for the purpose of that employment, subject to guidelines adopted by
37 the chief of the Washington state patrol. The Washington state patrol

1 must be reimbursed for the use of the vehicle at the prevailing state
2 employee rate for mileage and hours of usage, subject to guidelines
3 developed by the chief of the Washington state patrol. Cessna pilots
4 funded from the state patrol highway account who are certified to fly
5 the King Airs may pilot those aircraft for general fund purposes with
6 the general fund reimbursing the state patrol highway account an hourly
7 rate to cover the costs incurred during the flights since the aviation
8 section is no longer part of the Washington state patrol cost
9 allocation system as of July 1, 2009.

10 (2) The Washington state patrol shall continue to collaborate with
11 the Washington traffic safety commission on the target zero trooper
12 pilot program referenced in section ((201)) 901(1) of this act.

13 (3) \$370,000 of the state patrol highway account--state
14 appropriation is provided solely for costs associated with the pilot
15 program described under section 216(5) ((of this act)), chapter 86,
16 Laws of 2012. The Washington state patrol may incur costs related only
17 to the assignment of cadets and necessary computer equipment and to the
18 reimbursement of the Washington state department of transportation for
19 contract costs. The appropriation in this subsection must be funded
20 from the portion of the automated traffic safety camera fines deposited
21 into the state patrol highway account; however, if the fines deposited
22 into the state patrol highway account from automated traffic safety
23 camera infractions do not reach three hundred seventy thousand dollars,
24 the department of transportation shall remit funds necessary to the
25 Washington state patrol to ensure the completion of the pilot program.
26 The Washington state patrol may not incur overtime as a result of this
27 pilot program. The Washington state patrol shall not assign troopers
28 to operate or deploy the pilot program equipment used in the roadway
29 construction zones.

30 (4) ((~~\$12,160,000~~)) \$12,244,000 of the total appropriation is
31 provided solely for automobile fuel in the 2011-2013 fiscal biennium.
32 The Washington state patrol shall analyze their fuel consumption and
33 submit a report to the legislative transportation committees by
34 December 31, 2011, on fuel conservation methods that could be used to
35 minimize costs and ensure that the Washington state patrol is managing
36 fuel consumption effectively.

37 (5) ((~~\$7,672,000~~)) \$8,312,000 of the total appropriation is
38 provided solely for the purchase of pursuit vehicles.

1 (6) (~~(\$6,686,000)~~) \$6,806,000 of the total appropriation is
2 provided solely for vehicle repair and maintenance costs of vehicles
3 used for highway purposes.

4 (7) (~~(\$1,724,000)~~) \$1,856,000 of the total appropriation is
5 provided solely for the purchase of mission vehicles used for highway
6 purposes in the commercial vehicle and traffic investigation sections
7 of the Washington state patrol.

8 (8) \$1,200,000 of the total appropriation is provided solely for
9 outfitting officers. The Washington state patrol shall prepare a cost-
10 benefit analysis of the standard trooper uniform as compared to a
11 battle dress uniform and uniforms used by other states and
12 jurisdictions. The Washington state patrol shall report the results of
13 the analysis to the transportation committees of the legislature by
14 December 1, 2011.

15 (9) The Washington state patrol shall not account for or record
16 locally provided DUI cost reimbursement payments as expenditure credits
17 to the state patrol highway account. The patrol shall report the
18 amount of expected locally provided DUI cost reimbursements to the
19 office of financial management and transportation committees of the
20 legislature by September 30th of each year.

21 (10) During the 2011-2013 fiscal biennium, the Washington state
22 patrol shall continue to perform traffic accident investigations on
23 Thurston county roads, and shall work with Thurston county to
24 transition the traffic accident investigations on Thurston county roads
25 to Thurston county by July 1, 2013.

26 (11) \$2,187,000 of the state patrol highway account--state
27 appropriation is provided solely for mobile office platforms.

28 (12) \$2,731,000 of the state patrol highway account--state
29 appropriation is provided solely for the continuation of the target
30 zero trooper program.

31 (13) \$432,000 of the highway safety account--state appropriation is
32 provided solely for the implementation of chapter . . . (Second
33 Substitute House Bill No. 2443), Laws of 2012 (DUI accountability). If
34 chapter . . . (Second Substitute House Bill No. 2443), Laws of 2012 is
35 not enacted by June 30, 2012, the amount provided in this subsection
36 lapses. Additionally, the total highway safety account--state
37 appropriation in this section assumes the revenue generated by the fees
38 that the Washington state patrol is authorized to charge manufacturers,

1 technicians, and other providers under Second Substitute House Bill No.
2 2443. Within the amounts provided in this subsection is funding for
3 three additional troopers to provide oversight of the ignition
4 interlock industry.

5 (14) \$212,000 of the ignition interlock device revolving account--
6 state appropriation is provided solely for two additional troopers to
7 provide oversight of the ignition interlock industry. If chapter . . .
8 (Second Substitute House Bill No. 2443), Laws of 2012 is enacted by
9 June 30, 2012, the amount provided in this subsection lapses.

10 (15) \$132,000 of the multimodal transportation account--state
11 appropriation is provided solely for the implementation of chapter
12 . . . (Engrossed Substitute House Bill No. 1820), Laws of 2012 (blue
13 alert system). If chapter . . . (Engrossed Substitute House Bill No.
14 1820), Laws of 2012 is not enacted by June 30, 2012, the amount
15 provided in this subsection lapses.

16 (16) \$1,642,000 of the state patrol highway account--state
17 appropriation is provided solely for the auto theft investigation units
18 in King county, the city of Spokane, and the city of Tacoma.

19 (17) \$4,552,000 of the highway safety account--state appropriation
20 is provided solely to train an additional trooper cadet class in the
21 current fiscal biennium.

22 **Sec. 907.** 2012 c 86 s 208 (uncodified) is amended to read as
23 follows:

24 **FOR THE DEPARTMENT OF LICENSING**

25	Marine Fuel Tax Refund Account--State Appropriation	\$32,000
26	Motorcycle Safety Education Account--State	
27	Appropriation	((\$4,367,000))
28		<u>\$4,364,000</u>
29	Wildlife Account--State Appropriation	((\$826,000))
30		<u>\$824,000</u>
31	Highway Safety Account--State Appropriation	((\$148,666,000))
32		<u>\$146,578,000</u>
33	Highway Safety Account--Federal Appropriation	\$4,299,000
34	Highway Safety Account--Private/Local Appropriation	\$200,000
35	Motor Vehicle Account--State Appropriation	((\$76,511,000))
36		<u>\$74,457,000</u>
37	Motor Vehicle Account--Private/Local Appropriation	\$1,714,000

1	Motor Vehicle Account--Federal Appropriation	\$380,000
2	Department of Licensing Services Account--State	
3	Appropriation	\$6,095,000
4	Ignition Interlock Device Revolving Account--State	
5	Appropriation	\$1,971,000
6	TOTAL APPROPRIATION	(\$245,061,000)
7		<u>\$240,914,000</u>

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

10 (1) \$231,000 of the motor vehicle account--state appropriation is
11 provided solely for the implementation of chapter ... (Substitute
12 Senate Bill No. 5800), Laws of 2011 (off-road motorcycles). If chapter
13 ... (Substitute Senate Bill No. 5800), Laws of 2011 is not enacted by
14 June 30, 2011, the amount provided in this subsection lapses.

15 (2) \$193,000 of the department of licensing services account--state
16 appropriation is provided solely for a phased implementation of chapter
17 ... (Substitute House Bill No. 1046), Laws of 2011 (vehicle and vessel
18 quick titles). Funding is contingent upon revenues associated with the
19 vehicle and vessel quick title program paying all direct and indirect
20 expenditures associated with the department's implementation of this
21 subsection. If chapter ... (Substitute House Bill No. 1046), Laws of
22 2011 is not enacted by June 30, 2011, the amount provided in this
23 subsection lapses.

24 (3) \$4,299,000 of the highway safety account--federal appropriation
25 is for federal funds that may be received during the 2011-2013 fiscal
26 biennium. Upon receipt of the funds, the department shall provide a
27 report on the use of the funds to the transportation committees of the
28 legislature and the office of financial management.

29 (4) By December 31, 2011, the department shall submit to the office
30 of financial management and the transportation committees of the
31 legislature draft legislation that rewrites the tow truck statutes
32 (chapter 46.55 RCW) in plain language and is revenue and policy
33 neutral.

34 (5) \$128,000 of the highway safety account--state appropriation is
35 provided solely for the implementation of chapter ... (Engrossed
36 Substitute House Bill No. 1635), Laws of 2011 (driver's license exams).
37 If chapter ... (Engrossed Substitute House Bill No. 1635), Laws of 2011

1 is not enacted by June 30, 2011, the amount provided in this subsection
2 lapses.

3 (6) \$68,000 of the highway safety account--state appropriation is
4 provided solely for the implementation of chapter ... (Engrossed Second
5 Substitute House Bill No. 1789), Laws of 2011 (addressing DUI
6 accountability). If chapter ... (Engrossed Second Substitute House
7 Bill No. 1789), Laws of 2011 is not enacted by June 30, 2011, the
8 amount provided in this subsection lapses.

9 (7) \$63,000 of the highway safety account--state appropriation is
10 provided solely for the implementation of chapter ... (Substitute House
11 Bill No. 1237), Laws of 2011 (selective service system). If chapter
12 ... (Substitute House Bill No. 1237), Laws of 2011 is not enacted by
13 June 30, 2011, the amount provided in this subsection lapses.

14 (8) \$340,000 of the motor vehicle account--private/local
15 appropriation is provided solely for the implementation of chapter ...
16 (Engrossed Substitute Senate Bill No. 5457), Laws of 2011 (congestion
17 reduction charge). If chapter ... (Engrossed Substitute Senate Bill
18 No. 5457), Laws of 2011 is not enacted by June 30, 2011, the amount
19 provided in this subsection lapses.

20 (9) \$1,738,000 of the department of licensing services account--
21 state appropriation is provided solely for purchasing equipment for
22 field licensing service offices and subagent offices.

23 (10) (~~(\$2,500,000)~~) \$1,500,000 of the highway safety account--state
24 appropriation is provided solely for information technology field
25 system modernization.

26 (11) \$963,000 of the highway safety account--state appropriation is
27 provided solely for implementation of chapter 374, Laws of 2011
28 (limousine carriers) and chapter 298, Laws of 2011 (master license
29 service program).

30 (12) \$99,000 of the motor vehicle account--state appropriation is
31 provided solely for the implementation of chapter . . . (Substitute
32 House Bill No. 2299), Laws of 2012 (special license plates). If
33 chapter . . . (Substitute House Bill No. 2299), Laws of 2012 is not
34 enacted by June 30, 2012, the amount provided in this subsection
35 lapses.

36 (13) \$174,000 of the highway safety account--state appropriation is
37 provided solely for the implementation of chapter . . . (Substitute
38 Senate Bill No. 6075), Laws of 2012 (vehicle owner information). If

1 chapter . . . (Substitute Senate Bill No. 6075), Laws of 2012 is not
2 enacted by June 30, 2012, the amount provided in this subsection
3 lapses. Additionally, the total appropriation in this section assumes
4 the revenue generated by the fee established in Substitute Senate Bill
5 No. 6075. Within the amounts provided in this subsection, the
6 department must improve on the information that the department makes
7 publicly available to victims of domestic violence and sexual assault
8 on how to better protect their personal information, especially their
9 residential addresses. Specifically, the department must provide a
10 link to the secretary of state's address confidentiality program web
11 site. The department also must provide information regarding a
12 person's ability to provide a mailing address in addition to the
13 person's residential address when registering a vehicle with the
14 department.

15 (14) \$289,000 of the highway safety account--state appropriation is
16 provided solely for the implementation of chapter . . . (Engrossed
17 Substitute Senate Bill No. 6150), Laws of 2012 (facial recognition
18 matching system). If chapter . . . (Engrossed Substitute Senate Bill
19 No. 6150), Laws of 2012 is not enacted by June 30, 2012, the amount
20 provided in this subsection lapses.

21 (15) \$397,000 of the highway safety account--state appropriation is
22 provided solely for the implementation of chapter . . . (Engrossed
23 Substitute Senate Bill No. 6284), Laws of 2012 (civil traffic
24 infractions). If chapter . . . (Engrossed Substitute Senate Bill No.
25 6284), Laws of 2012 is not enacted by June 30, 2012, the amount
26 provided in this subsection lapses. Additionally, the total highway
27 safety account--state appropriation in this section assumes the revenue
28 generated by the policy changes in chapter . . . (Engrossed Substitute
29 Senate Bill No. 6284), Laws of 2012.

30 (16) \$222,000 of the motor vehicle account--state appropriation and
31 \$36,000 of the highway safety account--state appropriation are provided
32 solely for the implementation of chapter . . . (Engrossed Substitute
33 Senate Bill No. 6455), Laws of 2012 (transportation revenue). If
34 chapter . . . (Engrossed Substitute Senate Bill No. 6455), Laws of 2012
35 is not enacted by June 30, 2012, the amount provided in this subsection
36 lapses.

37 (17) \$274,000 of the motor vehicle account--state appropriation is
38 provided solely for the implementation of chapter . . . (Engrossed

1 Substitute Senate Bill No. 6582), Laws of 2012 (local transportation
2 revenue options). If chapter . . . (Engrossed Substitute Senate Bill
3 No. 6582), Laws of 2012 is not enacted by June 30, 2012, the amount
4 provided in this subsection lapses.

5 (18) Within the amounts provided in this section, the department
6 must develop a transition plan for moving to a paperless renewal notice
7 for drivers' licenses and vehicle registrations. The plan must
8 consider people that do not have access to the internet and must
9 include an opportunity for people to opt-in to a paper renewal notice.
10 Prior to the implementation of a paperless renewal system, the
11 department must consult with the joint transportation committee.

12 (19) Within existing resources, the department shall develop a plan
13 to transition to a ten-year license plate replacement cycle. At a
14 minimum, the plan must include the following provisions: (a) A ten-
15 year replacement cycle for license plates only on vehicles that are
16 subject to annual vehicle registration renewal; (b) a requirement that
17 new license plates and registration, including all fees and taxes due
18 upon annual registration, are required when a vehicle changes
19 ownership, except when a vehicle is sold to a vehicle dealer for
20 resale, in which case they are due only when the dealer sells the
21 vehicle; (c) an original issue license plate fee that is equal to the
22 current license plate replacement fee; and (d) an estimate of the
23 plan's costs to implement and revenues generated. The department shall
24 submit the plan with draft legislation implementing the plan to the
25 transportation committees of the legislature by December 31, 2012.

26 (20) Consistent with RCW 43.135.055 and 43.24.086, during the
27 2011-2013 fiscal biennium, the legislature authorizes the department to
28 adjust the business and vehicle fees for the for hire licensing program
29 in amounts sufficient to recover the costs of administering the for
30 hire licensing program.

31 (21) The legislature intends to establish a veteran designation for
32 drivers' licenses and identicards issued under chapter 46.20 RCW, as
33 proposed under House Bill No. 2378, during the 2013 legislative
34 session. The designation would serve to establish a person's service
35 in the armed forces and be granted to a person who provides a United
36 States department of defense discharge document, DD Form 214, that
37 shows a discharge status of "honorable" or "general under honorable
38 conditions." The department shall report to the transportation

1 committees of the legislature by December 1, 2012, with a plan to
2 implement the designation. The plan must include the most cost-
3 effective options for implementation, a proposed fee amount to cover
4 the costs of the designation, and any other recommendations on the
5 implementation of the designation.

