

CERTIFICATION OF ENROLLMENT

ENGROSSED SUBSTITUTE HOUSE BILL 1160

Chapter 416, Laws of 2019

(partial veto)

66th Legislature
2019 Regular Session

TRANSPORTATION BUDGET

EFFECTIVE DATE: May 21, 2019—Except for section 709, which is contingent.

Passed by the House April 28, 2019
Yeas 96 Nays 2

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 28, 2019
Yeas 49 Nays 0

CYRUS HABIB

President of the Senate

Approved May 21, 2019 10:30 AM with the exception of sections 208(5); 208(7); 208(9); 208(12); 208(15); 208(16); 208(17); 208(24); 208(27); 208(28); 208(29); 220, page 42, line 23; page 42, line 38 beginning with "Fuel" through line 39 ending with "process."; page 43, line 3 beginning with "Fuel" through line 4 ending with "process."; page 43, line 15 beginning with "Fuel" through line 16 ending with "process."; page 44, line 10 beginning with "Fuel" through line 11 ending with "process."; page 44, line 31 beginning with "Fuel" through line 32 ending with "process."; page 46, line 5; 304(2); 306(17); 905, page 169, lines 36-38; page 170, lines 18-20; 905(14); 908, page 184, lines 10-12; and 908(1); which are vetoed.

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1160** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

JAY INSLEE

Governor of the State of Washington

FILED

May 21, 2019
**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 1160

AS AMENDED BY THE SENATE

Passed Legislature - 2019 Regular Session

State of Washington

66th Legislature

2019 Regular Session

By House Transportation (originally sponsored by Representatives Fey, Wylie, Slatter, and Valdez; by request of Office of Financial Management)

READ FIRST TIME 03/28/19.

1 AN ACT Relating to transportation funding and appropriations;
2 amending RCW 43.19.642, 46.20.745, 46.68.060, 46.68.280, 46.68.290,
3 46.68.325, 47.56.403, 47.56.876, 41.45.0631, 46.68.063, 46.68.370,
4 46.68.300, 47.12.340, and 47.60.322; amending 2018 c 297 ss 201, 202,
5 204, 207-223, 301, 303-311, 401, 403-406, and 701 (uncodified);
6 adding a new section to 2018 c 297 (uncodified); creating new
7 sections; repealing 2018 c 297 s 701; making appropriations and
8 authorizing expenditures for capital improvements; providing an
9 effective date; providing a contingent effective date; providing an
10 expiration date; and declaring an emergency.

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

12 **2019-2021 FISCAL BIENNIUM**

13 NEW SECTION. **Sec. 1.** (1) The transportation budget of the state
14 is hereby adopted and, subject to the provisions set forth, the
15 several amounts specified, or as much thereof as may be necessary to
16 accomplish the purposes designated, are hereby appropriated from the
17 several accounts and funds named to the designated state agencies and
18 offices for employee compensation and other expenses, for capital
19 projects, and for other specified purposes, including the payment of

1 any final judgments arising out of such activities, for the period
2 ending June 30, 2021.

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

5 (a) "Fiscal year 2020" or "FY 2020" means the fiscal year ending
6 June 30, 2020.

7 (b) "Fiscal year 2021" or "FY 2021" means the fiscal year ending
8 June 30, 2021.

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

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

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

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

21 (g) "LEAP" means the legislative evaluation and accountability
22 program committee.

23 **GENERAL GOVERNMENT AGENCIES—OPERATING**

24 NEW SECTION. **Sec. 101. FOR THE DEPARTMENT OF ARCHAEOLOGY AND**
25 **HISTORIC PRESERVATION**

26 Motor Vehicle Account—State Appropriation \$545,000

27 NEW SECTION. **Sec. 102. FOR THE UTILITIES AND TRANSPORTATION**
28 **COMMISSION**

29 Grade Crossing Protective Account—State Appropriation . . . \$504,000

30 Pilotage Account—State Appropriation. \$150,000

31 TOTAL APPROPRIATION. \$654,000

32 NEW SECTION. **Sec. 103. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

33 Motor Vehicle Account—State Appropriation \$1,403,000

34 Multimodal Transportation Account—State Appropriation. . . \$300,000

35 Puget Sound Ferry Operations Account—State Appropriation . . \$116,000

1 TOTAL APPROPRIATION. \$1,819,000

2 The appropriations in this section are subject to the following
3 conditions and limitations: \$300,000 of the multimodal transportation
4 account—state appropriation is provided solely for the office of
5 financial management, in direct coordination with the office of state
6 treasurer, to evaluate, coordinate, and assist in efforts by state
7 agencies in developing cost recovery mechanisms for credit card and
8 other financial transaction fees currently paid from state funds.
9 This may include disbursing interagency reimbursements for the
10 implementation costs incurred by the affected agencies. As part of
11 the first phase of this effort, the office of financial management,
12 with the assistance of relevant agencies, must develop implementation
13 plans and take all necessary steps to ensure that the actual cost-
14 recovery mechanisms will be in place by January 1, 2020, for the
15 vehicles and drivers programs of the department of licensing. By
16 November 1, 2019, the office of financial management must provide a
17 report to the joint transportation committee on the phase 1
18 implementation plan and options to expand similar cost recovery
19 mechanisms to other state agencies and programs, including the
20 ferries division.

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

23 Motor Vehicle Account—State Appropriation \$1,186,000

24 The appropriation in this section is subject to the following
25 conditions and limitations: The entire appropriation in this section
26 is provided solely for road maintenance purposes.

27 NEW SECTION. **Sec. 105. FOR THE DEPARTMENT OF AGRICULTURE**

28 Motor Vehicle Account—State Appropriation \$1,357,000

29 NEW SECTION. **Sec. 106. FOR THE LEGISLATIVE EVALUATION AND**
30 **ACCOUNTABILITY PROGRAM COMMITTEE**

31 Motor Vehicle Account—State Appropriation \$652,000

32 NEW SECTION. **Sec. 107. FOR THE JOINT LEGISLATIVE AUDIT AND**
33 **REVIEW COMMITTEE**

34 State Patrol Highway Account—State Appropriation. \$90,000

1 The appropriation in this section is subject to the following
2 conditions and limitations: \$90,000 of the state patrol highway
3 account—state appropriation is provided solely for an update to the
4 1999 study of the Washington state patrol's vehicle replacement life
5 cycle cost model.

6 NEW SECTION. **Sec. 108. FOR THE BOARD OF PILOTAGE COMMISSIONERS**

7 Pilotage Account—State Appropriation \$5,228,000

8 The appropriation in this section is subject to the following
9 conditions and limitations:

10 (1) \$3,125,000 of the pilotage account—state appropriation is
11 provided solely for self-insurance liability premium expenditures;
12 however, this appropriation is contingent upon the board:

13 (a) Annually depositing the first one hundred fifty thousand
14 dollars collected through Puget Sound pilotage district pilotage
15 tariffs into the pilotage account; and

16 (b) Assessing a self-insurance premium surcharge of sixteen
17 dollars per pilotage assignment on vessels requiring pilotage in the
18 Puget Sound pilotage district.