6 (22) \$59,000 of the motor vehicle account--state appropriation is
7 provided solely for the implementation of chapter . . . (Substitute
8 House Bill No. 2312), Laws of 2012 (military service award emblems).
9 If chapter . . . (Substitute House Bill No. 2312), Laws of 2012 is not
10 enacted by June 30, 2012, the amount provided in this subsection
11 lapses.

12 (23) \$656,000 of the ignition interlock device revolving account--
13 state appropriation is provided solely for the implementation of
14 chapter . . . (Second Substitute House Bill No. 2443), Laws of 2012
15 (DUI accountability). If chapter . . . (Second Substitute House Bill
16 No. 2443), Laws of 2012 is not enacted by June 30, 2012, the amount
17 provided in this subsection lapses.

18 (24) \$134,000 of the highway safety account--state appropriation
19 and \$134,000 of the motor vehicle account--state appropriation are
20 provided solely for the implementation of chapter . . . (Engrossed
21 Second Substitute House Bill No. 2373), Laws of 2012 (state
22 recreational resources). If chapter . . . (Engrossed Second Substitute
23 House Bill No. 2373), Laws of 2012 is not enacted by June 30, 2012, the
24 amount provided in this subsection lapses.

25 **Sec. 908.** 2012 c 86 s 209 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND**
28 **MAINTENANCE--PROGRAM B**

29 High Occupancy Toll Lanes Operations Account--State
30 Appropriation ((~~\$1,276,000~~))
31 \$1,569,000
32 Motor Vehicle Account--State Appropriation ((~~\$538,000~~))
33 \$537,000
34 Tacoma Narrows Toll Bridge Account--State
35 Appropriation ((~~\$23,365,000~~))
36 \$23,361,000
37 State Route Number 520 Corridor Account--State

1	Appropriation	((\$27,295,000))
2		<u>\$27,120,000</u>
3	State Route Number 520 Civil Penalties	
4	Account--State Appropriation	\$3,622,000
5	TOTAL APPROPRIATION	((\$56,096,000))
6		<u>\$56,209,000</u>

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

9 (1) The department shall make detailed quarterly expenditure
10 reports available to the transportation commission and to the public on
11 the department's web site using current department resources. The
12 reports must include a summary of toll revenue by facility on all
13 operating toll facilities and high occupancy toll lane systems, and an
14 itemized depiction of the use of that revenue.

15 (2) \$3,622,000 of the state route number 520 civil penalties
16 account--state appropriation and \$1,458,000 of the Tacoma Narrows toll
17 bridge account--state appropriation are provided solely for
18 expenditures related to the toll adjudication process. All costs
19 associated with the toll adjudication process are anticipated to be
20 covered by revenue collected from the toll adjudication process. The
21 department shall report quarterly on the civil penalty process to the
22 office of financial management and the house of representatives and
23 senate transportation committees beginning September 30, 2011. The
24 reports must include a summary table for each toll facility that
25 includes: The number of notices of civil penalty issued; the number of
26 recipients who pay before the notice becomes a penalty; the number of
27 recipients who request a hearing and the number who do not respond;
28 workload costs related to hearings; the cost and effectiveness of debt
29 collection activities; and revenues generated from notices of civil
30 penalty.

31 (3) It is the intent of the legislature that transitioning to a
32 statewide tolling operations center and preparing for all-electronic
33 tolling on certain toll facilities will have no adverse revenue or
34 expenditure impact on the Tacoma Narrows toll bridge account. Any
35 increased costs related to this transition shall not be allocated to
36 the Tacoma Narrows toll bridge account. All costs associated with the
37 toll adjudication process are anticipated to be covered by revenue
38 collected from the toll adjudication process.

1 (4) The department shall ensure that, at no cost to the Tacoma
2 Narrows toll bridge account, new electronic tolling tag readers are
3 installed on the Tacoma Narrows bridge as soon as practicable that are
4 able to read existing and new electronic tolling tags.

5 (5) (~~(\$17,786,000)~~) \$15,238,000 of the state route number 520
6 corridor account-- state appropriation is provided solely for nonvendor
7 costs associated with tolling the state route number 520 bridge. Funds
8 from the state route number 520 corridor account--state appropriation
9 shall not be used to pay for items prohibited by Executive Order No.
10 1057, including subscriptions to technical publications, employee
11 educational expenses, professional membership dues and fees, employee
12 recognition and safety awards, meeting meals and light refreshments,
13 commute trip reduction incentives, and employee travel.

14 **Sec. 909.** 2012 c 86 s 210 (uncodified) is amended to read as
15 follows:

16 **FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM**
17 **C**

18 Motor Vehicle Account--State Appropriation	((\$67,398,000))
	<u>\$65,667,000</u>
20 Transportation Partnership Account--State	
21 Appropriation	\$1,460,000
22 Multimodal Transportation Account--State	
23 Appropriation	\$363,000
24 Transportation 2003 Account (Nickel Account)--State	
25 Appropriation	\$1,460,000
26 TOTAL APPROPRIATION	((\$70,681,000))
	<u>\$68,950,000</u>

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

30 (1) The department shall consult with the office of financial
31 management and the department of enterprise services to: (a) Ensure
32 that the department's current and future system development is
33 consistent with the overall direction of other key state systems; and
34 (b) when possible, use or develop common statewide information systems
35 to encourage coordination and integration of information used by the
36 department and other state agencies and to avoid duplication.

1 (2) \$1,460,000 of the transportation partnership account--state
2 appropriation and \$1,460,000 of the transportation 2003 account (nickel
3 account)--state appropriation are provided solely for maintaining the
4 department's project management reporting system.

5 (3) \$210,000 of the motor vehicle account--state appropriation is
6 provided solely for the department's compliance with its national
7 pollution discharge elimination system permit.

8 (4) \$502,000 of the motor vehicle account--state appropriation is
9 provided solely to provide support for the transportation executive
10 information system.

11 **Sec. 910.** 2012 c 86 s 211 (uncodified) is amended to read as
12 follows:

13 **FOR THE DEPARTMENT OF TRANSPORTATION--FACILITY MAINTENANCE, OPERATIONS**
14 **AND CONSTRUCTION--PROGRAM D--OPERATING**

15 Motor Vehicle Account--State Appropriation (~~(\$25,466,000)~~)
16 \$25,440,000

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

19 (1) The department shall submit a predesign proposal for a new
20 traffic management center to the office of financial management
21 consistent with the process followed by nontransportation capital
22 construction projects. The department shall not award a contract for
23 construction of a new traffic management center until the predesign
24 proposal has been submitted and the office of financial management has
25 completed a budget evaluation study that indicates a new building is
26 the recommended option for accommodating additional traffic management
27 operations.

28 (2) \$850,000 of the motor vehicle account--state appropriation is
29 provided solely for the department's compliance with its national
30 pollution discharge elimination system permit.

31 **Sec. 911.** 2012 c 86 s 212 (uncodified) is amended to read as
32 follows:

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

34 Aeronautics Account--State Appropriation (~~(\$6,002,000)~~)
35 \$5,999,000
36 Aeronautics Account--Federal Appropriation \$2,150,000

1 TOTAL APPROPRIATION ((~~\$8,152,000~~))
2 \$8,149,000

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

5 ((~~1~~)) \$200,000 of the aeronautics account--state appropriation is
6 a reappropriation provided solely to complete runway preservation
7 projects.

8 **Sec. 912.** 2012 c 86 s 213 (uncodified) is amended to read as
9 follows:

10 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM DELIVERY MANAGEMENT AND**
11 **SUPPORT--PROGRAM H**

12 Motor Vehicle Account--State Appropriation ((~~\$45,796,000~~))
13 \$45,725,000
14 Motor Vehicle Account--Federal Appropriation \$500,000
15 Multimodal Transportation Account--State
16 Appropriation \$250,000
17 TOTAL APPROPRIATION ((~~\$46,546,000~~))
18 \$46,475,000

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

21 (1) \$3,754,000 of the motor vehicle account--state appropriation is
22 provided solely for the department's compliance with its national
23 pollution discharge elimination system permit.

24 (2) It is the intent of the legislature that the real estate
25 services division of the department will recover the cost of its
26 efforts from future sale proceeds.

27 (3) The legislature recognizes that the Dryden pit site (WSDOT
28 Inventory Control (IC) No. 2-04-00103) is unused state-owned real
29 property under the jurisdiction of the department of transportation,
30 and that the public would benefit significantly from the complete
31 enjoyment of the natural scenic beauty and recreational opportunities
32 available at the site. Therefore, pursuant to RCW 47.12.080, the
33 legislature declares that transferring the property to the department
34 of fish and wildlife for recreational use and fish and wildlife
35 restoration efforts is consistent with the public interest in order to
36 preserve the area for the use of the public and the betterment of the
37 natural environment. The department of transportation shall work with

1 the department of fish and wildlife, and shall transfer and convey the
2 Dryden pit site to the department of fish and wildlife as is for an
3 adjusted fair market value reflecting site conditions, the proceeds of
4 which must be deposited in the motor vehicle fund. The department of
5 transportation is not responsible for any costs associated with the
6 cleanup or transfer of this property. By July 1, 2011, and annually
7 thereafter until the entire Dryden pit property has been transferred,
8 the department shall submit a status report regarding the transaction
9 to the chairs of the legislative transportation committees.

10 (4) The legislature recognizes that the trail known as the Apple
11 Capital Loop, and its extensions, serve to separate motor vehicle
12 traffic from pedestrians and bicyclists, increasing motor vehicle
13 safety on existing state route number 28. Consistent with chapter
14 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that
15 transferring portions of WSDOT Inventory Control (IC) Nos. 2-09-04537
16 and 2-09-04569 to Douglas county and the city of East Wenatchee is
17 consistent with the public interest. The legislature directs the
18 department to transfer the property to Douglas county and the city of
19 East Wenatchee. The department must be paid fair market value for any
20 portions of the transferred real property that is later abandoned,
21 vacated, or ceases to be publicly maintained for trail purposes.
22 Douglas county and the city of East Wenatchee must agree to accept
23 responsibility for trail segments within their respective jurisdictions
24 and sign an agreement with the state that the transfer of these parcels
25 to their respective jurisdictions extinguishes any state obligations to
26 improve, maintain, or be in any way responsible for these assets. The
27 department shall report to the transportation committees of the
28 legislature by June 30, 2013, and annually thereafter, on the status of
29 the transfer until complete.

30 **Sec. 913.** 2012 c 86 s 214 (uncodified) is amended to read as
31 follows:

32 **FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM**
33 **K**

34 Motor Vehicle Account--State Appropriation	((\$827,000))
	<u>\$826,000</u>
36 Multimodal Transportation Account--State Appropriation	\$110,000
37 TOTAL APPROPRIATION	((\$937,000))

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

(1)(a) \$225,000 of the motor vehicle account--state appropriation is provided solely to carry out work related to assessing the operational feasibility of a road user assessment, including technology, agency administration, multistate and federal standards, and other necessary elements. This work must be carried out under the guidance of the steering committee and in coordination with the transportation commission's policy assessment and public outreach planning authorized in section 205(4) (~~of this act~~) chapter 86, Laws of 2012.

(b) If subsequent appropriations are provided, the department may conduct a limited scope pilot project to test the feasibility of a road user assessment system to be applied to electric vehicles. The pilot project must be carried out under the guidance of the steering committee described under section 205(4) (~~of this act~~) chapter 86, Laws of 2012 and in coordination with the transportation commission.

(2) The department shall conduct a study on the potential to generate revenue from off-premise outdoor advertising signs that are erected or maintained adjacent and visible to the interstate system highways, primary system highways, or scenic system highways. The study must provide an evaluation of the market for outdoor advertising signs, including an evaluation of the number of potential advertisers and the amount charged by other jurisdictions for sign permits, and must provide a recommendation for a revised fee structure that recognizes the market value for off-premise signs and considers charging differential fees based on the size, type, and location of the sign.

(3) The public-private partnerships office must explore retail partnerships at state-owned park-and-ride facilities, as authorized in RCW 47.04.295, and if feasible, solicit proposals to implement a retail partnership pilot project at one park-and-ride facility by June 30, 2013.

Sec. 914. 2012 c 86 s 215 (uncodified) is amended to read as follows:

1	FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE--PROGRAM M	
2	Motor Vehicle Account--State Appropriation	((<u>\$373,709,000</u>))
3		<u>\$375,409,000</u>
4	Motor Vehicle Account--Federal Appropriation	\$7,000,000
5	<u>Highway Safety Account--State Appropriation</u>	<u>\$3,500,000</u>
6	TOTAL APPROPRIATION	((<u>\$380,709,000</u>))
7		<u>\$385,909,000</u>

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

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

15 (2) \$7,000,000 of the motor vehicle account--state appropriation is
16 provided solely for third-party damages to the highway system where the
17 responsible party is known and reimbursement is anticipated. The
18 department shall request additional appropriation authority for any
19 funds received for reimbursements of third-party damages that are in
20 excess of this appropriation.

21 (3) \$7,000,000 of the motor vehicle account--federal appropriation
22 is for unanticipated federal funds that may be received during the
23 2011-2013 fiscal biennium. Upon receipt of the funds, the department
24 shall provide a report on the use of the funds to the transportation
25 committees of the legislature and the office of financial management.

26 (4) The department may work with the department of corrections to
27 utilize corrections crews for the purposes of litter pickup on state
28 highways.

29 (5) \$4,530,000 of the motor vehicle account--state appropriation is
30 provided solely for the department's compliance with its national
31 pollution discharge elimination system permit.

32 (6) The department shall continue to report maintenance
33 accountability process (MAP) targets and achievements on an annual
34 basis. The department shall use available funding to target and
35 deliver a minimum MAP grade of C for the activity of roadway striping.

36 (7) \$6,884,000 of the motor vehicle account--state appropriation is
37 provided solely for the high priority maintenance backlog. Addressing
38 the maintenance backlog must result in increased levels of service. If

1 chapter . . . (Engrossed Substitute Senate Bill No. 5251), Laws of 2011
2 (electric vehicle fee) is not enacted by June 30, 2011, \$500,000 of the
3 appropriation provided in this subsection lapses.

4 (8) The department shall track the costs associated with active
5 traffic management systems on a corridor basis and report to the
6 transportation committees of the legislature on the costs and benefits
7 of the systems by December 1, 2012.

8 (9) \$3,500,000 of the highway safety account--state appropriation
9 is provided solely to further reduce the highway maintenance backlog in
10 order to maintain or increase levels of service.

11 **Sec. 915.** 2012 c 86 s 216 (uncodified) is amended to read as
12 follows:

13 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
14 **OPERATING**

15	Motor Vehicle Account--State Appropriation	((\$48,818,000))
16		<u>\$48,741,000</u>
17	Motor Vehicle Account--Federal Appropriation	\$2,050,000
18	Motor Vehicle Account--Private/Local Appropriation	\$250,000
19	TOTAL APPROPRIATION	((\$51,118,000))
20		<u>\$51,041,000</u>

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

23 (1) \$6,000,000 of the motor vehicle account--state appropriation is
24 provided solely for low-cost enhancements. Of this amount, \$10,000 of
25 the motor vehicle account--state appropriation is provided solely for
26 the department to install additional farm machinery signs to promote
27 safety in agricultural areas along state highways. The department
28 shall give priority to low-cost enhancement projects that improve
29 safety or provide congestion relief. The department shall prioritize
30 low-cost enhancement projects on a statewide rather than regional
31 basis. By September 1st of each even-numbered year, the department
32 shall provide a report to the legislature listing all low-cost
33 enhancement projects prioritized on a statewide rather than regional
34 basis completed in the prior year.