19 (2) The board of pilotage commissioners shall file the annual
20 report to the governor and chairs of the transportation committees
21 required under RCW 88.16.035(1)(f) by September 1, 2019, and annually
22 thereafter. The report must include the continuation of policies and
23 procedures necessary to increase the diversity of pilots, trainees,
24 and applicants, including a diversity action plan. The diversity
25 action plan must articulate a comprehensive vision of the board's
26 diversity goals and the steps it will take to reach those goals.

27 NEW SECTION. **Sec. 109. FOR THE HOUSE OF REPRESENTATIVES**

28 Motor Vehicle Account—State Appropriation \$2,861,000

29 NEW SECTION. **Sec. 110. FOR THE SENATE**

30 Motor Vehicle Account—State Appropriation \$2,998,000

31 NEW SECTION. **Sec. 111. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

32 Motor Vehicle Account—State Appropriation. \$350,000

33 The appropriation in this section is subject to the following
34 conditions and limitations: \$350,000 of the motor vehicle account—

1 state appropriation is provided solely for the department, from
2 amounts set aside out of statewide fuel taxes distributed to cities
3 according to RCW 46.68.110(2), to contract with the association of
4 Washington cities to inventory and assess fish passage barriers
5 associated with city roads located in the *U.S. v. Washington* case
6 area, water resource inventory area numbers one through twenty-three.
7 The study is a continuation of previous inventories, and priority
8 must be given to the assessment of sites that have not yet been
9 inventoried. The initial goal of the study is to finalize the
10 inventory of all city-owned fish passage barriers within the case
11 area. After the initial goal has been met, within any remaining funds
12 and after consultation with the Washington association of cities, the
13 department shall perform downstream access checks on city inventory
14 sites and to reassess existing city inventories that have not been
15 assessed since June 2012. The inventories and assessments must be
16 conducted using the methods described in the department's fish
17 passage, inventory, assessment, and prioritization manual. A report
18 of the study must be provided to the office of financial management
19 and the transportation committees of the legislature by July 1, 2020.

20 NEW SECTION. **Sec. 112. FOR THE DEPARTMENT OF ECOLOGY**

21 (1) (a) When distributing funds for litter control the department
22 shall give priority to litter control along state highways.

23 (b) The department shall contract with the department of
24 transportation to schedule litter prevention messaging and
25 coordination of litter emphasis patrols with the Washington state
26 patrol. The department of transportation may coordinate with the
27 department to conduct litter pickup during scheduled maintenance
28 closures as situations allow.

29 **TRANSPORTATION AGENCIES—OPERATING**

30 NEW SECTION. **Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY**
31 **COMMISSION**

32	Highway Safety Account—State Appropriation	\$4,588,000
33	Highway Safety Account—Federal Appropriation	\$27,035,000
34	Highway Safety Account—Private/Local Appropriation	\$118,000
35	School Zone Safety Account—State Appropriation	\$850,000
36	TOTAL APPROPRIATION.	\$32,591,000

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

3 (1) \$150,000 of the highway safety account—state appropriation is
4 provided solely for the implementation of chapter . . . (Substitute
5 Senate Bill No. 5710), Laws of 2019 (Cooper Jones Active
6 Transportation Safety Council). If chapter . . . (Substitute Senate
7 Bill No. 5710), Laws of 2019 is not enacted by June 30, 2019, the
8 amount provided in this subsection lapses.

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

13 (a) Any programs authorized by the commission must be authorized
14 by December 31, 2019.

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

20 (c) Any city administering a pilot program overseen by the
21 traffic safety commission shall use the following guidelines to
22 administer the program:

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

27 (ii) The law enforcement agency of the city or county government
28 shall plainly mark the locations where the automated vehicle noise
29 enforcement camera is used by placing signs on street locations that
30 clearly indicate to a driver that he or she is entering a zone where
31 traffic laws violations are being detected by automated vehicle noise
32 enforcement cameras that record both audio and video;

33 (iii) Cities testing the use of automated vehicle noise
34 enforcement cameras must provide periodic notice by mail to its
35 residents indicating the zones in which the automated vehicle noise
36 enforcement cameras will be used;

37 (iv) A city may only issue a warning notice with no penalty for a
38 violation detected by automated vehicle noise enforcement cameras in
39 a Stay Out of Areas of Racing zone. Warning notices must be mailed to

1 the registered owner of a vehicle within fourteen days of the
2 detected violation;

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

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

16 (vii) By June 30, 2021, the participating cities shall provide a
17 report to the commission and appropriate committees of the
18 legislature regarding the use, public acceptance, outcomes, warnings
19 issued, data retention and use, and other relevant issues regarding
20 automated vehicle noise enforcement cameras demonstrated by the pilot
21 projects.

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

23 Rural Arterial Trust Account—State Appropriation	\$1,137,000
24 Motor Vehicle Account—State Appropriation	\$2,803,000
25 County Arterial Preservation Account—State	
26 Appropriation	\$1,677,000
27 TOTAL APPROPRIATION.	\$5,617,000

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

29 Transportation Improvement Account—State	
30 Appropriation	\$4,526,000

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

32 Motor Vehicle Account—State Appropriation	\$1,938,000
33 Multimodal Transportation Account—State Appropriation.	\$750,000
34 Highway Safety Account—State Appropriation.	\$275,000
35 TOTAL APPROPRIATION.	\$2,963,000

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

3 (1) \$400,000 of the motor vehicle account—state appropriation and
4 \$50,000 of the multimodal transportation account—state appropriation
5 is for the joint transportation committee to conduct a comprehensive
6 assessment of statewide transportation needs and priorities, and
7 existing and potential transportation funding mechanisms to address
8 those needs and priorities. The assessment must include: (a)
9 Recommendations on the critical state and local transportation
10 projects, programs, and services needed to achieve an efficient,
11 effective, statewide transportation system over the next ten years;
12 (b) a comprehensive menu of funding options for the legislature to
13 consider to address the identified transportation system investments;
14 and (c) an analysis of the economic impacts of a range of future
15 transportation investments. The assessment must be submitted to the
16 transportation committees of the legislature by June 30, 2020.
17 Starting July 1, 2020, and concluding by December 31, 2020, a
18 committee-appointed commission or panel shall review the assessment
19 and make final recommendations to the legislature for consideration
20 during the 2021 legislative session on a realistic, achievable plan
21 for funding transportation programs, projects, and services over the
22 next ten years including a timeline for legislative action on funding
23 the identified transportation system needs shortfall.