35 (2) \$145,000 of the motor vehicle account--state appropriation is
36 provided solely for the department to continue a pilot tow truck
37 incentive program and to expand the program to other areas of the

1 state. The department may provide incentive payments to towing
2 companies that meet clearance goals on accidents that involve heavy
3 trucks.

4 (3) During the 2011-2013 fiscal biennium, the department shall
5 implement a pilot program that expands private transportation
6 providers' access to high occupancy vehicle lanes. Under the pilot
7 program, when the department reserves a portion of a highway based on
8 the number of passengers in a vehicle, the following vehicles must be
9 authorized to use the reserved portion of the highway if the vehicle
10 has the capacity to carry eight or more passengers, regardless of the
11 number of passengers in the vehicle: (a) Auto transportation company
12 vehicles regulated under chapter 81.68 RCW; (b) passenger charter
13 carrier vehicles regulated under chapter 81.70 RCW, except marked or
14 unmarked stretch limousines and stretch sport utility vehicles as
15 defined under department of licensing rules; (c) private nonprofit
16 transportation provider vehicles regulated under chapter 81.66 RCW; and
17 (d) private employer transportation service vehicles. For purposes of
18 this subsection, "private employer transportation service" means
19 regularly scheduled, fixed-route transportation service that is offered
20 by an employer for the benefit of its employees. By June 30, 2013, the
21 department shall report to the transportation committees of the
22 legislature on whether private transportation provider use of high
23 occupancy vehicle lanes under the pilot program reduces the speeds of
24 high occupancy vehicle lanes. Nothing in this subsection is intended
25 to authorize the conversion of public infrastructure to private, for-
26 profit purposes or to otherwise create an entitlement or other claim by
27 private users to public infrastructure. If chapter ... (Substitute
28 Senate Bill No. 5836), Laws of 2011 is enacted by June 30, 2011, this
29 subsection is null and void.

30 (4) \$9,000,000 of the motor vehicle account--state appropriation is
31 provided solely for the department's incident response program.

32 (5) The department, in consultation with the Washington state
33 patrol, must continue a pilot program for the patrol to issue
34 infractions based on information from automated traffic safety cameras
35 in roadway construction zones on state highways. The department must
36 report to the joint transportation committee by January 1, 2012, and
37 January 1, 2013, on the status of this pilot program. For the purpose
38 of this pilot program, during the 2011-2013 fiscal biennium, a roadway

1 construction zone includes areas where public employees or private
2 contractors may be present or where a driving condition exists that
3 would make it unsafe to drive at higher speeds, such as, when the
4 department is redirecting or realigning lanes on any public roadway
5 pursuant to ongoing construction. The department shall use the
6 following guidelines to administer the program:

7 (a) Automated traffic safety cameras may only take pictures of the
8 vehicle and vehicle license plate and only while an infraction is
9 occurring. The picture must not reveal the face of the driver or of
10 passengers in the vehicle;

11 (b) The department shall plainly mark the locations where the
12 automated traffic safety cameras are used by placing signs on locations
13 that clearly indicate to a driver that he or she is entering a roadway
14 construction zone where traffic laws are enforced by an automated
15 traffic safety camera;

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

18 (d) The owner of the vehicle is not responsible for the violation
19 if the owner of the vehicle, within fourteen days of receiving
20 notification of the violation, mails to the patrol, a declaration under
21 penalty of perjury, stating that the vehicle involved was, at the time,
22 stolen or in the care, custody, or control of some person other than
23 the registered owner, or any other extenuating circumstances;

24 (e) For purposes of the 2011-2013 fiscal biennium pilot program,
25 infractions detected through the use of automated traffic safety
26 cameras are not part of the registered owner's driving record under RCW
27 46.52.101 and 46.52.120. Additionally, infractions generated by the
28 use of automated traffic safety cameras must be processed in the same
29 manner as parking infractions for the purposes of RCW 3.50.100,
30 35.20.220, 46.16A.120, and 46.20.270(3). However, the amount of the
31 fine issued under this subsection (5) for an infraction generated
32 through the use of an automated traffic safety camera is one hundred
33 thirty-seven dollars. The court shall remit thirty-two dollars of the
34 fine to the state treasurer for deposit into the state patrol highway
35 account; and

36 (f) If a notice of infraction is sent to the registered owner and
37 the registered owner is a rental car business, the infraction must be
38 dismissed against the business if it mails to the patrol, within

1 fourteen days of receiving the notice, a declaration under penalty of
2 perjury of the name and known mailing address of the individual driving
3 or renting the vehicle when the infraction occurred. If the business
4 is unable to determine who was driving or renting the vehicle at the
5 time the infraction occurred, the business must sign a declaration
6 under penalty of perjury to this effect. The declaration must be
7 mailed to the patrol within fourteen days of receiving the notice of
8 traffic infraction. Timely mailing of this declaration to the issuing
9 agency relieves a rental car business of any liability under this
10 section for the notice of infraction. A declaration form suitable for
11 this purpose must be included with each automated traffic infraction
12 notice issued, along with instructions for its completion and use.

13 (6) The department shall track the costs associated with active
14 traffic management systems on a corridor basis and report to the
15 transportation committees of the legislature on the cost and benefits
16 of the systems by December 1, 2011.

17 **Sec. 916.** 2012 c 86 s 217 (uncodified) is amended to read as
18 follows:

19 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND**
20 **SUPPORT--PROGRAM S**

21	Motor Vehicle Account--State Appropriation	((\$27,389,000))
22		<u>\$27,335,000</u>
23	Motor Vehicle Account--Federal Appropriation	\$30,000
24	Multimodal Transportation Account--State	
25	Appropriation	\$973,000
26	TOTAL APPROPRIATION	((\$28,392,000))
27		<u>\$28,338,000</u>

28 The appropriations in this section are subject to the following
29 conditions and limitations: The department shall utilize existing
30 resources and customer service staff to develop and implement new
31 policies and procedures to ensure compliance with new federal passenger
32 vessel Americans with disabilities act requirements.

33 **Sec. 917.** 2012 c 86 s 218 (uncodified) is amended to read as
34 follows:

35 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**

1 roads; ferries; public transportation; systems for freight; and walking
2 and biking systems. The department shall support this planning by
3 providing information on potential state transportation uses and an
4 analysis of potential sources of revenue to implement investments. In
5 carrying out this planning, regional transportation planning
6 organizations must be broadly inclusive of business, civic, labor,
7 governmental, and environmental interests in regional communities
8 across the state.

9 (5) \$190,000 of the motor vehicle account--state appropriation is
10 provided solely for the regional transportation planning organizations
11 across the state to implement the comprehensive transportation planning
12 and data framework. The framework must provide regional transportation
13 planning organizations with the ability to identify the spatial and
14 temporal status of current and future high priority projects, and the
15 next stage investment necessary to implement those projects. The
16 framework must be accessible to the public and provide transparency and
17 accountability to the regional transportation planning process.

18 (6) Within existing resources, the department shall work with the
19 department of archaeology and historic preservation to develop a
20 statewide policy regarding the curation of artifacts and the use of
21 museums and information centers as potential mitigation under the
22 national environmental policy act. This policy must address the
23 following issues: How to minimize costs associated with information
24 centers and museums; when to use existing facilities to preserve and
25 display artifacts; how to minimize the time that stand-alone facilities
26 are needed; and how to transfer artifacts and other items to facilities
27 that are not owned or rented by the department. A report regarding
28 this policy must be submitted to the joint transportation committee by
29 September 1, 2012.

30 **Sec. 918.** 2012 c 86 s 219 (uncodified) is amended to read as
31 follows:

32 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**
33 **PROGRAM U**

34	Motor Vehicle Account--State Appropriation	((\$74,734,000))
35		<u>\$71,530,000</u>
36	Motor Vehicle Account--Federal Appropriation	\$400,000
37	Multimodal Transportation Account--State	

1	Appropriation	\$1,798,000
2	TOTAL APPROPRIATION	(\$76,932,000)
3		<u>\$73,728,000</u>

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

6 (1) The department of enterprise services must provide a detailed
7 accounting of the revenues and expenditures of the self-insurance fund
8 to the transportation committees of the legislature on December 31st
9 and June 30th of each year.

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

12 (a) TO THE SECRETARY OF STATE--ARCHIVES AND
13 RECORDS MANAGEMENT \$512,000

14 (b) TO THE OFFICE OF THE STATE AUDITOR--AUDITOR
15 SERVICES \$488,000

16 (c) TO THE OFFICE OF THE ATTORNEY
17 GENERAL--ATTORNEY GENERAL SERVICES \$7,127,000

18 (d) TO THE OFFICE OF FINANCIAL MANAGEMENT--LABOR
19 RELATIONS SERVICES \$266,000

20 (e) TO THE OFFICE OF FINANCIAL
21 MANAGEMENT--OFFICE OF CHIEF INFORMATION OFFICER \$473,000

22 (f) TO THE OFFICE OF MINORITY AND WOMEN'S
23 BUSINESS ENTERPRISES \$840,000

24 (g) TO CONSOLIDATED TECHNICAL SERVICES \$182,000

25 (h) TO THE DEPARTMENT OF ENTERPRISE
26 SERVICES--HUMAN RESOURCE MANAGEMENT SYSTEM \$3,495,000

27 (i) TO THE DEPARTMENT OF ENTERPRISE
28 SERVICES--PRODUCTION SUPPORT \$974,000

29 (j) TO THE DEPARTMENT OF ENTERPRISE
30 SERVICES--REAL ESTATE SERVICES \$108,000

31 (k) TO THE DEPARTMENT OF ENTERPRISE
32 SERVICES--PUBLICATIONS AND HISTORICAL SERVICES \$691,000

33 (l) TO THE DEPARTMENT OF ENTERPRISE
34 SERVICES--CAMPUS RENT \$3,293,000

35 (m) TO THE DEPARTMENT OF ENTERPRISE
36 SERVICES--CAPITAL PROJECT SURCHARGE \$879,000

37 (n) TO THE DEPARTMENT OF ENTERPRISE
38 SERVICES--PERSONAL SERVICE CONTRACTS \$100,000

1 (o) TO THE DEPARTMENT OF ENTERPRISE
 2 SERVICES--SECURE FILE TRANSFER SERVICES \$39,000
 3 (p) TO THE DEPARTMENT OF ENTERPRISE
 4 SERVICES--ACCESS SERVICES \$179,000
 5 (q) TO THE DEPARTMENT OF ENTERPRISE
 6 SERVICES--RISK MANAGEMENT SERVICES \$1,290,000
 7 (r) TO THE DEPARTMENT OF ENTERPRISE
 8 SERVICES--INFORMATION TECHNOLOGY SERVICES \$1,557,000

9 **Sec. 919.** 2012 c 86 s 220 (uncodified) is amended to read as
 10 follows:

11 **FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM**
 12 **V**

13 Motor Vehicle Account--Federal Appropriation \$160,000
 14 State Vehicle Parking Account--State Appropriation \$452,000
 15 Regional Mobility Grant Program Account--State
 16 Appropriation \$48,942,000
 17 Multimodal Transportation Account--State
 18 Appropriation ((~~\$42,939,000~~))
 19 \$42,930,000
 20 Multimodal Transportation Account--Federal
 21 Appropriation \$2,582,000
 22 Multimodal Transportation Account--Private/Local
 23 Appropriation \$1,027,000
 24 Rural Mobility Grant Program Account--State
 25 Appropriation \$17,000,000
 26 TOTAL APPROPRIATION ((~~\$113,102,000~~))
 27 \$113,093,000

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

30 (1) \$25,000,000 of the multimodal transportation account--state
 31 appropriation is provided solely for a grant program for special needs
 32 transportation provided by transit agencies and nonprofit providers of
 33 transportation.

34 (a) \$5,500,000 of the multimodal transportation account--state
 35 appropriation is provided solely for grants to nonprofit providers of
 36 special needs transportation. Grants for nonprofit providers must be

1 based on need, including the availability of other providers of service
2 in the area, efforts to coordinate trips among providers and riders,
3 and the cost effectiveness of trips provided.

4 (b) \$19,500,000 of the multimodal transportation account--state
5 appropriation is provided solely for grants to transit agencies to
6 transport persons with special transportation needs. To receive a
7 grant, the transit agency must have a maintenance of effort for special
8 needs transportation that is no less than the previous year's
9 maintenance of effort for special needs transportation. Grants for
10 transit agencies must be prorated based on the amount expended for
11 demand response service and route deviated service in calendar year
12 2009 as reported in the "Summary of Public Transportation - 2009"
13 published by the department of transportation. No transit agency may
14 receive more than thirty percent of these distributions.

15 (2) Funds are provided for the rural mobility grant program as
16 follows:

17 (a) \$8,500,000 of the rural mobility grant program account--state
18 appropriation is provided solely for grants for those transit systems
19 serving small cities and rural areas as identified in the "Summary of
20 Public Transportation - 2009" published by the department of
21 transportation. Noncompetitive grants must be distributed to the
22 transit systems serving small cities and rural areas in a manner
23 similar to past disparity equalization programs. If the funding
24 provided in this subsection (2)(a) exceeds the amount required for
25 recipient counties to reach eighty percent of the average per capita
26 sales tax, funds in excess of that amount may be used for the
27 competitive grant process established in (b) of this subsection.

28 (b) \$8,500,000 of the rural mobility grant program account--state
29 appropriation is provided solely to providers of rural mobility service
30 in areas not served or underserved by transit agencies through a
31 competitive grant process.

32 (3)(a) \$6,000,000 of the multimodal transportation account--state
33 appropriation is provided solely for a vanpool grant program for: (a)
34 Public transit agencies to add vanpools or replace vans; and (b)
35 incentives for employers to increase employee vanpool use. The grant
36 program for public transit agencies will cover capital costs only;
37 operating costs for public transit agencies are not eligible for
38 funding under this grant program. Additional employees may not be

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

5 (b) At least \$1,600,000 of the amount provided in this subsection
6 must be used for vanpool grants in congested corridors.

7 (c) \$520,000 of the amount provided in this subsection is provided
8 solely for the purchase of additional vans for use by vanpools serving
9 soldiers and civilian employees at Joint Base Lewis-McChord.

10 (4) \$8,942,000 of the regional mobility grant program account--
11 state appropriation is reappropriated and provided solely for the
12 regional mobility grant projects identified in LEAP Transportation
13 Document 2012-1 ALL PROJECTS - Public Transportation - Program (V) as
14 developed March 8, 2012. The department shall continue to review all
15 projects receiving grant awards under this program at least
16 semiannually to determine whether the projects are making satisfactory
17 progress. The department shall promptly close out grants when projects
18 have been completed, and any remaining funds must be used only to fund
19 projects identified in the LEAP Transportation Document referenced in
20 this subsection. It is the intent of the legislature to appropriate
21 funds through the regional mobility grant program only for projects
22 that will be completed on schedule and that all funds in the regional
23 mobility grant program be used as soon as practicable to advance
24 eligible projects.

25 (5)(a) \$40,000,000 of the regional mobility grant program account--
26 state appropriation is provided solely for the regional mobility grant
27 projects identified in LEAP Transportation Document 2012-1 ALL PROJECTS
28 - Public Transportation - Program (V) as developed March 8, 2012. The
29 department shall review all projects receiving grant awards under this
30 program at least semiannually to determine whether the projects are
31 making satisfactory progress. Any project that has been awarded funds,
32 but does not report activity on the project within one year of the
33 grant award, must be reviewed by the department to determine whether
34 the grant should be terminated. The department shall promptly close
35 out grants when projects have been completed, and any remaining funds
36 must be used only to fund projects identified in the LEAP
37 Transportation Document referenced in this subsection. The department
38 shall provide annual status reports on December 15, 2011, and December

1 15, 2012, to the office of financial management and the transportation
2 committees of the legislature regarding the projects receiving the
3 grants. It is the intent of the legislature to appropriate funds
4 through the regional mobility grant program only for projects that will
5 be completed on schedule.

6 (b) In order to be eligible to receive a grant under (a) of this
7 subsection during the 2011-2013 fiscal biennium, a transit agency must
8 establish a process for private transportation providers to apply for
9 the use of park and ride facilities. For purposes of this subsection,

10 (i) "private transportation provider" means: An auto transportation
11 company regulated under chapter 81.68 RCW; a passenger charter carrier
12 regulated under chapter 81.70 RCW, except marked or unmarked stretch
13 limousines and stretch sport utility vehicles as defined under
14 department of licensing rules; a private nonprofit transportation
15 provider regulated under chapter 81.66 RCW; or a private employer
16 transportation service provider; and (ii) "private employer
17 transportation service" means regularly scheduled, fixed-route
18 transportation service that is offered by an employer for the benefit
19 of its employees.

20 (6) \$2,309,000 of the multimodal transportation account--state
21 appropriation is provided solely for the tri-county connection service
22 for Island, Skagit, and Whatcom transit agencies.

23 (7) \$200,000 of the multimodal transportation account--state
24 appropriation is contingent on the timely development of an annual
25 report summarizing the status of public transportation systems as
26 identified under RCW 35.58.2796.

27 (8) Funds provided for the commute trip reduction program may also
28 be used for the growth and transportation efficiency center program.

29 (9) An affected urban growth area that has not previously
30 implemented a commute trip reduction program is exempt from the
31 requirements in RCW 70.94.527 if a solution to address the state
32 highway deficiency that exceeds the person hours of delay threshold has
33 been funded and is in progress during the 2011-2013 fiscal biennium.

34 (10) \$300,000 of the multimodal transportation account--state
35 appropriation is provided solely for the continuation of state support
36 for the Whatcom smart trips commute trip reduction program.

37 (11) \$818,000 of the multimodal transportation account--state

1 appropriation is provided solely for state support of the Everett
2 connector bus service.

3 (12) The department shall contact all transit agencies with a
4 nonvoting member recommended by a labor organization and request
5 information regarding the participation of board members, both voting
6 and nonvoting, for all transit agency meetings in 2012 and the three
7 previous calendar years. The department shall provide a report to the
8 transportation committees of the legislature regarding the findings of
9 this survey, which must include the transit agencies, if any, that
10 refuse to respond either in whole or in part, by January 15, 2013.

11 (13) \$250,000 of the multimodal transportation account--state
12 appropriation is provided solely for the Clark county public
13 transportation benefit area to comply with the requirements of RCW
14 81.104.110 regarding the formation of an expert review panel to provide
15 an independent technical review of any plan that relies on any voter-
16 approved local funding options.

17 (14) \$100,000 of the multimodal transportation account--state
18 appropriation is provided solely for community transit to conduct a
19 federally mandated alternatives analysis study to allow a second swift
20 line to be funded through the federal transit administration's new
21 starts or small starts process.

22 (15) \$160,000 of the motor vehicle account--federal appropriation
23 is provided solely for King county metro to study demand potential for
24 a state route number 18 and Interstate 90 park-and-ride location, to
25 size the facilities appropriately, to perform site analysis, and to
26 develop preliminary design concepts.

27 **Sec. 920.** 2012 c 86 s 221 (uncodified) is amended to read as
28 follows:

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

30 Puget Sound Ferry Operations Account--State

31	Appropriation	((\$468,135,000))
32		<u>\$459,016,000</u>
33	<u>Highway Safety Account--State Appropriation</u>	<u>\$7,000,000</u>
34	<u>TOTAL APPROPRIATION</u>	<u>\$466,016,000</u>

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

1 (1) The office of financial management budget instructions require
2 agencies to recast enacted budgets into activities. The Washington
3 state ferries shall include a greater level of detail in its 2011-2013
4 supplemental and 2013-2015 omnibus transportation appropriations act
5 requests, as determined jointly by the office of financial management,
6 the Washington state ferries, and the transportation committees of the
7 legislature. This level of detail must include the administrative
8 functions in the operating as well as capital programs.

9 (2) When purchasing uniforms that are required by collective
10 bargaining agreements, the department shall contract with the lowest
11 cost provider.

12 (3) Until a reservation system is operational on the San Juan
13 islands inner-island route, the department shall provide the same
14 priority loading benefits on the San Juan islands inner-island route to
15 home health care workers as are currently provided to patients
16 traveling for purposes of receiving medical treatment.

17 (4) The department shall request from the United States coast guard
18 variable minimum staffing levels on all of its vessels by December 31,
19 2011.

20 (5) The department shall continue to provide service to Sidney,
21 British Columbia and shall explore the option of purchasing a foreign
22 built vehicle and passenger ferry vessel either with safety of life at
23 sea (SOLAS) certification or the ability to be retrofitted for SOLAS
24 certification to operate solely on the Anacortes to Sidney, British
25 Columbia route currently served by vessels of the Washington state
26 ferries fleet. The vessel should have the capability of carrying at
27 least one hundred standard vehicles and approximately four hundred to
28 five hundred passengers. Further, the department shall explore the
29 possibilities of contracting a commercial company to operate the vessel
30 exclusively on this route so long as the contractor's employees
31 assigned to the vessel are represented by the same employee
32 organizations as the Washington state ferries. The department shall
33 report back to the transportation committees of the legislature
34 regarding: The availability of a vessel; the cost of the vessel,
35 including transport to the Puget Sound region; and the need for any
36 statutory changes for the operation of the Sydney, British Columbia
37 service by a private company.

1 (6) For the 2011-2013 fiscal biennium, the department of
2 transportation may enter into a distributor controlled fuel hedging
3 program and other methods of hedging approved by the fuel hedging
4 committee.

5 (7) (~~(\$136,648,000)~~) \$120,748,000 of the Puget Sound ferry
6 operations account--state appropriation is provided solely for auto
7 ferry vessel operating fuel in the 2011-2013 fiscal biennium. The
8 amount provided in this appropriation represents the fuel budget for
9 the purposes of calculating any ferry fare fuel surcharge.

10 (8) \$150,000 of the Puget Sound ferry operations account-- state
11 appropriation is provided solely for the department to increase
12 recreation and tourist ridership by entering into agreements for
13 marketing and outreach strategies with local economic development
14 agencies. The department shall identify the number of tourist and
15 recreation riders on the applicable ferry routes both before and after
16 implementation of marketing and outreach strategies developed through
17 the agreements. The department shall report results of the marketing
18 and outreach strategies to the transportation committees of the
19 legislature by October 15, 2012.

20 (9) The Washington state ferries shall participate in the
21 facilities plan included in section 604 (~~(of this act)~~), chapter 367,
22 Laws of 2011 and shall include an investigation and identification of
23 less costly relocation options for the Seattle headquarters office.
24 The department shall include relocation options for the Washington
25 state ferries Seattle headquarters office in the facilities plan.
26 Until September 1, 2012, the department may not enter into a lease
27 renewal for the Seattle headquarters office.

28 (10) The department, office of financial management, and
29 transportation committees of the legislature shall make recommendations
30 regarding an appropriate budget structure for the Washington state
31 ferries. The recommendation may include a potential restructuring of
32 the Washington state ferries budget. The recommendation must
33 facilitate transparency in reporting and budgeting as well as provide
34 the opportunity to link revenue sources with expenditures. Findings
35 and recommendations must be reported to the office of financial
36 management and the joint transportation committee by September 1, 2011.

37 (11) Two Kwa-di-tabil class ferry vessels must be placed on the
38 Port Townsend/Coupeville (Keystone) route to provide service at the

1 same levels provided when the steel electric vessels were in service.
2 After the vessels as funded under section 308 (5) (~~of this act~~),
3 chapter 86, Laws of 2012 are in service, the two most appropriate of
4 these vessels for the Port Townsend/Coupeville (Keystone) route must be
5 placed on the route. \$100,000 of the Puget Sound ferry operations
6 account--state appropriation is provided solely for the additional
7 staffing required to maintain a reservation system at this route when
8 the second vessel is in service.

9 (12) \$706,000 of the Puget Sound ferry operations account--state
10 appropriation is provided solely for terminal operations to implement
11 new federal passenger vessel Americans with disabilities act
12 requirements.

13 (13) \$152,000 of the Puget Sound ferry operations account--state
14 appropriation is provided solely for the department's compliance with
15 its national pollution discharge elimination system permit.

16 (14) \$7,000,000 of the highway safety account--state appropriation
17 is provided solely for the purchase of fuel for marine operations.

18 **Sec. 921.** 2012 c 86 s 222 (uncodified) is amended to read as
19 follows:

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

21 Multimodal Transportation Account--State	
22 Appropriation	((\$33,642,000))
23	<u>\$33,639,000</u>
24 Multimodal Transportation Account--Federal	
25 Appropriation	\$400,000
26 TOTAL APPROPRIATION	((\$34,042,000))
27	<u>\$34,039,000</u>

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

30 (1) \$27,816,000 of the multimodal transportation account--state
31 appropriation is provided solely for the Amtrak service contract and
32 Talgo maintenance contract associated with providing and maintaining
33 state-supported passenger rail service. The department is directed to
34 continue to pursue efforts to reduce costs, increase ridership, and
35 review fares or fare schedules. Within thirty days of each annual
36 cost/revenue reconciliation under the Amtrak service contract, the
37 department shall report annual credits to the office of financial

1 management and the legislative transportation committees. Annual
2 credits from Amtrak to the department including, but not limited to,
3 credits for increased revenue due to higher ridership, and fare or fare
4 schedule adjustments, must be used to offset corresponding amounts of
5 the multimodal transportation account--state appropriation, which must
6 be placed in reserve. Upon completion of the rail platform project in
7 the city of Stanwood, the department shall continue to provide daily
8 Amtrak Cascades service to the city.

9 (2) Amtrak Cascade runs may not be eliminated.

10 (3) The department shall plan for a third roundtrip Cascades train
11 between Seattle and Vancouver, B.C.

12 (4) The department shall conduct a pilot program by partnering with
13 the travel industry on the Amtrak Cascades service between Vancouver,
14 British Columbia, and Seattle to test opportunities for increasing
15 ridership, maximizing farebox recovery, and stimulating private
16 investment. The pilot program must run from July 1, 2011, to June 30,
17 2012. The department shall report on the results of the pilot program
18 to the office of financial management and the legislature by September
19 30, 2012.

20 (5) \$300,000 of the multimodal transportation account--state
21 appropriation is provided solely for the department to conduct a study
22 to examine the interconnectivity benefits of, and potential for, a
23 future Amtrak Cascades stop in the vicinity of the city of Auburn. As
24 part of its consideration, the department shall conduct a thorough
25 market analysis of the potential for adding or changing stops on the
26 Amtrak Cascades route.

27 **Sec. 922.** 2012 c 86 s 223 (uncodified) is amended to read as
28 follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
30 **OPERATING**

31 Motor Vehicle Account--State Appropriation	((\$8,518,000))
	<u>\$8,505,000</u>
32 Motor Vehicle Account--Federal Appropriation	\$2,567,000
33 TOTAL APPROPRIATION	((\$11,085,000))
34	<u>\$11,072,000</u>

35
36 The appropriations in this section are subject to the following
37 conditions and limitations: The department shall submit a report to

1 the transportation committees of the legislature by December 1, 2011,
2 on the implementation of the recommendations that resulted from the
3 evaluation of efficiencies in the delivery of transportation funding
4 and services to local governments that was required under section
5 204(8), chapter 247, Laws of 2010. The report must include a
6 description of how recommendations were implemented, what efficiencies
7 were achieved, and an explanation of any recommendations that were not
8 implemented.

9 **TRANSPORTATION AGENCIES--CAPITAL**

10 **Sec. 1001.** 2012 c 86 s 302 (uncodified) is amended to read as
11 follows:

12 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

13 Motor Vehicle Account--State Appropriation	\$874,000
14 Rural Arterial Trust Account--State Appropriation	(\$62,510,000)
15	<u>\$61,510,000</u>
16 <u>Highway Safety Account--State Appropriation</u>	<u>\$3,500,000</u>
17 County Arterial Preservation Account--State	
18 Appropriation	\$29,360,000
19 TOTAL APPROPRIATION	(\$92,744,000)
20	<u>\$95,244,000</u>

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

23 (1) \$874,000 of the motor vehicle account--state appropriation may
24 be used for county ferry projects as developed pursuant to RCW
25 47.56.725(4).

26 (2) \$62,510,000 of the rural arterial trust account--state
27 appropriation is provided solely for county road preservation grant
28 projects as approved by the county road administration board. These
29 funds may be used to assist counties recovering from federally declared
30 emergencies by providing capitalization advances and local match for
31 federal emergency funding, and may only be made using existing fund
32 balances. It is the intent of the legislature that the rural arterial
33 trust account be managed based on cash flow. The county road
34 administration board shall specifically identify any of the selected

1 projects and shall include information concerning the selected projects
2 in its next annual report to the legislature.

3 (3) \$3,500,000 of the highway safety account--state appropriation
4 is provided solely for the county arterial preservation program to help
5 counties meet urgent preservation needs.

6 **Sec. 1002.** 2012 c 86 s 303 (uncodified) is amended to read as
7 follows:

8 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

9 Small City Pavement and Sidewalk Account--State

10	Appropriation	\$5,270,000
11	Transportation Improvement Account--State	
12	Appropriation	((\$237,545,000))
13		<u>\$214,545,000</u>
14	<u>Highway Safety Account--State Appropriation</u>	<u>\$3,500,000</u>
15	TOTAL APPROPRIATION	((\$242,815,000))
16		<u>\$223,315,000</u>

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

19 (1) The transportation improvement account--state appropriation
20 includes up to \$22,143,000 in proceeds from the sale of bonds
21 authorized in RCW 47.26.500.

22 (2) \$3,150,000 of the highway safety account--state appropriation
23 is provided solely for the urban arterial program to help cities meet
24 urgent preservation and storm water needs.

25 (3) \$350,000 of the highway safety account--state appropriation is
26 provided solely for the small city pavement program to help cities meet
27 urgent preservation and storm water needs.