24 (2)(a) \$450,000 of the multimodal transportation account—state
25 appropriation is for the joint transportation committee to conduct an
26 analysis of the electrification of public fleets in Washington state.
27 The study must include the following:

28 (i) An inventory of existing public fleets for the state of
29 Washington, counties, a sampling of cities, and public transit
30 agencies. The inventory must differentiate among battery and fuel
31 cell electric vehicles, hybrid vehicles, gasoline powered vehicles,
32 and any other functional categories. Three cities from each of the
33 following population ranges must be selected for the analysis:

34 (A) Population up to and including twenty-five thousand;

35 (B) Population greater than twenty-five thousand and up to and
36 including fifty thousand;

37 (C) Population greater than fifty thousand and up to and
38 including one hundred thousand;

39 (D) Population greater than one hundred thousand;

1 (ii) A review of currently available battery and fuel cell
2 electric vehicle alternatives to the vehicle types most commonly used
3 by the state, counties, cities, and public transit agencies. The
4 review must include:

5 (A) The average vehicle cost differential among the commercially
6 available fuel options;

7 (B) A cost benefit analysis of the conversion of different
8 vehicle classes; and

9 (C) Recommendations for the types of vehicles that should be
10 excluded from consideration due to insufficient alternatives,
11 unreliable technology, or excessive cost;

12 (iii) The projected costs of achieving substantial conversion to
13 battery and/or fuel cell electric fleets by 2025, 2030, and 2035 for
14 the state, counties, cities, and public transit agencies. This cost
15 estimate must include:

16 (A) Vehicle acquisition costs, charging and refueling
17 infrastructure costs, and other associated costs;

18 (B) Financial constraints of each type of entity to transition to
19 an electric vehicle fleet; and

20 (C) Any other identified barriers to transitioning to a battery
21 and/or fuel cell electric vehicle fleet;

22 (iv) Identification and analysis of financing mechanisms that
23 could be used to finance the transition of publicly owned vehicles to
24 battery and fuel cell electric vehicles. These mechanisms include,
25 but are not limited to: Energy or carbon savings performance
26 contracting, utility grants and rebates, revolving loan funds, state
27 grant programs, private third-party financing, fleet management
28 services, leasing, vehicle use optimization, and vehicle to grid
29 technology; and

30 (v) The predicted number and location profile of electric vehicle
31 fueling stations needed statewide to provide fueling for the fleets
32 of the state, counties, cities, and public transit agencies.

33 (b) In developing and implementing the study, the joint
34 transportation committee must solicit input from representatives of
35 the department of enterprise services, the department of
36 transportation, the department of licensing, the department of
37 commerce, the Washington state association of counties, the
38 association of Washington cities, the Washington state transit
39 association, transit agencies, and others as deemed appropriate.

1 (c) The joint transportation committee must issue a report of its
2 findings and recommendations to the transportation committees of the
3 legislature by September 30, 2020.

4 (3) (a) \$250,000 of the multimodal transportation account—state
5 appropriation is for the joint transportation committee to conduct a
6 study of the feasibility of an east-west intercity passenger rail
7 system. The study must include the following elements:

8 (i) Projections of potential ridership;

9 (ii) Review of relevant planning studies;

10 (iii) Establishment of an advisory group and associated meetings;

11 (iv) Development of a Stampede Pass corridor alignment to
12 maximize ridership, revenue, and rationale, considering service to
13 population centers: Auburn, Cle Elum, Yakima, Tri-Cities, Ellensburg,
14 Toppenish, and Spokane;

15 (v) Assessment of current infrastructure conditions, including
16 station stop locations;

17 (vi) Identification of equipment needs; and

18 (vii) Identification of operator options.

19 (b) A report of the study findings and recommendations is due to
20 the transportation committees of the legislature by June 30, 2020.

21 (4) (a) \$275,000 of the highway safety fund—state appropriation is
22 for a study of vehicle subagents in Washington state. The study must
23 consider and include recommendations, as necessary, on the following:

24 (i) The relevant statutes, rules, and/or regulations authorizing
25 vehicle subagents and any changes made to the relevant statutes,
26 rules, and/or regulations;

27 (ii) The current process of selecting and authorizing a vehicle
28 subagent, including the change of ownership process and the
29 identification of any barriers to entry into the vehicle subagent
30 market;

31 (iii) The annual business expenditures borne by each of the
32 vehicle subagent businesses since fiscal year 2010 and identification
33 of any materials, including office equipment and supplies, provided
34 by the department of licensing to each vehicle subagent since fiscal
35 year 2010. To accomplish this task, each vehicle subagent must
36 provide expenditure data to the joint transportation committee for
37 the purposes of this study;

38 (iv) The oversight provided by the county auditors and/or the
39 department of licensing over the vehicle subagent businesses;

1 (v) The history of service fees, how increases to the service fee
2 rate are made, and how the requested fee increase is determined;

3 (vi) The online vehicle registration renewal process and any
4 potential improvements to the online process;

5 (vii) The department of licensing's ability to provide more
6 vehicle licensing services directly, particularly taking into account
7 the increase in online vehicle renewal transactions;

8 (viii) The potential expansion of services that can be performed
9 by vehicle subagents; and

10 (ix) The process by which the geographic locations of vehicle
11 subagents are determined.

12 (b) In conducting the study, the joint transportation committee
13 must consult with the department of licensing, a representative of
14 county auditors, and a representative of vehicle subagents.

15 (c) The joint transportation committee may collect any data from
16 the department of licensing, county auditors, and vehicle subagents
17 that is necessary to conduct the study.

18 (d) The joint transportation committee must issue a report of
19 its findings and recommendations to the transportation committees of
20 the legislature by September 30, 2020.

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

22	Motor Vehicle Account—State Appropriation	\$2,893,000
23	Multimodal Transportation Account—State Appropriation . . .	\$112,000
24	Interstate 405 Express Toll Lanes Operations	
25	Account—State Appropriation.	\$250,000
26	TOTAL APPROPRIATION.	\$3,255,000

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

29 (1)(a) The commission shall reconvene the road usage charge
30 steering committee, with the same membership described in chapter
31 297, Laws of 2018, and shall report at least once every three months
32 to the steering committee with updates on report development for the
33 completed road usage charge pilot project until the final report is
34 submitted. The final report on the road usage charge pilot project is
35 due to the transportation committees of the legislature by January 1,
36 2020, and should include recommendations for necessary next steps to
37 consider impacts to communities of color, low-income households,
38 vulnerable populations, and displaced communities. Any legislative

1 vacancies on the steering committee must be appointed by the speaker
2 of the house of representatives for a house of representatives member
3 vacancy, and by the president of the senate for a senate member
4 vacancy.