28 **Sec. 1003.** 2012 c 86 s 305 (uncodified) is amended to read as
29 follows:

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

31 Transportation Partnership Account--State

32	Appropriation	((\$1,636,316,000))
33		<u>\$1,148,812,000</u>
34	Motor Vehicle Account--State Appropriation	((\$103,889,000))
35		<u>\$63,747,000</u>
36	Motor Vehicle Account--Federal Appropriation	((\$790,703,000))

1 (4) The department shall apply for the competitive portion of
2 federal transit administration funds for eligible transit-related costs
3 of the state route number 520 bridge replacement and HOV project and
4 the Columbia river crossing project. The federal funds described in
5 this subsection must not include those federal transit administration
6 funds distributed by formula. The department shall provide a report
7 regarding this effort to the legislature by October 1, 2011.

8 (5) The department shall work with the department of archaeology
9 and historic preservation to ensure that the cultural resources
10 investigation is properly conducted on all mega-highway projects and
11 large ferry terminal projects. These projects must be conducted with
12 active archaeological management. Additionally, the department shall
13 establish a scientific peer review of independent archaeologists that
14 are knowledgeable about the region and its cultural resources.

15 (6) For highway construction projects where the department
16 considers agricultural lands of long-term commercial significance, as
17 defined in RCW 36.70A.030, in reviewing and selecting sites to meet
18 environmental mitigation requirements under the national environmental
19 policy act (42 U.S.C. Sec. 4321 et seq.) and the state environmental
20 policy act (chapter 43.21C RCW), the department shall, to the greatest
21 extent possible, consider using public land first. If public lands are
22 not available that meet the required environmental mitigation needs,
23 the department may use other sites while making every effort to avoid
24 any net loss of agricultural lands that have a designation of long-term
25 commercial significance.

26 (7) \$561,000 of the transportation partnership account--state
27 appropriation and \$1,176,000 of the transportation 2003 account (nickel
28 account)--state appropriation are provided solely for project 0BI4ENV,
29 Environmental Mitigation Reserve - Nickel/TPA project, as indicated in
30 the LEAP transportation document referenced in subsection (1) of this
31 section. Funds may be used only for environmental mitigation work that
32 is required by permits that were issued for projects funded by the
33 transportation partnership account or transportation 2003 account
34 (nickel account).

35 (8) The transportation 2003 account (nickel account)--state
36 appropriation includes up to (~~(\$339,608,000)~~) \$308,996,000 in proceeds
37 from the sale of bonds authorized by RCW 47.10.861.

1 (9) The transportation partnership account--state appropriation
2 includes up to (~~(\$972,392,000)~~) \$734,097,000 in proceeds from the sale
3 of bonds authorized in RCW 47.10.873.

4 (10) The motor vehicle account--state appropriation includes up to
5 (~~(\$55,870,000)~~) \$36,503,000 in proceeds from the sale of bonds
6 authorized in RCW 47.10.843.

7 (11) The state route number 520 corridor account--state
8 appropriation includes up to (~~(\$1,779,000,000)~~) \$913,297,000 in
9 proceeds from the sale of bonds authorized in RCW 47.10.879.

10 (12) (~~(\$767,000)~~) \$692,000 of the motor vehicle account--state
11 appropriation and (~~(\$3,736,000)~~) \$3,002,000 of the motor vehicle
12 account--federal appropriation are provided solely for the US 2 High
13 Priority Safety project (100224I). Expenditure of these funds is for
14 safety projects on state route number 2 between Monroe and Gold Bar,
15 which may include median rumble strips, traffic cameras, and electronic
16 message signs.

17 (13) (~~(\$820,000)~~) \$819,900 of the motor vehicle account--federal
18 appropriation, (~~(\$16,308,000)~~) \$6,226,000 of the motor vehicle
19 account--private/local appropriation, and (~~(\$48,000)~~) \$344,000 of the
20 motor vehicle account--state appropriation are provided solely for the
21 US 2/Bickford Avenue - Intersection Safety Improvements project
22 (100210E).

23 (14) \$1,025,000 of the motor vehicle account--state appropriation
24 is provided solely for environmental work on the Belfair Bypass project
25 (300344C).

26 (15) (~~(\$372,000)~~) \$360,000 of the motor vehicle account--federal
27 appropriation and (~~(\$9,000)~~) \$49,000 of the motor vehicle account--
28 state appropriation are provided solely for the I-5/Vicinity of Joint
29 Base Lewis-McChord - Install Ramp Meters project (300596M).

30 (16) (~~(\$202,863,000)~~) \$102,588,000 of the transportation
31 partnership account--state appropriation (~~and ---\$51,138,000~~),
32 \$43,847,000 of the transportation 2003 account (nickel account)--state
33 appropriation, \$12,000 of the motor vehicle account--federal
34 appropriation, and \$68,000 of the motor vehicle account--private/local
35 appropriation are provided solely for the I-5/Tacoma HOV Improvements
36 (Nickel/TPA) project (300504A). The use of funds in this subsection to
37 renovate any buildings is subject to the requirements of section 604

1 (~~of this act~~), chapter 367, Laws of 2011. The department shall
2 report to the legislature and the office of financial management on any
3 costs associated with building renovations funded in this subsection.

4 (17)(a) \$7,423,000 of the transportation partnership account--state
5 appropriation (~~and~~), \$54,461,000 of the motor vehicle account--
6 federal appropriation, \$30,388,000 of the motor vehicle account--
7 private/local appropriation, \$303,000 of the multimodal transportation
8 account--state appropriation, and \$527,000 of the motor vehicle
9 account--state appropriation are provided solely for the I-5/Columbia
10 River Crossing project (400506A). (~~Of the amounts appropriated in~~
11 ~~this subsection, \$15,000,000 of the motor vehicle account--federal~~
12 ~~appropriation must be put into unallotted status and is subject to the~~
13 ~~review of the office of financial management. This funding may only be~~
14 ~~allotted once the state of Oregon's total contribution of shared~~
15 ~~expenses on the project are within five million dollars of the state of~~
16 ~~Washington's shared expenses.))~~

17 (b) It is the intent of the legislature that Washington and Oregon
18 have equal funding commitments and equal total expenditures to date on
19 the shared components of the Columbia river crossing project. The
20 department shall provide a quarterly report on this project beginning
21 March 31, 2012. This report must include:

22 (i) An update on preliminary engineering and right-of-way
23 acquisition for the previous quarter;

24 (ii) Planned objectives for right-of-way and preliminary
25 engineering for the ensuing quarter;

26 (iii) An updated comparison of the total appropriation authority
27 for the project by state;

28 (iv) An updated comparison of the total expenditures to date on the
29 project by state; and

30 (v) The committed funding provided by the state of Oregon to right-
31 of-way acquisition.

32 (c) \$200,000 of the transportation partnership account--state
33 appropriation in this subsection is provided solely for the department
34 to work with the department of archaeology and historic preservation to
35 ensure that the cultural resources investigation is properly conducted
36 on the Columbia river crossing project. This project must be conducted
37 with active archaeological management and result in one report that
38 spans the single cultural area in Oregon and Washington. Additionally,

1 the department shall establish a scientific peer review of independent
2 archaeologists that are knowledgeable about the region and its cultural
3 resources.

4 (d) Consistent with the draft environmental impact statement and
5 the Columbia river crossing project's independent review panel report,
6 the Columbia river crossing project's financial plan must include
7 recognition of state transportation funding contributions from both
8 Washington and Oregon, federal transportation funding, and a funding
9 contribution from toll bond proceeds. Following the refinement of the
10 finance plan as recommended by the independent review panel, the
11 department may seek authorization from the legislature to collect tolls
12 on the existing Columbia river crossing or on a replacement crossing
13 over Interstate 5.

14 (e) The Washington state department of transportation budget
15 includes resources to continue work on solutions that advance the
16 Columbia river crossing project to completion of the required
17 environmental impact statement. The department must report to the
18 Columbia river crossing legislative oversight subcommittee of the joint
19 transportation committee, established in section 204(7) (~~of this~~
20 ~~act~~), chapter 86, Laws of 2012, on the progress made on the Columbia
21 river crossing project at each meeting of the oversight subcommittee.
22 Reporting must include updated information on cost estimates, rights-
23 of-way purchases and procurement schedules, and financing plans for the
24 Columbia river crossing project, including projected traffic volumes,
25 fuel and gas price assumptions, toll rates, costs of toll collections,
26 as well as potential need for general transportation funding. By
27 January 1, 2013, the department shall provide to the oversight
28 subcommittee of the joint transportation committee a phased master plan
29 for the Columbia river crossing project.

30 (18) Within the amounts provided for the Columbia river crossing
31 project (400506A), the department shall conduct a traffic and revenue
32 analysis for the Columbia river crossing project that will lay the
33 foundation for investment grade traffic and revenue analysis. While
34 conducting the analysis, the department must coordinate with the Oregon
35 department of transportation, the Washington state transportation
36 commission, and the Washington state legislative oversight committee.

37 (a) The department's analysis must include the assessment and
38 review of the following variables within the project:

1 (i) Exemptions from tolls for vehicles with two or more occupants;
2 (ii) A variable toll where the tolls vary by time of day and day of
3 the week; and
4 (iii) A frequency-based toll rate for the facility.
5 (b) The analysis must also assess the following:
6 (i) The impact that light rail service in the corridor will have on
7 estimated toll revenues;
8 (ii) The level of diversion from the Interstate 5 corridor and the
9 impact on estimated toll revenues; and
10 (iii) The estimated toll revenues from vehicle trips originating
11 within the region and outside the region by vehicle type.
12 (c) The department must submit a report of findings to the
13 transportation committees of the legislature by July 1, 2013.
14 (19) (~~(\$309,000)~~) \$91,000 of the motor vehicle account--federal
15 appropriation and (~~(\$78,000)~~) \$24,000 of the motor vehicle account--
16 state appropriation are provided solely for the SR 9/SR 204
17 Intersection Improvement project (L2000040).
18 (20) (~~(\$3,385,000)~~) \$980,000 of the motor vehicle account--federal
19 appropriation and (~~(\$50,000)~~) \$51,000 of the motor vehicle account--
20 state appropriation are provided solely for the US 12/Nine Mile Hill to
21 Woodward Canyon Vic - Build New Highway project (501210T).
22 (21) \$5,791,000 of the Tacoma Narrows toll bridge account--state
23 appropriation is provided solely for deferred sales tax expenses on the
24 construction of the new Tacoma Narrows bridge. However, if chapter
25 . . . (Senate Bill No. 6073), Laws of 2012 (sales tax exemption on SR
26 16 projects) is enacted by June 30, 2012, the amount provided in this
27 subsection lapses.
28 (22) (~~(\$391,000)~~) \$226,000 of the motor vehicle account--federal
29 appropriation and (~~(\$16,000)~~) \$19,000 of the motor vehicle account--
30 state appropriation are provided solely for the SR 16/Rosedale Street
31 NW Vicinity - Frontage Road project (301639C). The frontage road must
32 be built for driving speeds of no more than thirty-five miles per hour.
33 (23) (~~(\$621,000)~~) \$663,000 of the motor vehicle account--federal
34 appropriation (~~(is)~~) and \$12,000 of the motor vehicle account--state
35 appropriation are provided solely for the SR 20/Race Road to Jacob's
36 Road safety project (L2200042).
37 (24) (~~(\$32,162,000)~~) \$15,746,000 of the transportation partnership

1 account--state appropriation (~~(is)~~) and \$122,000 of the motor vehicle
2 account--private/local appropriation are provided solely for the SR 28/
3 US 2 and US 97 Eastmont Avenue Extension project (202800D).

4 (25) (~~(\$1,227,000)~~) \$705,000 of the motor vehicle account--federal
5 appropriation and (~~(\$38,000)~~) \$165,000 of the motor vehicle account--
6 state appropriation are provided solely for design and right-of-way
7 work on the I-82/Red Mountain Vicinity project (508208M). The
8 department shall continue to work with the local partners in developing
9 transportation solutions necessary for the economic growth in the Red
10 Mountain American viticulture area of Benton county.

11 (26) (~~(\$1,500,000)~~) \$3,000,000 of the motor vehicle account--
12 federal appropriation (~~(is)~~) and \$120,000 of the motor vehicle
13 account--state appropriation are provided solely for the I-90
14 Comprehensive Tolling Study and Environmental Review project (100067T).
15 The department shall undertake a comprehensive environmental review of
16 tolling Interstate 90 between Interstate 5 and Interstate 405 for the
17 purposes of both managing traffic and providing funding for
18 construction of the unfunded state route number 520 from Interstate 5
19 to Medina project. The environmental review must include significant
20 outreach to potentially affected communities. The department may
21 consider traffic management options that extend as far east as
22 Issaquah.

23 (27) \$12,149,000 of the motor vehicle account--federal
24 appropriation (~~(and)~~), \$362,000 of the motor vehicle account--state
25 appropriation, and \$50,000 of the motor vehicle account--private/local
26 appropriation are provided solely for the I-90/Sullivan Road to Barker
27 Road - Additional Lanes project (609049N).

28 (28) Up to \$8,000,000 in savings realized on the I-90/Snoqualmie
29 Pass East - Hyak to Keechelus Dam - Corridor project (509009B) may be
30 used for design work on the next two-mile segment of the corridor. Any
31 additional savings on this project must remain on the corridor.
32 Project funds may not be used to build or improve buildings until the
33 plan described in section 604 (~~(of this act)~~), chapter 367, Laws of
34 2011 is complete.

35 (29) (~~(\$657,000)~~) \$637,000 of the motor vehicle account--federal
36 appropriation (~~(is)~~) and \$15,000 of the motor vehicle account--state
37 appropriation are provided solely for the US 97A/North of Wenatchee -
38 Wildlife Fence project (209790B).

1 (30) The department shall reconvene an expert review panel of no
2 more than three members as described under RCW 47.01.400 for the
3 purpose of updating the work that was previously completed by the panel
4 on the Alaskan Way viaduct replacement project and to ensure that an
5 appropriate and viable financial plan is created and regularly
6 reviewed. The expert review panel must be selected cooperatively by
7 the chairs of the senate and house of representatives transportation
8 committees, the secretary of transportation, and the governor. The
9 expert review panel must report findings and recommendations to the
10 transportation committees of the legislature, the governor's Alaskan
11 Way viaduct project oversight committee, and the transportation
12 commission by October 2011, and annually thereafter until the project
13 is operationally complete.

14 (31) It is important that the public and policymakers have accurate
15 and timely access to information related to the Alaskan Way viaduct
16 replacement project as it proceeds to, and during, the construction of
17 all aspects of the project including, but not limited to, information
18 regarding costs, schedules, contracts, project status, and neighborhood
19 impacts. Therefore, it is the intent of the legislature that the
20 state, city, and county departments of transportation establish a
21 single source of accountability for integration, coordination,
22 tracking, and information of all requisite components of the
23 replacement project, which must include, at a minimum:

24 (a) A master schedule of all subprojects included in the full
25 replacement project or program; and

26 (b) A single point of contact for the public, media, stakeholders,
27 and other interested parties.

28 (32) Within the amounts provided in this section, (~~(\$20,000)~~)
29 \$42,000 of the motor vehicle account--state appropriation and
30 (~~(\$980,000)~~) \$958,000 of the motor vehicle account--federal
31 appropriation are provided solely for the department to continue work
32 on a comprehensive tolling study of the state route number 167 corridor
33 (project 316718S). As funding allows, the department shall also
34 continue work on a comprehensive tolling study of the state route
35 number 509 corridor.

36 (33)(a) (~~(\$137,022,000)~~) \$70,663,000 of the transportation
37 partnership account--state appropriation (~~(and—\$50,623,000)~~)
38 \$38,613,000 of the transportation 2003 account (nickel account)--state

1 appropriation and \$309,000 of the motor vehicle account--private/local
2 appropriation are provided solely for the I-405/Kirkland Vicinity Stage
3 2 - Widening project (8BI1002). This project must be completed as soon
4 as practicable as a design-build project and must be constructed with
5 a footprint that would accommodate potential future express toll lanes.

6 (b) As part of the project, the department shall conduct a traffic
7 and revenue analysis and complete a financial plan to provide
8 additional information on the revenues, expenditures, and financing
9 options available for active traffic management and congestion relief
10 in the Interstate 405 and state route number 167 corridors. A report
11 must be provided to the transportation committees of the legislature
12 and the office of financial management by January 2012. However, this
13 subsection (33)(b) is null and void if chapter . . . (Engrossed House
14 Bill No. 1382), Laws of 2011 (I-405 express toll lanes) is enacted by
15 June 30, 2011.

16 (c) Of the amount appropriated in (a) of this subsection,
17 \$15,000,000 of the transportation partnership account--state
18 appropriation is provided solely for the preliminary design and
19 purchase of rights-of-way on the state route number 167 direct
20 connector. It is the intent of the legislature to fund an additional
21 \$25,000,000 of the transportation partnership account--state
22 appropriation for the preliminary design and purchase of rights-of-way
23 on the state route number 167 direct connector during the 2013-2015
24 biennium.

25 (d) Within the amounts provided for this project, funding is
26 provided solely for tolling equipment, such as gantries, barriers, or
27 cameras, on Interstate 405, consistent with chapter 369, Laws of 2011.
28 The department shall place amounts for tolling equipment into
29 unallotted status until the traffic and revenue analysis required in
30 RCW 47.56.886 is submitted to the governor and the legislature. Once
31 the report has been submitted, the office of financial management may
32 approve the allotment of funds for tolling equipment only after
33 consultation with the joint transportation committee.

34 (34) Funding for a signal at state route number 507 and Yew Street
35 is included in the appropriation for intersection and spot improvements
36 (0BI2002).

37 (35) (~~(\$224,592,000)~~) \$52,078,000 of the transportation partnership
38 account--state appropriation (~~(and \$898,286,000)~~), \$902,101,000 of the

1 state route number 520 corridor account--state appropriation,
2 \$17,155,000 of the motor vehicle account--federal appropriation, and
3 \$1,303,000 of the motor vehicle account--private/local appropriation
4 are provided solely for the state route number 520 bridge replacement
5 and HOV program (8BI1003). When developing the financial plan for the
6 program, the department shall assume that all maintenance and operation
7 costs for the new facility are to be covered by tolls collected on the
8 toll facility, and not by the motor vehicle account.

9 (36) \$500,000 of the motor vehicle account--state appropriation is
10 provided solely for a multimodal corridor plan on state route number
11 520 between Interstate 405 and Avondale Road in Redmond (L1000054).

12 (37) \$300,000 of the motor vehicle account--federal appropriation
13 ~~((is))~~ and \$13,000 of the motor vehicle account--state appropriation
14 are provided solely for the SR 523 Corridor study (L1000059).

15 (38) The department shall consider using the city of Mukilteo's
16 off-site mitigation program in the event any projects on state route
17 number 525 or 526 require environmental mitigation.

18 (39) Any savings on projects on the state route number 532 corridor
19 must be used within the corridor to begin work on flood prevention and
20 raising portions of the highway above flood and storm influences.

21 (40) The total appropriation provided in this section assumes
22 enactment of chapter . . . (Second Substitute Senate Bill No. 5250),
23 Laws of 2012 (design-build procedures) and reflects efficiencies and
24 cost savings generated by this innovative design and contracting tool.

25 (41) Construction of a new traffic management center may not
26 commence until the budget evaluation study in section 102(1) ~~((of this~~
27 ~~act))~~, chapter 86, Laws of 2012 is complete and the office of financial
28 management has determined that a new traffic management center is the
29 preferred option and has approved this project.

30 (42) The department shall itemize all future requests for the
31 construction of new buildings on a project list. Each building
32 construction project must be listed in the project list along with all
33 other highway construction projects and submitted by the department as
34 part of its budget submittal. It is the intent of the legislature that
35 new facility construction must be transparent and not appropriated
36 within larger highway construction projects.

37 (43) ~~((\$250,000))~~ \$240,000 of the motor vehicle account--federal
38 appropriation ~~((is))~~ and \$10,000 of the motor vehicle account--state

1 appropriation are provided solely for planning a proposed off-ramp
2 eastbound from state route number 518 to Des Moines Memorial Drive in
3 Burien (L1100045).

4 (44) (~~(\$1,100,000)~~) \$425,000 of the motor vehicle account--federal
5 appropriation (~~(is)~~) and \$18,000 of the motor vehicle account--state
6 appropriation are provided solely for preliminary engineering on the I-
7 5/Marvin Road Interchange study (L2200087).

8 (45) (~~(\$400,000)~~) \$389,000 of the motor vehicle account--federal
9 appropriation (~~(is)~~) and \$22,000 of the motor vehicle account--state
10 appropriation are provided solely for the SR 150/No-See-Um Road
11 Intersection - Realignment project (L2200092).

12 (46) \$750,000 of the motor vehicle account--federal appropriation
13 (~~(is)~~) and \$31,000 of the motor vehicle account--state appropriation
14 are provided solely for (~~(preliminary engineering on)~~) the SR
15 305/Suquamish Way Intersection Improvements project (L2200093).

16 (47) (~~(\$700,000)~~) \$658,000 of the motor vehicle account--federal
17 appropriation (~~(is)~~) and \$16,000 of the motor vehicle account--state
18 appropriation are provided solely for the US 395/Lind Road Intersection
19 project (L2200086).

20 (48) \$8,303,000 of the motor vehicle account--state appropriation
21 is provided solely to advance the design, preliminary engineering, and
22 rights-of-way acquisition for the priority projects identified in LEAP
23 Transportation Document 2012-3 as developed March 8, 2012. Funds must
24 be used to advance the emergent, initial development of these projects
25 for the purpose of expediting delivery of the associated major
26 investments when funding for such investments becomes available.
27 Funding may be reallocated between projects to maximize the
28 accomplishment of design and preliminary engineering work and rights-
29 of-way acquisition, provided that all projects are addressed. It is
30 the intent of the legislature that, while seeking to maximize the
31 outcomes in this section, the department shall provide for continuity
32 of both the state and consulting engineer workforce, while
33 strategically utilizing private sector involvement to ensure
34 consistency with the department's business plan for staffing in the
35 highway construction program in the current and next fiscal biennium.

36 **Sec. 1004.** 2012 c 86 s 306 (uncodified) is amended to read as
37 follows:

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

2 Transportation Partnership Account--State

3 Appropriation ((\$44,463,000))

4 \$23,754,000

5 Motor Vehicle Account--State Appropriation ((\$81,741,000))

6 \$78,113,000

7 Motor Vehicle Account--Federal Appropriation ((\$540,306,000))

8 \$510,909,000

9 Motor Vehicle Account--Private/Local

10 Appropriation ((\$21,585,000))

11 \$18,894,000

12 Tacoma Narrows Toll Bridge Account--State

13 Appropriation ((\$259,000))

14 \$518,000

15 (~~Transportation 2003 Account (Nickel Account)--State~~

16 ~~Appropriation \$23,000))~~

17 Highway Safety Account--State Appropriation \$3,500,000

18 TOTAL APPROPRIATION ((\$691,877,000))

19 \$635,688,000

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

22 (1) Except as provided otherwise in this section, the entire
23 transportation 2003 account (nickel account) appropriation and the
24 entire transportation partnership account appropriation are provided
25 solely for the projects and activities as listed by (~~fund,~~)
26 project(~~, and amount~~) in LEAP Transportation Document (~~(2012-2)~~)
27 2013-1 as developed (~~(March 8, 2012)~~) April 3, 2013, Program - Highway
28 Preservation Program (P). (~~However, limited transfers of specific~~
29 ~~line item project appropriations may occur between projects for those~~
30 ~~amounts listed subject to the conditions and limitations in section 603~~
31 ~~of this act.))~~

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

1 (3) Within the motor vehicle account--state appropriation and motor
2 vehicle account--federal appropriation, the department may transfer
3 funds between programs I and P, except for funds that are otherwise
4 restricted in this act.

5 (4) The department shall apply for surface transportation program
6 enhancement funds to be expended in lieu of or in addition to state
7 funds for eligible costs of projects in programs I and P.

8 ~~((The motor vehicle account--state appropriation includes up to
9 \$17,652,000 in proceeds from the sale of bonds authorized in RCW
10 47.10.843.~~

11 ~~(6))~~ The department must work with cities and counties to develop
12 a comparison of direct and indirect labor costs, overhead rates, and
13 other costs for high-cost bridge inspections charged by the state,
14 counties, and other entities. The comparison is due to the
15 transportation committees of the legislature on September 1, 2011.

16 ~~((7) \$789,000))~~ (6) \$739,000 of the motor vehicle account--federal
17 appropriation and ~~((6) \$6,000))~~ \$56,000 of the motor vehicle account--
18 state appropriation are provided solely for the environmental impact
19 statement and preliminary planning for the replacement of the state
20 route number 9 Snohomish river bridge (project L2000018).

21 ~~((8) \$10,843,000))~~ (7) \$9,096,000 of the motor vehicle account--
22 federal appropriation, ~~((1) \$1,992,000))~~ \$1,794,000 of the motor vehicle
23 account--private/local appropriation, and ~~((3) \$390,000))~~ \$340,000 of the
24 motor vehicle account--state appropriation are provided solely for the
25 SR 21/Keller Ferry - Replace Boat project (602110J).

26 ~~((9) \$165,000))~~ (8) \$227,000 of the motor vehicle account--federal
27 appropriation ~~((is))~~ and \$13,000 of the motor vehicle account--state
28 appropriation are provided solely for the I-90/Ritzville to Tokio -
29 Paving of Outside Lanes project (609041G).

30 ~~((10) \$5,565,000))~~ (9) \$1,566,000 of the motor vehicle account--
31 federal appropriation and ~~((2) \$232,000))~~ \$124,000 of the motor vehicle
32 account--state appropriation are provided solely for the SR
33 167/Puyallup River Bridge Replacement project (316725A). This project
34 must be completed as a design-build project. The department must work
35 with local jurisdictions and the community during the environmental
36 review process to develop appropriate esthetic design elements, at no
37 additional cost to the department, and traffic management plans

1 pertaining to this project. The department must report to the
2 transportation committees of the legislature on estimated cost and/or
3 time savings realized as a result of using the design-build process.

4 ~~((11) \$507,000))~~ (10) \$649,000 of the motor vehicle account--
5 federal appropriation and ~~((13,000))~~ \$15,000 of the motor vehicle
6 account--state appropriation are provided solely for the SR
7 906/Travelers Rest - Building Renovation project (090600A).

8 ~~((12))~~ (11) The department shall submit a renewal and
9 rehabilitation plan for the new state route number 16 Tacoma Narrows
10 bridge as a decision package as part of its 2013-2015 biennial budget
11 submittal.

12 (12) \$3,500,000 of the highway safety account--state appropriation
13 is provided solely for urgent preservation needs on the state highway
14 system.

15 **Sec. 1005.** 2012 c 86 s 307 (uncodified) is amended to read as
16 follows:

17 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
18 **CAPITAL**

19	Motor Vehicle Account--State Appropriation	((8,779,000))
20		<u>\$8,801,000</u>
21	Motor Vehicle Account--Federal Appropriation	((7,283,000))
22		<u>\$7,184,000</u>
23	TOTAL APPROPRIATION	((16,062,000))
24		<u>\$15,985,000</u>

25 The appropriations in this section are subject to the following
26 conditions and limitations: \$1,000,000 of the motor vehicle account--
27 state appropriation for project 000005Q is provided solely for state
28 matching funds for federally selected competitive grants or
29 congressional earmark projects. These moneys must be placed into
30 reserve status until such time as federal funds are secured that
31 require a state match.

32 **Sec. 1006.** 2012 c 86 s 308 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
35 **CONSTRUCTION--PROGRAM W**

36 Puget Sound Capital Construction Account--State

1	Appropriation	((\$61,965,000))
2		<u>\$62,332,000</u>
3	Puget Sound Capital Construction Account--Federal	
4	Appropriation	((\$61,736,000))
5		<u>\$56,634,000</u>
6	Puget Sound Capital Construction Account--Private/Local	
7	Appropriation	((\$200,000))
8		<u>\$356,000</u>
9	Transportation 2003 Account (Nickel Account)--State	
10	Appropriation	((\$119,928,000))
11		<u>\$150,215,000</u>
12	Transportation Partnership Account--State	
13	Appropriation	((\$12,838,000))
14		<u>\$12,892,000</u>
15	Multimodal Transportation Account--State	
16	Appropriation	\$27,527,000
17	TOTAL APPROPRIATION	((\$284,194,000))
18		<u>\$309,956,000</u>

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

21 (1) Except as provided otherwise in this section, the entire
22 appropriations in this section are provided solely for the projects and
23 activities as listed in LEAP Transportation Document ((~~2012-1~~)) 2013-2
24 ALL PROJECTS as developed ((~~March 8, 2012~~)) April 3, 2013, Program -
25 Washington State Ferries Capital Program (W).

26 (2) The department shall work with the department of archaeology
27 and historic preservation to ensure that the cultural resources
28 investigation is properly conducted on all large ferry terminal
29 projects. These projects must be conducted with active archaeological
30 management.

31 (3) The multimodal transportation account--state appropriation
32 includes up to \$27,527,000 in proceeds from the sale of bonds
33 authorized in RCW 47.10.867.

34 (4) The Puget Sound capital construction account--state
35 appropriation includes up to \$45,000,000 in proceeds from the sale of
36 bonds authorized in RCW 47.10.843.

37 (5) ((~~\$17,970,000~~)) \$17,370,000 of the transportation 2003 account

1 (nickel account)--state appropriation is provided solely for the
2 acquisition of new Kwa-di-tabil class ferry vessels (project 944470A)
3 subject to the conditions of RCW 47.56.780.

4 (6) \$25,404,000 of the multimodal transportation account--state
5 appropriation, \$1,000,000 of the Puget Sound capital construction
6 account--federal appropriation, \$11,500,000 of the transportation
7 partnership account--state appropriation, and ~~(((\$85,924,000))~~
8 \$76,917,000 of the transportation 2003 account (nickel account)--state
9 appropriation are provided solely for the acquisition of one 144-car
10 vessel (project L2200038). The department shall use as much already
11 procured equipment as practicable on the 144-car vessel. The vendor
12 must present to the joint transportation committee and the office of
13 financial management, by August 15, 2011, a list of options that will
14 result in significant cost savings changes in terms of construction or
15 the long-term maintenance and operations of the vessel. The vendor
16 must allow for exercising the options without a penalty. If neither
17 chapter ... (Engrossed Substitute Senate Bill No. 5742), Laws of 2011
18 nor chapter ... (House Bill No. 2083), Laws of 2011 is enacted by June
19 30, 2011, \$75,000,000 of the transportation 2003 account (nickel
20 account)--state appropriation in this subsection lapses.