5 (b) The commission shall coordinate with the department of
6 transportation to jointly seek federal funds available through the
7 federal surface transportation system funding alternatives grant
8 program, applying toll credits for meeting match requirements. One or
9 more grant applications may be developed that, at a minimum, propose
10 to:

11 (i) (A) Update the recommended road usage charge operational
12 concepts and business case presented to the road usage charge
13 steering committee to reflect a range of scenarios regarding fleet
14 electrification and use of shared vehicles. The operational concepts
15 must include technological or system features necessary to ensure
16 collection of the road usage charge from electric vehicles and fleets
17 of shared and/or autonomous vehicles, if applicable. The business
18 case must assess a range of gross revenue impacts to a road usage
19 charge and fuel taxes resulting from changes to total vehicle miles
20 traveled under scenarios with varying degrees of shared, autonomous,
21 and/or electric vehicle adoption rates;

22 (B) Develop a detailed plan for phasing in the implementation of
23 road usage charges for vehicles operated in Washington, incorporating
24 any updates to road usage charge policy recommendations made in (a)
25 and (b) (i) (A) of this subsection and including consideration of
26 methods for reducing the cost of collections for a road usage charge
27 system in Washington state; and

28 (C) Examine the allocation of current gas tax revenues and
29 possible frameworks for the allocation of road usage charge revenues
30 that could be used to evaluate policy choices once road usage charge
31 revenues comprise a significant share of state revenues for
32 transportation purposes.

33 (ii) A year-end report on the status of any federally-funded
34 project for which federal funding is secured must be provided to the
35 governor's office and the transportation committees of the
36 legislature by January 1, 2020.

37 (2) (a) \$250,000 of the Interstate 405 express toll lanes
38 operations account—state appropriation is provided solely for the
39 transportation commission to conduct a study, applicable to the
40 Interstate 405 express toll lanes, of discounted tolls and other

1	Appropriation	\$7,010,000
2	Multimodal Transportation Account—State Appropriation . . .	\$286,000
3	TOTAL APPROPRIATION.	\$537,313,000

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

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

15 (2) \$510,000 of the ignition interlock device revolving account—
16 state appropriation is provided solely for the ignition interlock
17 program at the Washington state patrol to provide funding for two
18 staff to work and provide support for the program in working with
19 manufacturers, service centers, technicians, and participants in the
20 program.

21 (3) \$1,424,000 of the state patrol highway account—state
22 appropriation is provided solely to enter into an agreement for
23 upgraded land mobile software, hardware, and equipment.

24 (4) \$2,582,000 of the state patrol highway account—state
25 appropriation is provided solely for the replacement of radios and
26 other related equipment.

27 (5) \$343,000 of the state patrol highway account—state
28 appropriation is provided solely for aerial criminal investigation
29 tools, including software licensing and maintenance, and annual
30 certification.

31 (6) \$514,000 of the state patrol highway account—state
32 appropriation is provided solely for additional staff to address the
33 increase in the number of toxicology cases from impaired driving and
34 death investigations.

35 (7) \$580,000 of the state patrol highway account—state
36 appropriation is provided solely for the operation of and
37 administrative support to the license investigation unit to enforce
38 vehicle registration laws in southwestern Washington. The Washington
39 state patrol, in consultation with the department of revenue, shall

1 maintain a running estimate of the additional vehicle registration
2 fees, sales and use taxes, and local vehicle fees remitted to the
3 state pursuant to activity conducted by the license investigation
4 unit. Beginning October 1, 2019, and quarterly thereafter, the
5 Washington state patrol shall submit a report detailing the
6 additional revenue amounts generated since July 1, 2017, to the
7 director of the office of financial management and the transportation
8 committees of the legislature. At the end of the calendar quarter in
9 which it is estimated that more than \$625,000 in state sales and use
10 taxes have been remitted to the state since July 1, 2017, the
11 Washington state patrol shall notify the state treasurer and the
12 state treasurer shall transfer funds pursuant to section 406 of this
13 act.

14 (8) \$18,000 of the state patrol highway account—state
15 appropriation is provided solely for the license investigation unit
16 to procure an additional license plate reader and related costs.

17 (9) The Washington state patrol and the office of financial
18 management must be consulted by the department of transportation
19 during the design phase of any improvement or preservation project
20 that could impact Washington state patrol weigh station operations.
21 During the design phase of any such project, the department of
22 transportation must estimate the cost of designing around the
23 affected weigh station's current operations, as well as the cost of
24 moving the affected weigh station.

25 (10) \$4,210,000 of the state patrol highway account—state
26 appropriation is provided solely for a third arming and a third
27 trooper basic training class. The cadet class is expected to graduate
28 in June 2021.

29 (11) \$65,000 of the state patrol highway account—state
30 appropriation is provided solely for the implementation of
31 chapter . . . (Engrossed Second Substitute Senate Bill No. 5497),
32 Laws of 2019 (immigrants in the workplace). If chapter . . .
33 (Engrossed Second Substitute Senate Bill No. 5497), Laws of 2019 is
34 not enacted by June 30, 2019, the amount provided in this subsection
35 lapses.

36 (12)(a) The Washington state patrol must report quarterly to the
37 house and senate transportation committees on the status of
38 recruitment and retention activities as follows:

39 (i) A summary of recruitment and retention strategies;

- 1 (ii) The number of transportation funded staff vacancies by major
 2 category;
- 3 (iii) The number of applicants for each of the positions by these
 4 categories;
- 5 (iv) The composition of workforce; and
- 6 (v) Other relevant outcome measures with comparative information
 7 with recent comparable months in prior years.
- 8 (b) By January 1, 2020, the Washington state patrol must submit
 9 to the transportation committees of the legislature and the governor
 10 a workforce diversity plan. The plan must identify ongoing, and both
 11 short-term and long-term, specific comprehensive outreach and
 12 recruitment strategies to increase populations underrepresented
 13 within both commissioned and noncommissioned employee groups.

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

15	Marine Fuel Tax Refund Account—State Appropriation	\$34,000
16	Motorcycle Safety Education Account—State	
17	Appropriation	\$5,044,000
18	State Wildlife Account—State Appropriation	\$536,000
19	Highway Safety Account—State Appropriation	\$243,189,000
20	Highway Safety Account—Federal Appropriation	\$1,294,000
21	Motor Vehicle Account—State Appropriation	\$77,219,000
22	Motor Vehicle Account—Private/Local Appropriation	\$2,858,000
23	Ignition Interlock Device Revolving Account—State	
24	Appropriation	\$6,143,000
25	Department of Licensing Services Account—State	
26	Appropriation	\$8,012,000
27	License Plate Technology Account—State	
28	Appropriation	\$4,250,000
29	Abandoned Recreational Vehicle Account—State	
30	Appropriation.	\$2,925,000
31	Limousine Carriers Account—State Appropriation.	\$113,000
32	DOL Technology Improvement & Data Management	
33	Account—State Appropriation.	\$2,250,000
34	Agency Financial Transaction Account—State	
35	Appropriation.	\$11,903,000
36	TOTAL APPROPRIATION.	\$365,770,000

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

1 (1) \$139,000 of the motorcycle safety education account—state
2 appropriation is provided solely for the implementation of
3 chapter . . . (Substitute House Bill No. 1116), Laws of 2019
4 (motorcycle safety). If chapter . . . (Substitute House Bill No.
5 1116), Laws of 2019 is not enacted by June 30, 2019, the amount
6 provided in this subsection lapses.