21 (7) \$39,894,000 of the transportation 2003 account (nickel
22 account)--state appropriation and \$2,500,000 of the Puget Sound capital
23 construction account--federal appropriation are provided solely for the
24 purposes of constructing a ferry boat vessel with a carrying capacity
25 of at least one hundred forty-four cars (project L2200039).

26 (8) \$5,749,000 of the total appropriation is provided solely for
27 continued permitting work on the Mukilteo ferry terminal (project
28 952515P). The department shall seek additional federal funding for
29 this project. Prior to beginning terminal improvements, the department
30 shall report to the legislature on the final environmental impact
31 statement by December 31, 2012. The report must include an overview of
32 the costs and benefits of each of the alternatives considered, as well
33 as an identification of costs and a funding plan for the preferred
34 alternative.

35 ~~((+8))~~ (9) The department shall review all terminal project cost
36 estimates to identify projects where similar design requirements could
37 result in reduced preliminary engineering or miscellaneous items costs.
38 The department shall report to the legislature by September 1, 2011.

1 The report must use programmatic design and include estimated cost
2 savings by reducing repetitive design costs or miscellaneous costs, or
3 both, applied to projects.

4 ~~((9))~~ ~~(\$3,000,000))~~ (10) \$6,000,000 of the Puget Sound capital
5 construction account--state appropriation is provided solely for
6 emergency capital repair costs (project 999910K). Funds may be spent
7 only after approval from the office of financial management.

8 ~~((10))~~ (11) \$4,851,000 of the Puget Sound capital construction
9 account--state appropriation is provided solely for the reservation and
10 communications system projects (L200041 & L200042).

11 ~~((11))~~ (12) \$1,000,000 of the Puget Sound capital construction
12 account--state appropriation is provided solely for security and
13 operational planning as a first step in introducing liquid natural gas
14 (LNG) to the Washington ferry fleet, including the issuance of a
15 request for proposals (RFP). \$750,000 is provided solely for the
16 department to work with appropriate agencies of the state and federal
17 government to amend the state's current alternative security plan to
18 account for the use of LNG as a propulsion fuel in the ferry fleet, and
19 to begin public outreach efforts. \$250,000 is provided solely to issue
20 an RFP for a design-build contract to fully convert the existing diesel
21 powered Issaquah class fleet to be solely powered by LNG. The
22 successful bidder must be awarded the \$250,000 appropriation and must
23 be able to offer detailed design services, attain coast guard approval
24 regarding vessel safety and any other requirements pertaining to
25 design, acquire engines with LNG as a sole fuel source, provide public
26 outreach and education regarding the conversion of ferry vessels to
27 LNG, perform all conversion work, and supply dependable and suitable
28 quantities of LNG. The RFP must include incentives for proposals that
29 include alternative financing arrangements, such as a delayed payment
30 plan based on fuel savings. To the extent allowable under current law,
31 the bidder awarded the design-build contract for converting the
32 Issaquah fleet to LNG under this subsection must be given bidding
33 preferences in any future LNG-related ferry proposals or projects. The
34 RFP referenced in this subsection must be issued by the department by
35 August 1, 2012. The department must provide a report to the joint
36 transportation committee on the development of the RFP in July 2012 and
37 an update report again in September 2012.

1 activities as listed by project (~~(and amount)~~) in LEAP Transportation
2 Document (~~(2012-1)~~) 2013-2 ALL PROJECTS as developed (~~(March 8, 2012)~~)
3 April 3, 2013, Program-Rail Capital Program (Y).

4 (b) Within the amounts provided in this section, \$4,757,000 of the
5 transportation infrastructure account--state appropriation is for low-
6 interest loans through the freight rail investment bank program for
7 specific projects listed as recipients of these loans in the LEAP
8 transportation document identified in (a) of this subsection. The
9 department shall issue freight rail investment bank program loans with
10 a repayment period of no more than ten years, and only so much interest
11 as is necessary to recoup the department's costs to administer the
12 loans.

13 (c) Within the amounts provided in this section, (~~(\$2,047,000)~~)
14 \$1,754,000 of the multimodal transportation account--state
15 appropriation(~~(, \$10,000 of the multimodal transportation account--~~
16 ~~private/local appropriation,)~~) and \$1,000,000 of the essential rail
17 assistance account--state appropriation are for statewide emergent
18 freight rail assistance projects identified in the LEAP transportation
19 document identified in (a) of this subsection.

20 (2)(a) The department shall issue a call for projects for the
21 freight rail investment bank (FRIB) loan program and the emergent
22 freight rail assistance program (FRAP) grants, and shall evaluate the
23 applications according to the cost-benefit methodology developed during
24 the 2008 interim using the legislative priorities specified in (c) of
25 this subsection. Unsuccessful FRAP grant applicants should be
26 encouraged to apply to the FRIB loan program, if eligible. By November
27 1, 2012, the department shall submit a prioritized list of recommended
28 projects to the office of financial management and the transportation
29 committees of the legislature.

30 (b) When the department identifies a prospective rail project that
31 may have strategic significance for the state, or at the request of a
32 proponent of a prospective rail project or a member of the legislature,
33 the department shall evaluate the prospective project according to the
34 cost-benefit methodology developed during the 2008 interim using the
35 legislative priorities specified in (c) of this subsection. The
36 department shall report its cost-benefit evaluation of the prospective
37 rail project, as well as the department's best estimate of an

1 appropriate construction schedule and total project costs, to the
2 office of financial management and the transportation committees of the
3 legislature.

4 (c) The legislative priorities to be used in the cost-benefit
5 methodology are, in order of relative importance:

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

8 (ii) Self-sustaining economic development that creates family-wage
9 jobs;

10 (iii) Preservation of transportation corridors that would otherwise
11 be lost;

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

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

16 (vi) Mitigation of impacts of increased rail traffic on
17 communities.

18 (3) The department is directed to expend unallocated federal rail
19 crossing funds in lieu of or in addition to state funds for eligible
20 costs of projects in program Y.

21 (4) The department shall provide quarterly reports to the office of
22 financial management and the transportation committees of the
23 legislature regarding applications that the department submits for
24 federal funds and the status of such applications.

25 (5) The multimodal transportation account--state appropriation
26 includes up to \$12,103,000 in proceeds from the sale of bonds
27 authorized in RCW 47.10.867.

28 (6) The Burlington Northern Santa Fe Skagit river bridge is an
29 integral part of the rail system. Constructed in 1916, the bridge does
30 not meet current design standards and is at risk during flood events
31 that occur on the Skagit river. The department shall work with
32 Burlington Northern Santa Fe and local jurisdictions to secure federal
33 funding for the Skagit river bridge and to develop an appropriate
34 replacement plan and schedule.

35 (7) (~~(\$218,341,000)~~) \$84,563,000 of the multimodal transportation
36 account--federal appropriation and (~~(\$3,639,000)~~) \$1,465,000 of the
37 multimodal transportation account--state appropriation are provided
38 solely for expenditures related to passenger high-speed rail grants.

1 At one and one-half percent of the total project funds, the multimodal
2 transportation account--state funds are provided solely for
3 expenditures that are not federally reimbursable. Funding in this
4 subsection is the initial portion of multiyear high-speed rail program
5 grants awarded to Washington state for high-speed intercity passenger
6 rail investments. Funding will allow for two additional round trips
7 between Seattle and Portland and other rail improvements.

8 (8) \$750,000 of the multimodal transportation account--state
9 appropriation is provided solely for the Port of Royal Slope
10 rehabilitation project (L1000053). Funding is contingent upon the
11 project completing the rail cost-benefit methodology process developed
12 during the 2008 interim using the legislative priorities outlined in
13 subsection (2)(c) of this section.

14 (9) As allowable under federal rail authority rules and existing
15 competitive bidding practices, when purchasing new train sets, the
16 department shall give preference to bidders that propose train sets
17 with characteristics and maintenance requirements most similar to those
18 currently owned by the department.

19 (10) Funds generated by the grain train program are solely for
20 operating, sustaining, and enhancing the grain train program including,
21 but not limited to, operations, capital investments, inspection,
22 developing business plans for future growth, and fleet management. Any
23 funds deemed by the department, in consultation with relevant port
24 districts, to be in excess of current operating needs or capital
25 reserves of the grain train program may be transferred from the
26 miscellaneous program account to the essential rail assistance account
27 for the purpose of sustaining the grain train program through
28 maintaining the Palouse river and Coulee City railroad line, on which
29 the grain train program operates.

30 (11) \$500,000 of the essential rail assistance account--state
31 appropriation is provided solely for the purpose of rehabilitation and
32 maintenance of the Palouse river and Coulee City railroad line.
33 Expenditures from this appropriation may not exceed the combined total
34 of:

- 35 (a) The revenues deposited into the essential rail assistance
36 account from leases and sale of property pursuant to RCW 47.76.290; and
- 37 (b) Revenues transferred from the miscellaneous program account for

1 the purpose of sustaining the grain train program through maintaining
2 the Palouse river and Coulee City railroad line.

3 (12) \$200,000 of the multimodal transportation account--state
4 appropriation is provided solely for the Clark county chelatchie
5 prairie rail road (project L2200085).

6 **Sec. 1008.** 2012 c 86 s 310 (uncodified) is amended to read as
7 follows:

8 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
9 **CAPITAL**

10	((Highway Infrastructure Account--State Appropriation	\$207,000
11	Highway Infrastructure Account--Federal	
12	Appropriation	\$1,602,000))
13	Motor Vehicle Account--State Appropriation	((\$4,179,000))
14		<u>\$2,511,000</u>
15	Motor Vehicle Account--Federal Appropriation	((\$37,935,000))
16		<u>\$19,759,000</u>
17	<u>Highway Safety Account--State Appropriation</u>	<u>\$.752,000</u>
18	Freight Mobility Investment Account--State	
19	Appropriation	((\$11,278,000))
20		<u>\$5,044,000</u>
21	Transportation Partnership Account--State	
22	Appropriation	((\$7,181,000))
23		<u>\$3,967,000</u>
24	Freight Mobility Multimodal Account--State	
25	Appropriation	((\$15,668,000))
26		<u>\$11,868,000</u>
27	Freight Mobility Multimodal Account--Local	
28	Appropriation	((\$2,834,000))
29		<u>\$960,000</u>
30	Multimodal Transportation Account--State	
31	Appropriation	((\$22,575,000))
32		<u>\$15,413,000</u>
33	Passenger Ferry Account--State Appropriation	\$1,115,000
34	TOTAL APPROPRIATION	((\$104,574,000))
35		<u>\$61,389,000</u>

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

1 (1) \$1,115,000 of the passenger ferry account--state appropriation
2 is provided solely for near and long-term costs of capital improvements
3 and operating expenses that are consistent with the business plan
4 approved by the governor for passenger ferry service.

5 (2) The department shall apply for surface transportation program
6 enhancement funds to be expended in lieu of or in addition to state
7 funds for eligible costs of projects in local programs, program
8 Z--capital.

9 (3) Federal funds may be transferred from program Z to programs I
10 and P and state funds must be transferred from programs I and P to
11 program Z to replace those federal funds in a dollar-for-dollar match.
12 Fund transfers authorized under this subsection shall not affect
13 project prioritization status. Appropriations must initially be
14 allotted as appropriated in this act. The department may not transfer
15 funds as authorized under this subsection without approval of the
16 office of financial management. The department shall submit a report
17 on those projects receiving fund transfers to the office of financial
18 management and the transportation committees of the legislature by
19 December 1, 2011, and December 1, 2012.

20 (4) The city of Winthrop may utilize a design-build process for the
21 Winthrop bike path project.

22 (5) (~~(\$14,813,000)~~) \$10,654,000 of the multimodal transportation
23 account--state appropriation, (~~(\$12,804,000)~~) \$9,554,000 of the motor
24 vehicle account--federal appropriation, (~~and \$6,241,000~~) \$3,417,000
25 of the transportation partnership account--state appropriation, and
26 \$202,000 of the highway safety account--state appropriation are
27 provided solely for the pedestrian and bicycle safety program projects
28 and safe routes to schools program projects identified in: LEAP
29 Transportation Document 2011-A, pedestrian and bicycle safety program
30 projects and safe routes to schools program projects, as developed
31 April 19, 2011; LEAP Transportation Document 2009-A, pedestrian and
32 bicycle safety program projects and safe routes to schools program
33 projects, as developed March 30, 2009; LEAP Transportation Document
34 2007-A, pedestrian and bicycle safety program projects and safe routes
35 to schools program projects, as developed April 20, 2007; and LEAP
36 Transportation Document 2006-B, pedestrian and bicycle safety program
37 projects and safe routes to schools program projects, as developed
38 March 8, 2006. Projects must be allocated funding based on order of

1 priority. The department shall review all projects receiving grant
2 awards under this program at least semiannually to determine whether
3 the projects are making satisfactory progress. Any project that has
4 been awarded funds, but does not report activity on the project within
5 one year of the grant award must be reviewed by the department to
6 determine whether the grant should be terminated. The department shall
7 promptly close out grants when projects have been completed, and
8 identify where unused grant funds remain because actual project costs
9 were lower than estimated in the grant award.

10 (6) Except as provided otherwise in this section, the entire
11 appropriations in this section are provided solely for the projects and
12 activities as listed by project and amount in LEAP Transportation
13 Document (~~(2012-1)~~) 2013-2 ALL PROJECTS as developed (~~(March 8, 2012)~~)
14 April 3, 2013, Program - Local Program (Z).

15 (7) For the 2011-2013 project appropriations, unless otherwise
16 provided in this act, the director of the office of financial
17 management may authorize a transfer of appropriation authority between
18 projects managed by the freight mobility strategic investment board and
19 may also advance projects in future biennia, as identified in LEAP
20 Transportation Document (~~(2012-1)~~) 2013-2 ALL PROJECTS as developed
21 (~~(March 8, 2012)~~) April 3, 2013, into the current biennium in order for
22 the board to manage project spending and efficiently deliver all
23 projects in the respective program.

24 (8) With each department budget submittal, the department shall
25 provide an update on the status of the repayment of the twenty million
26 dollars of unobligated federal funds authority advanced by the
27 department in September 2010 to the city of Tacoma for the Murray
28 Morgan/11th Street bridge project.

29 (9) If funding is specifically designated in this act for main
30 street projects, the department shall prepare a list of projects that
31 is consistent with chapter 257, Laws of 2011, for approval in the 2013-
32 2015 fiscal biennium.

33 (10) (~~(\$267,000)~~) \$50,000 of the motor vehicle account--state
34 appropriation and (~~(\$2,859,000)~~) \$50,000 of the motor vehicle account--
35 federal appropriation are provided solely for completion of the US 101
36 northeast peninsula safety rest area and associated roadway
37 improvements east of Port Angeles at the Deer Park scenic view point
38 (3LP187A). The department must surplus any right-of-way previously

1 purchased for this project near Sequim. Approval to proceed with
2 construction is contingent on surplus of previously purchased right-of-
3 way.

4 (11) Up to (~~(\$3,702,000)~~) \$2,680,000 of the motor vehicle account--
5 federal appropriation and (~~(\$75,000)~~) \$55,000 of the motor vehicle
6 account--state appropriation are provided solely to reimburse the
7 cities of Kirkland and Redmond for pavement and bridge deck
8 rehabilitation on state route number 908 (1LP611A). These funds may
9 not be expended unless the cities sign an agreement stating that the
10 cities agree to take ownership of state route number 908 in its
11 entirety and agree that the payment of these funds represents the
12 entire state commitment to the cities for state route number 908
13 expenditures.

14 (12) \$225,000 of the multimodal transportation account--state
15 appropriation is provided solely for the Shell Valley emergency road
16 and bicycle/pedestrian path (L1000036).

17 (13) \$188,000 of the motor vehicle account--state appropriation is
18 provided solely for flood reduction solutions on state route number 522
19 caused by the lower McAleer and Lyon creek basins (L1000041).

20 (14) (~~(\$896,000)~~) \$293,000 of the multimodal transportation
21 account--state appropriation is provided solely for realignment of
22 Parker Road and construction of secondary access off of state route
23 number 20 (L2200040).

24 (15) (~~An additional \$2,500,000 of the motor vehicle account--~~
25 ~~federal appropriation is provided solely for the Strander Blvd/SW 27th~~
26 ~~St Connection project (1LP902F), which amount is reflected in the LEAP~~
27 ~~transportation document identified in subsection (6) of this section.~~
28 ~~These funds may only be committed if needed, may not be used to~~
29 ~~supplant any other committed project partnership funding, and must be~~
30 ~~the last funds expended.~~

31 (~~16~~) ~~(\$500,000)~~) \$30,000 of the motor vehicle account--federal
32 appropriation is provided solely for safety improvements at the
33 intersection of South Wapato and McDonald Road (L1000052).

34 (~~(17) \$2,000,000)~~) (16) \$850,000 of the multimodal transportation
35 account--state appropriation is provided solely for the state route
36 number 432 rail realignment and highway improvements project
37 (L1000056).

1 ~~((+18))~~ (17) \$100,000 of the motor vehicle account--federal
2 appropriation is provided solely for state route number 164 and Auburn
3 Way South pedestrian improvements (L1000057).

4 ~~((+19))~~ (18) \$115,000 of the motor vehicle account--federal
5 appropriation is provided solely for median street lighting on state
6 route number 410 (L1000058).

7 ~~((+20))~~ (19) \$60,000 of the multimodal transportation account--
8 state appropriation is provided solely for a cross docking study for
9 the port of Douglas county (L1000060).

10 ~~((+21))~~ (20) \$100,000 of the motor vehicle account--federal
11 appropriation is provided solely for city of Auburn - 8th and R Street
12 NE intersection improvements (L2200043).

13 ~~((+22))~~ (21) \$65,000 of the multimodal transportation account--
14 state appropriation is provided solely for the Puget Sound regional
15 council to further the implementation of multimodal concurrency
16 practice through a transit service overlay zone implemented at the
17 local level (L1000061). This approach will improve the linkage of land
18 use and transportation investment decisions, improve the efficiency of
19 transit service by encouraging transit-supportive development, provide
20 incentives for developers, and support integrated regional growth,
21 economic development, and transportation plans. In carrying out this
22 work, the council shall involve representatives from cities and
23 counties, developers, transit agencies, and other interested
24 stakeholders, and shall consult with other regional transportation
25 planning organizations across the state. The council shall report the
26 results of their work and recommendations to the joint transportation
27 committee by December 2011, with a final report to the transportation
28 committees of the legislature by January 31, 2012.

29 ~~((+23) \$1,750,000)~~ (22) \$650,000 of the motor vehicle account--
30 federal appropriation is provided solely for the SR 522
31 Improvements/61st Avenue NE and NE 181st Street project (L1000055).

32 ~~((+24))~~ (23) The department shall implement a call for projects
33 eligible for the bicycle and pedestrian grant program similar to the
34 call for projects conducted in 2010, although the department may adjust
35 the criteria to include mobility and connectivity. The department
36 shall include a list of prioritized bicycle and pedestrian grant
37 projects for approval in the 2013-2015 biennial transportation budget.

1 **IMPLEMENTING PROVISIONS**

2 **Sec. 1101.** 2011 c 367 s 601 (uncodified) is amended to read as
3 follows:

4 **ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS**

5 (1) The following agencies may enter into financial contracts, paid
6 from any funds of an agency, appropriated or nonappropriated, for the
7 purposes indicated and in not more than the principal amounts
8 indicated, plus financing expenses and required reserves pursuant to
9 chapter 39.94 RCW. When securing properties under this section,
10 agencies shall use the most economical financial contract option
11 available, including long-term leases, lease-purchase agreements,
12 lease-development with option to purchase agreements, or financial
13 contracts using certificates of participation. Expenditures made by an
14 agency for one of the indicated purposes before the issue date of the
15 authorized financial contract and any certificates of participation
16 therein are intended to be reimbursed from proceeds of the financial
17 contract and any certificates of participation therein to the extent
18 provided in the agency's financing plan approved by the state finance
19 committee.

20 (2) State agencies may enter into agreements with the department of
21 general administration and the state treasurer's office to develop
22 requests to the legislature for the acquisition of properties and
23 facilities through financial contracts. The agreements may include
24 charges for services rendered.

25 ~~((a) Department of transportation: Enter into a financing~~
26 ~~contract for up to \$10,824,000 plus financing expenses and required~~
27 ~~reserves pursuant to chapter 39.94 RCW for the acquisition and~~
28 ~~implementation of a time, leave, and labor distribution system that is~~
29 ~~integrated with the state's accounting and human resource management~~
30 ~~systems.~~

31 ~~(b) Department of licensing: Enter into a financing contract for~~
32 ~~up to \$7,414,000 plus financing expenses and required reserves pursuant~~
33 ~~to chapter 39.94 RCW for the purchase of a prorated fuel tax system.~~

34 ~~(c))~~ Washington state patrol: ~~((i))~~ (a) Enter into a financing
35 contract for up to \$8,241,000 plus financing expenses and required
36 reserves pursuant to chapter 39.94 RCW to purchase and install mobile
37 office platforms in state patrol and pursuit vehicles.

1 ((+ii)) (b) Enter into a financing contract for up to
2 ((\$40,100,000)) \$39,100,000 plus financing expenses and required
3 reserves pursuant to chapter 39.94 RCW to purchase equipment and
4 engineering services to convert to a narrowband digital system.

5 **TRANSFERS AND DISTRIBUTIONS**

6 **Sec. 1201.** 2012 c 86 s 401 (uncodified) is amended to read as
7 follows:

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

12	Highway Bond Retirement Account--State	
13	Appropriation	(((\$879,501,000))
14		<u>\$862,130,000</u>
15	Ferry Bond Retirement Account--State	
16	Appropriation	(((\$31,801,000))
17		<u>\$31,807,000</u>
18	State Route Number 520 Corridor Account--State	
19	Appropriation	(((\$3,818,000))
20		<u>\$4,766,000</u>
21	Transportation Improvement Board Bond Retirement	
22	Account--State Appropriation	(((\$16,482,000))
23		<u>\$17,174,000</u>
24	Nondebt-Limit Reimbursable Account Appropriation	(((\$22,476,000))
25		<u>\$21,877,000</u>
26	Transportation Partnership Account--State	
27	Appropriation	(((\$3,654,000))
28		<u>\$2,570,000</u>
29	Motor Vehicle Account--State Appropriation	(((\$382,000))
30		<u>\$270,000</u>
31	Transportation 2003 Account (Nickel Account)--State	
32	Appropriation	(((\$1,305,000))
33		<u>\$1,411,000</u>
34	(Transportation Improvement Account--State	
35	 Appropriation	(\$29,000))

1 Multimodal Transportation Account--State
2 Appropriation ((\$158,000))
3 \$181,000
4 Toll Facility Bond Retirement Account--State
5 Appropriation ((\$48,807,000))
6 \$41,279,000
7 Toll Facility Bond Retirement Account--Federal
8 Appropriation ((\$7,500,000))
9 \$18,283,000
10 TOTAL APPROPRIATION ((\$1,015,913,000))
11 \$1,001,748,000

12 **Sec. 1202.** 2012 c 86 s 402 (uncodified) is amended to read as
13 follows:

14 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
15 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**
16 **FISCAL AGENT CHARGES**

17 State Route Number 520 Corridor Account--State
18 Appropriation ((\$960,000))
19 \$1,826,000
20 Transportation Partnership Account--State
21 Appropriation ((\$587,000))
22 \$352,000
23 Motor Vehicle Account--State Appropriation ((\$58,000))
24 \$28,000
25 Transportation 2003 Account (Nickel Account)--State
26 Appropriation ((\$255,000))
27 \$152,000
28 (~~Transportation Improvement Account--State Appropriation \$5,000~~)
29 Multimodal Transportation Account--State
30 Appropriation ((\$23,000))
31 \$14,000
32 TOTAL APPROPRIATION ((\$1,888,000))
33 \$2,372,000

34 **Sec. 1203.** 2012 c 86 s 404 (uncodified) is amended to read as
35 follows:

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

2 Motor Vehicle Account--State Appropriation for motor
3 vehicle fuel tax distributions to cities and
4 counties ((~~\$470,701,000~~))
5 \$465,681,000

6 Public Transportation Grant Program Account--State
7 Appropriation \$9,000,000
8 TOTAL APPROPRIATION \$474,681,000

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

11 (1) The public transportation grant program account--state
12 appropriation must be distributed statewide to transit authorities
13 according to the distribution formula in subsection (2) of this
14 section. Funding must be used for operations.

15 (2) Of the public transportation grant program account amounts
16 appropriated in this section:

17 (a) One-third must be distributed based on vehicle miles of service
18 provided;

19 (b) One-third must be distributed based on the number of vehicle
20 hours of service provided; and

21 (c) One-third must be distributed based on the number of passenger
22 trips.

23 (3) For the purposes of this section:

24 (a) "Transit authorities" has the same meaning as in RCW
25 9.91.025(2)(c).

26 (b) "Vehicle miles of service," "vehicle hours of service," and
27 "passenger trips" are transit service metrics as reported by the public
28 transportation program of the department of transportation in the
29 annual report required in RCW 35.58.2796 for calendar year 2010.

30 **Sec. 1204.** 2012 c 86 s 405 (uncodified) is amended to read as
31 follows:

32 **FOR THE STATE TREASURER--TRANSFERS**

33 Motor Vehicle Account--State Appropriation: For
34 motor vehicle fuel tax refunds and statutory
35 transfers ((~~\$1,227,005,000~~))
36 \$1,213,253,000

1 (11) Regional Mobility Grant Program
 2 Account--State Appropriation: For transfer to the
 3 Multimodal Transportation Account--State \$1,000,000
 4 (12) State Patrol Highway Account--State
 5 Appropriation: For transfer to the Vehicle
 6 Licensing Fraud Account--State \$100,000
 7 (13) Capital Vessel Replacement Account--State
 8 Appropriation: For transfer to the Transportation 2003
 9 Account (Nickel Account)--State ((\$6,367,000))
 10 \$6,299,000

11 (14) Multimodal Transportation Account--State
 12 Appropriation: For transfer to the Public Transportation
 13 Grant Program Account--State for the purposes of
 14 distributions of \$3,000,000 on each of the last
 15 working days of December, March, and June in fiscal
 16 year 2013 \$9,000,000

17 (15) Motor Vehicle Account--State Appropriation:
 18 For transfer to the Puget Sound Capital Construction
 19 Account--State \$45,000,000

20 (16) The transfers identified in this section are subject to the
 21 following conditions and limitations:

22 (a) The transfer in subsection (9) of this section represents the
 23 repayment of an amount equal to subprogram B5 expenditures that
 24 occurred in the motor vehicle account in the 2009-2011 fiscal biennium.

25 (b) The amount transferred in subsection (2) of this section shall
 26 not exceed the expenditures incurred from the motor vehicle account--
 27 state for the recreational vehicle sanitary disposal systems program.

28 **CONDITIONALLY ADDITIVE APPROPRIATIONS**

29 **Sec. 1301.** 2012 c 86 s 701 (uncodified) is amended to read as
 30 follows:

31 It is the intent of the legislature that the appropriations in
 32 (~~sections 702 through 713 of this act be~~) chapter 86, Laws of 2012
 33 that were supported by the legislative changes in chapter 80, Laws of
 34 2012 and chapter 74, Laws of 2012 were an initial commitment to the
 35 programs and activities funded and that the commitment continue through

1 the 2013-2015 fiscal biennium. To that end, it is the intent of the
2 legislature that the spending plan for the 2013-2015 fiscal biennium
3 reflect the programmatic areas and amounts described in LEAP
4 Transportation Document 2012-4, as developed March 8, 2012.

5 **MISCELLANEOUS 2011-2013 FISCAL BIENNIUM**

6 NEW SECTION. **Sec. 1401.** The appropriations to the department of
7 transportation in chapter 86, Laws of 2012 and this act must be
8 expended for the programs and in the amounts specified in this act.
9 However, after May 1, 2013, unless specifically prohibited, the
10 department may transfer state appropriations for the 2011-2013 fiscal
11 biennium among programs after approval by the director of the office of
12 financial management. However, the department shall not transfer state
13 moneys that are provided solely for a specific purpose. The department
14 shall not transfer funds, and the director of the office of financial
15 management shall not approve the transfer, unless the transfer is
16 consistent with the objective of conserving, to the maximum extent
17 possible, the expenditure of state funds and not federal funds. The
18 director of the office of financial management shall notify the
19 appropriate transportation committees of the legislature prior to
20 approving any allotment modifications or transfers under this section.
21 The written notification must include a narrative explanation and
22 justification of the changes, along with expenditures and allotments by
23 program and appropriation, both before and after any allotment
24 modifications or transfers.

25 NEW SECTION. **Sec. 1402.** The following acts or parts of acts are
26 each repealed:

- 27 (1) 2012 c 86 s 702 (uncodified);
28 (2) 2012 c 86 s 703 (uncodified);
29 (3) 2012 c 86 s 704 (uncodified);
30 (4) 2012 c 86 s 705 (uncodified);
31 (5) 2012 c 86 s 706 (uncodified);
32 (6) 2012 c 86 s 707 (uncodified);
33 (7) 2012 c 86 s 708 (uncodified);
34 (8) 2012 c 86 s 709 (uncodified);

- 1 (9) 2012 c 86 s 710 (uncodified);
- 2 (10) 2012 c 86 s 711 (uncodified);
- 3 (11) 2012 c 86 s 712 (uncodified);
- 4 (12) 2012 c 86 s 713 (uncodified);
- 5 (13) 2012 c 86 s 714 (uncodified);
- 6 (14) 2012 c 86 s 715 (uncodified); and
- 7 (15) 2012 c 86 s 716 (uncodified).

8 **MISCELLANEOUS**

9 NEW SECTION. **Sec. 1501.** If any provision of this act or its
10 application to any person or circumstance is held invalid, the
11 remainder of the act or the application of the provision to other
12 persons or circumstances is not affected.

13 NEW SECTION. **Sec. 1502.** Except for sections 702 and 710 of this
14 act, this act is necessary for the immediate preservation of the public
15 peace, health, or safety, or support of the state government and its
16 existing public institutions, and takes effect immediately.

17 NEW SECTION. **Sec. 1503.** Section 702 of this act is necessary for
18 the immediate preservation of the public peace, health, or safety, or
19 support of the state government and its existing public institutions,
20 and takes effect July 1, 2013.

21 NEW SECTION. **Sec. 1504.** Section 710 of this act takes effect if
22 chapter . . . (Substitute House Bill No. 1745), Laws of 2013 is not
23 enacted before June 30, 2013.

(End of Bill)

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