7 (2) \$404,000 of the highway safety account—state appropriation is
8 provided solely for a new driver testing system at the department.
9 Pursuant to RCW 43.135.055 and 46.82.310, the department is
10 authorized to increase driver training school license application and
11 renewal fees in fiscal years 2020 and 2021, as necessary to fully
12 support the cost of activities related to administration of the
13 driver training school program, including the cost of the new driver
14 testing system described in this subsection.

15 (3) \$25,000 of the motorcycle safety education account—state
16 appropriation, \$4,000 of the state wildlife account—state
17 appropriation, \$1,708,000 of the highway safety account—state
18 appropriation, \$576,000 of the motor vehicle account—state
19 appropriation, \$22,000 of the ignition interlock device revolving
20 account—state appropriation, and \$28,000 of the department of
21 licensing services account—state appropriation are provided solely
22 for the department to fund the appropriate staff, other than data
23 stewards, and necessary equipment and software for data management,
24 data analytics, and data compliance activities. The department must,
25 in consultation with the office of the chief information officer,
26 construct a framework with goals for providing better data
27 stewardship and a plan to achieve those goals. The department must
28 provide the framework and plan to the transportation committees of
29 the legislature by December 31, 2019. Appropriations provided for the
30 data stewardship and privacy project described in this subsection are
31 subject to the conditions, limitations, and review provided in
32 section 701 of this act.

33 (4) Appropriations provided for the cloud continuity of
34 operations project in this section are subject to the conditions,
35 limitations, and review provided in section 701 of this act.

36 **(5) The department shall continue to encourage the use of online**
37 **vehicle registration renewal reminders and minimize the number of**
38 **letters mailed by the department. Beginning January 1, 2020, and**
39 **semiannually thereafter, the department must report on the percentage**

1 ***of different types of transactions performed online by region and the***
2 ***estimated printing and postage costs saved from a fiscal year 2017***
3 ***baseline from these efforts.***

4 (6) \$24,028,000 of the highway safety account—state appropriation
5 is provided solely for costs necessary to accommodate increased
6 demand for enhanced drivers' licenses and enhanced identicards. The
7 department shall report on a quarterly basis on the use of these
8 funds, associated workload, and information with comparative
9 information with recent comparable months in prior years. The report
10 must include detailed statewide and by licensing service office
11 information on staffing levels, average monthly wait times, the
12 number of enhanced drivers' licenses and enhanced identicards issued/
13 renewed, and the number of primary drivers' licenses and identicards
14 issued/renewed. Within the amounts provided in this subsection, the
15 department shall implement efficiency measures to reduce the time for
16 licensing transactions and wait times including, but not limited to,
17 the installation of additional cameras at licensing service offices
18 that reduce bottlenecks and align with the "keep your customer"
19 initiative.

20 (7) ***Within amounts provided in this section, the department shall***
21 ***take immediate steps to ensure that all statutorily allowed***
22 ***transactions that can be performed by subagents are logistically***
23 ***allowed and supported, including potentially allowing vessel reports***
24 ***of sale to be processed in subagent offices. By December 1, 2019, the***
25 ***department of licensing shall report to director of the office of***
26 ***financial management and the transportation committees of the***
27 ***legislature on the actions taken pursuant to this subsection.***

28 (8) \$507,000 of the motor vehicle account—state appropriation is
29 provided solely for the implementation of chapter . . . (Substitute
30 Senate Bill No. 5419), Laws of 2019 (vehicle service fees) or
31 chapter . . . (Engrossed House Bill No. 1789), Laws of 2019 (vehicle
32 service fees). If neither chapter . . . (Substitute Senate Bill No.
33 5419), Laws of 2019 or chapter . . . (Engrossed House Bill No. 1789),
34 Laws of 2019 are enacted by June 30, 2019, the amount provided in
35 this subsection lapses.

36 (9) ***\$62,000 of the highway safety account—state appropriation is***
37 ***provided solely for the implementation of chapter . . . (Substitute***
38 ***Senate Bill No. 5694), Laws of 2019 (commercial beekeeper drivers).***
39 ***If chapter . . . (Substitute Senate Bill No. 5694), Laws of 2019 is***

1 **not enacted by June 30, 2019, the amount provided in this subsection**
2 **lapses.**

3 (10) \$25,000 of the motor vehicle account—state appropriation is
4 provided solely for the implementation of chapter . . . (Engrossed
5 House Bill No. 1996), Laws of 2019 (San Juan Islands license plate).
6 If chapter . . . (Engrossed House Bill No. 1996), Laws of 2019 is not
7 enacted by June 30, 2019, the amount provided in this subsection
8 lapses.

9 (11) \$24,000 of the motor vehicle account—state appropriation is
10 provided solely for the implementation of chapter . . . (House Bill
11 No. 2062), Laws of 2019 (Seattle Storm license plate). If
12 chapter . . . (House Bill No. 2062), Laws of 2019 is not enacted by
13 June 30, 2019, the amount provided in this subsection lapses.

14 **(12) \$14,000 of the motor vehicle account—state appropriation is**
15 **provided solely for the implementation of chapter . . . (Substitute**
16 **Senate Bill No. 5591), Laws of 2019 (stolen vehicle check fee). If**
17 **chapter . . . (Substitute Senate Bill No. 5591), Laws of 2019 is not**
18 **enacted by June 30, 2019, the amount provided in this subsection**
19 **lapses.**

20 (13) \$65,000 of the highway safety account—state appropriation is
21 provided solely for the implementation of chapter . . . (Engrossed
22 Second Substitute Senate Bill No. 5497), Laws of 2019 (immigrants in
23 the workplace). If chapter . . . (Engrossed Second Substitute Senate
24 Bill No. 5497), Laws of 2019 is not enacted by June 30, 2019, the
25 amount provided in this subsection lapses.

26 (14) The appropriations in this section assume implementation of
27 additional cost recovery mechanisms to recoup at least \$11,903,000 in
28 credit card and other financial transaction costs as part of charges
29 imposed for driver and vehicle fee transactions beginning January 1,
30 2020. At the direction of the office of financial management, the
31 department must develop a method of tracking the additional amount of
32 credit card and other financial cost-recovery revenues. In
33 consultation with the office of financial management, the department
34 must notify the state treasurer of these amounts and the state
35 treasurer must deposit these revenues in the agency financial
36 transaction account created in section 717 of this act on a quarterly
37 basis.

38 **(15) Within amounts provided in this section, the department,**
39 **shall convene a work group of relevant stakeholders, to make**

1 recommendations on methods to assist former military members with
2 demonstrated comparable recent military experience transition into
3 civilian employment in commercial trucking and the construction
4 trades. The issues explored by the work group may include, but are
5 not limited to, expanding the allowed waivers under the federal motor
6 carrier safety administration regulations, the specific training
7 documents and military license information needed to demonstrate
8 comparable military experience, the options to ensure that the former
9 military drivers have the requisite knowledge and skills to safely
10 operate commercial motor vehicles, and options to expand the
11 transition and employment opportunities of former military drivers.
12 The work group shall submit a report with its findings and
13 recommendations to the transportation committees of the legislature
14 by December 1, 2019.

15 (16) Within amounts provided in this section, the department, in
16 consultation with the department of ecology and the Washington state
17 patrol, shall convene a work group that includes representation from
18 the vehicle recycling community, local law enforcement, environmental
19 interests, and other appropriate parties to review enforcement of and
20 compliance with the state's vehicle wrecking laws.

21 (a) The work group shall review the current problems relating to
22 illegal vehicle wrecking operations and efforts underway in other
23 west coast states to address the problems of illegal vehicle wrecking
24 operations, including tax evasion, environmental impacts, health
25 impacts, and facilitation of vehicle theft, and other related issues.

26 (b) The work group shall consider strategies for bringing illegal
27 vehicle wreckers into compliance through compliance assistance,
28 education and training, or other methods, including coordinated
29 enforcement and compliance activities, and recommendations for
30 statutory and administrative changes needed to better allow for
31 enforcement against illegal wrecking operations.

32 (c) By December 1, 2019, the department must submit a preliminary
33 progress report on the work group activities to the transportation
34 committees of the legislature. By August 1, 2020, the department must
35 submit a final report with potential legislation to the
36 transportation committees of the legislature.

37 (17) (a) To ensure the most accurate and cost-effective method of
38 determining whether an abandoned vehicle owner is an active duty
39 service member, the department shall convene a work group comprised
40 of registered tow truck operators from different regions of the

1 *state, a representative of the military department, and*
2 *representatives from the military branches of service by invitation*
3 *as appropriate, to develop options for a financially viable and*
4 *sustainable plan for the verification of a registered vehicle owner's*
5 *active duty military status for both in state and out-of-state*
6 *registered vehicles. The work group must examine:*

7 *(i) How other states and their respective towing and recovery*
8 *industries have addressed the workload, liability, and costs of*
9 *verification of a registered vehicle owner's active duty military*
10 *status; and*

11 *(ii) Appropriate sources of funding to support the implementation*
12 *of the policy options developed by the work group.*

13 *(b) A final report and draft legislation are due to the standing*
14 *transportation committees of the legislature on June 1, 2020.*

15 (18) \$1,281,000 of the department of licensing service account—
16 state appropriation is provided solely for savings from the
17 implementation of chapter . . . (Engrossed House Bill No. 1789), Laws
18 of 2019 (vehicle service fees). If chapter . . . (Engrossed House
19 Bill No. 1789), Laws of 2019 is enacted by June 30, 2019, the amount
20 provided in this subsection lapses.

21 (19) \$2,650,000 of the abandoned recreational vehicle disposal
22 account—state appropriation is provided solely for providing
23 reimbursements in accordance with the department's abandoned
24 recreational vehicle disposal reimbursement program. It is the intent
25 of the legislature that the department prioritize this funding for
26 allowable and approved reimbursements and not to build a reserve of
27 funds within the account.

28 (20) \$20,000 of the motor vehicle account—state appropriation is
29 provided solely for the implementation of chapter . . . (Substitute
30 House Bill No. 1197), Laws of 2019 (Gold Star license plate). If
31 chapter . . . (Substitute House Bill No. 1197), Laws of 2019 is not
32 enacted by June 30, 2019, the amount provided in this subsection
33 lapses.

34 (21) \$31,000 of the motor vehicle account—state appropriation is
35 provided solely for the implementation of chapter . . . (Substitute
36 House Bill No. 1436), Laws of 2019 (snow bikes). If chapter . . .
37 (Substitute House Bill No. 1436), Laws of 2019 is not enacted by June
38 30, 2019, the amount provided in this subsection lapses.

1 (22) \$24,000 of the motor vehicle account—state appropriation is
2 provided solely for the implementation of chapter . . . (House Bill
3 No. 2058), Laws of 2019 (Purple Heart license plate). If
4 chapter . . . (House Bill No. 2058), Laws of 2019 is not enacted by
5 June 30, 2019, the amount provided in this subsection lapses.

6 (23) \$24,000 of the motor vehicle account—state appropriation is
7 provided solely for the implementation of chapter . . . (Engrossed
8 House Bill No. 2067), Laws of 2019 (vehicle and vessel owner
9 information). If chapter . . . (Engrossed House Bill No. 2067), Laws
10 of 2019 is not enacted by June 30, 2019, the amount provided in this
11 subsection lapses.

12 **(24) \$24,000 of the motor vehicle account—state appropriation is**
13 **provided solely for the implementation of chapter . . . (House Bill**
14 **No. 1255), Laws of 2019 (Patches Pal license plate). If chapter . . .**
15 **(House Bill No. 1255), Laws of 2019 is not enacted by June 30, 2019,**
16 **the amount provided in this subsection lapses.**

17 (25) \$600,000 of the highway safety account—state appropriation
18 is provided solely for the department to provide an interagency
19 transfer to the department of social and health services, children's
20 administration division for the purpose of providing driver's license
21 support to a larger population of foster youth than is already served
22 within existing resources. Support services include reimbursement of
23 driver's license issuance costs, fees for driver training education,
24 and motor vehicle liability insurance costs.

25 (26) The department must place personal and company data elements
26 in separate data fields to allow the department to select discrete
27 data elements when providing information or data to persons or
28 entities outside the department. Pursuant to the restrictions in
29 federal and state law, a person's photo, social security number, or
30 medical information must not be made available through public
31 disclosure or data being provided under RCW 46.12.630 or 46.12.635.

32 **(27) The budget includes amounts for the department to implement**
33 **employee training and other activities related to improving the**
34 **protection of private information and increasing racial and cultural**
35 **awareness by employees in administering licensing responsibilities.**

36 **(28) Within existing funds, the department shall conduct a study**
37 **to evaluate options for the implementation of prismatic**
38 **retroreflective technology on license plates. The department must**
39 **consult with the department of corrections, the department of**

1 transportation, the Washington state patrol, and other appropriate
2 entities in conducting the study. The report must include information
3 on the potential improvements to license plate retroreflectivity and
4 legibility, implementation costs, effects of prismatic
5 retroreflective technology on license plate readers used by the
6 Washington state patrol for enforcement and by the department of
7 transportation in the photo toll collection process, and other
8 implementation issues. The department shall issue the report to the
9 transportation committees of the legislature by December 31, 2019.

10 (29) \$149,000 of the highway safety account—state appropriation
11 and \$218,000 of the ignition interlock device revolving account—state
12 appropriation are provided solely for the implementation of
13 chapter . . . (Engrossed Substitute House Bill No. 1504), Laws of
14 2019 (impaired driving). If chapter . . . (Engrossed Substitute House
15 Bill No. 1504), Laws of 2019 is not enacted by June 30, 2019, the
16 amount provided in this subsection lapses.

17 (30) \$91,000 of the highway safety account—state appropriation is
18 provided solely for the department's costs related to the one
19 Washington project.

20 (31) \$974,000 of the highway safety account—state appropriation
21 is provided solely for communication and outreach activities
22 necessary to inform the public of federally acceptable identification
23 options including, but not limited to, enhanced drivers' licenses and
24 enhanced identicards. The department shall continue the outreach plan
25 that includes informational material that can be effectively
26 communicated to all communities and populations in Washington. To
27 accomplish this work, the department shall contract with an external
28 vendor with demonstrated experience and expertise in outreach and
29 marketing to underrepresented communities in a culturally-responsive
30 fashion.

**Sec. 208 is partially vetoed. See message at end of chapter.*

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	\$3,774,000
35 Motor Vehicle Account—State Appropriation	\$513,000
36 State Route Number 520 Corridor Account—State	
37 Appropriation	\$43,773,000

1 corridor as specified in (a) of this subsection since implementation
2 of the express toll lanes and, to the extent available, a comparison
3 to the travel times and travel time reliability prior to
4 implementation of the express toll lanes;

5 (c) Total express toll lane and total general purpose lane
6 traffic volumes, as well as per lane traffic volumes for each type of
7 lane (i) compared to total express toll lane and total general
8 purpose lane traffic volumes, as well as per lane traffic volumes for
9 each type of lane, on this segment of Interstate 405 prior to
10 implementation of the express toll lanes and (ii) compared to total
11 express toll lane and total general purpose lane traffic volumes, as
12 well as per lane traffic volumes for each type of lane, from month to
13 month since implementation of the express toll lanes; and

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

17 (3) (a) \$71,000 of the high occupancy toll lanes operations
18 account—state appropriation, \$1,238,000 of the state route number 520
19 corridor account—state appropriation, \$532,000 of the Tacoma Narrows
20 toll bridge account—state appropriation, \$460,000 of the Interstate
21 405 express toll lanes operations account—state appropriation, and
22 \$699,000 of the Alaskan Way viaduct replacement project account—state
23 appropriation are provided solely for the department to finish
24 implementing a new tolling customer service toll collection system,
25 and are subject to the conditions, limitations, and review provided
26 in section 701 of this act.

27 (b) The department shall continue to work with the office of
28 financial management, office of the chief information officer, and
29 the transportation committees of the legislature on the project
30 management plan that includes a provision for independent
31 verification and validation of contract deliverables from the
32 successful bidder and a provision for quality assurance that includes
33 reporting independently to the office of the chief information
34 officer on an ongoing basis during system implementation.

35 (4) The department shall make detailed quarterly reports to the
36 transportation committees of the legislature and the public on the
37 department's web site on the following:

38 (a) The use of consultants in the tolling program, including the
39 name of the contractor, the scope of work, the type of contract,

1 timelines, deliverables, any new task orders, and any extensions to
2 existing consultant contracts;

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

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

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

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

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

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

20 (iv) Workload costs related to hearings;

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

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

23 (e) A summary of toll revenue by facility on all operating toll
24 facilities and high occupancy toll lane systems, and an itemized
25 depiction of the use of that revenue.

26 (5) \$17,517,000 of the Interstate 405 express toll lanes
27 operations account—state appropriation is provided solely for
28 operational costs related to the express toll lane facility.

29 (6) In calendar year 2021, toll equipment on the Tacoma Narrows
30 Bridge will have reached the end of its operational life. During the
31 2019-2021 fiscal biennium, the department plans to issue a request
32 for proposals as the first stage of a competitive procurement process
33 that will replace the toll equipment and select a new tolling
34 operator for the Tacoma Narrows Bridge. The request for proposals and
35 subsequent competitive procurement must incorporate elements that
36 prioritize the overall goal of lowering costs per transaction for the
37 facility, such as incentives for innovative approaches which result
38 in lower transactional costs, requests for efficiencies on the part
39 of the bidder that lower operational costs, and incorporation of
40 technologies such as self-serve credit card machines or other point-

1 of-payment technologies that lower costs or improve operational
2 efficiencies.

3 (7) \$19,362,000 of the Alaskan Way viaduct replacement project
4 account—state appropriation is provided solely for the new state
5 route number 99 tunnel toll facility's expected share of collecting
6 toll revenues, operating customer services, and maintaining toll
7 collection systems. The legislature expects to see appropriate
8 reductions to the other toll facility accounts once tolling on the
9 new state route number 99 tunnel toll facility commences and any
10 previously incurred costs for start-up of the new facility are
11 charged back to the Alaskan Way viaduct replacement project account.
12 The office of financial management shall closely monitor the
13 application of the cost allocation model and ensure that the new
14 state route number 99 tunnel toll facility is adequately sharing
15 costs and the other toll facility accounts are not being overspent or
16 subsidizing the new state route number 99 tunnel toll facility.

17 (8) \$256,000 of the high occupancy toll lanes operations account—
18 state appropriation and \$352,000 of the Interstate 405 express toll
19 lanes operations account—state appropriation are provided solely for
20 increased levels of service from the Washington state patrol for
21 enforcement of toll lane violations on the state route number 167
22 high occupancy toll lanes and the Interstate 405 express toll lanes.
23 The department shall compile monthly data on the number of Washington
24 state patrol enforcement hours on each facility and the percentage of
25 time during peak hours that speeds are at or above forty-five miles
26 per hour on each facility. The department shall provide this data in
27 a report to the transportation committees of the legislature on at
28 least a calendar quarterly basis.

29 NEW SECTION. **Sec. 210. FOR THE DEPARTMENT OF TRANSPORTATION—**
30 **INFORMATION TECHNOLOGY—PROGRAM C**

31	Transportation Partnership Account—State Appropriation . . .	\$1,460,000
32	Motor Vehicle Account—State Appropriation	\$94,993,000
33	Puget Sound Ferry Operations Account—State	
34	Appropriation	\$263,000
35	Multimodal Transportation Account—State	
36	Appropriation	\$2,878,000
37	Transportation 2003 Account (Nickel Account)—State	
38	Appropriation	\$1,460,000

1 TOTAL APPROPRIATION. \$101,054,000

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

4 (1) \$8,114,000 of the motor vehicle account—state appropriation
5 is provided solely for the development of the labor system
6 replacement project and is subject to the conditions, limitations,
7 and review provided in section 701 of this act. It is the intent of
8 the legislature that if any portion of the labor system replacement
9 project is leveraged in the future for the time, leave, and labor
10 distribution of any other agencies, the motor vehicle account will be
11 reimbursed proportionally for the development of the system since
12 amounts expended from the motor vehicle account must be used
13 exclusively for highway purposes in conformance with Article II,
14 section 40 of the state Constitution. This must be accomplished
15 through a loan arrangement with the current interest rate under the
16 terms set by the office of the state treasurer at the time the system
17 is deployed to additional agencies. If the motor vehicle account is
18 not reimbursed for future use of the system, it is further the intent
19 of the legislature that reductions will be made to central service
20 agency charges accordingly. The department shall provide a report to
21 the transportation committees of the legislature by December 31,
22 2019, detailing the project timeline as of July 1, 2019, an updated
23 project timeline if necessary, expenditures made to date for the
24 purposes of this project, and expenditures projected through the
25 remainder of the project timeline.

26 (2) \$198,000 of the motor vehicle account—state appropriation is
27 provided solely for the department's cost related to the one
28 Washington project.

29 (3) \$21,500,000 of the motor vehicle account—state appropriation
30 is provided solely for the activities of the information technology
31 program in developing and maintaining information systems that
32 support the operations and program delivery of the department,
33 ensuring compliance with section 701 of this act, and the
34 requirements of the office of the chief information officer under RCW
35 43.88.092 to evaluate and prioritize any new financial and capital
36 systems replacement or modernization project and any other
37 information technology project. During the 2019-2021 biennium, the
38 department is prohibited from using the distributed direct program
39 support or any other cost allocation method to fund any new financial

1 and capital systems replacement or modernization project without
2 having the project evaluated and prioritized by the office of the
3 chief information officer and submitting a decision package to the
4 governor and the transportation committees of the legislature as part
5 of the normal budget process.

6 NEW SECTION. **Sec. 211. FOR THE DEPARTMENT OF TRANSPORTATION—**
7 **FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION—PROGRAM D—**
8 **OPERATING**

9	Motor Vehicle Account—State Appropriation	\$33,149,000
10	State Route Number 520 Corridor Account—State	
11	Appropriation	\$34,000
12	TOTAL APPROPRIATION.	\$33,183,000

13 NEW SECTION. **Sec. 212. FOR THE DEPARTMENT OF TRANSPORTATION—**
14 **AVIATION—PROGRAM F**

15	Aeronautics Account—State Appropriation	\$7,635,000
16	Aeronautics Account—Federal Appropriation	\$2,542,000
17	Aeronautics Account—Private/Local Appropriation	\$60,000
18	TOTAL APPROPRIATION.	\$10,237,000

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

21 (1) \$2,751,000 of the aeronautics account—state appropriation is
22 provided solely for the airport aid grant program, which provides
23 competitive grants to public use airports for pavement, safety,
24 maintenance, planning, and security.

25 (2) \$468,000 of the aeronautics account—state appropriation is
26 provided solely for one FTE dedicated to planning aviation emergency
27 services and addressing emerging aeronautics requirements, and for
28 the implementation of chapter . . . (House Bill No. 1397), Laws of
29 2019 (electric aircraft work group), which extends the electric
30 aircraft work group past its current expiration and allows WSDOT to
31 employ a consultant to assist with the work group. If chapter . . .
32 (House Bill No. 1397), Laws of 2019 is not enacted by June 30, 2019,
33 \$200,000 of the amount in this subsection lapses.

34 (3) \$200,000 of the aeronautics account—state appropriation is
35 provided solely for the department to convene an electric aircraft
36 work group to study the state of the electrically powered aircraft
37 industry and assess infrastructure needs related to the deployment of

1 electric or hybrid-electric aircraft for commercial air travel in
2 Washington state.

3 (a) The chair of the work group may be a consultant specializing
4 in aeronautics. The work group must include, but is not limited to,
5 representation from the electric aircraft industry, the aircraft
6 manufacturing industry, electric utility districts, the battery
7 industry, the department of commerce, the department of
8 transportation aviation division, the airline pilots association, a
9 primary airport representing an airport association, and the airline
10 industry.

11 (b) The study must include, but is not limited to:

12 (i) Infrastructure requirements necessary to facilitate electric
13 aircraft operations at airports;

14 (ii) Potential economic and public benefits including, but not
15 limited to, the direct and indirect impact on the number of
16 manufacturing and service jobs and the wages from those jobs in
17 Washington state;

18 (iii) Potential incentives for industry in the manufacturing and
19 operation of electric aircraft for regional air travel;

20 (iv) Educational and workforce requirements for manufacturing and
21 maintaining electric aircraft;

22 (v) Demand and forecast for electric aircraft use to include
23 expected timeline of the aircraft entering the market given federal
24 aviation administration certification requirements;

25 (vi) Identification of up to six airports in Washington state
26 that may benefit from a pilot program once an electrically propelled
27 aircraft for commercial use becomes available; and

28 (vii) Recommendations to further the advancement of the
29 electrification of aircraft for regional commercial use within
30 Washington state, including specific, measureable goals for the years
31 2030, 2040, and 2050 that reflect progressive and substantial
32 increases in the utilization of electric and hybrid-electric
33 commercial aircraft.

34 (c) The work group must submit a report and accompanying
35 recommendations to the transportation committees of the legislature
36 by November 15, 2020.

37 (d) If chapter . . . (House Bill No. 1397), Laws of 2019 is
38 enacted by June 30, 2019, the amount provided in this subsection (3)
39 lapses.

1 (4) \$150,000 of the aeronautics account—state appropriation is
2 provided solely for the implementation of chapter . . . (Substitute
3 Senate Bill No. 5370), Laws of 2019 (aviation coordinating
4 commission). If chapter . . . (Substitute Senate Bill No. 5370), Laws
5 of 2019 is not enacted by June 30, 2019, the amount provided in this
6 subsection lapses.

7 NEW SECTION. **Sec. 213. FOR THE DEPARTMENT OF TRANSPORTATION—**
8 **PROGRAM DELIVERY MANAGEMENT AND SUPPORT—PROGRAM H**

9	Motor Vehicle Account—State Appropriation	\$59,801,000
10	Motor Vehicle Account—Federal Appropriation	\$500,000
11	Multimodal Transportation Account—State Appropriation . . .	\$258,000
12	TOTAL APPROPRIATION.	\$60,559,000

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

15 (1) The legislature recognizes that the trail known as the Rocky
16 Reach Trail, and its extensions, serve to separate motor vehicle
17 traffic from pedestrians and bicyclists, increasing motor vehicle
18 safety on state route number 2 and the coincident section of state
19 route number 97. Consistent with chapter 47.30 RCW and pursuant to
20 RCW 47.12.080, the legislature declares that transferring portions of
21 WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and
22 associated buffer areas to the Washington state parks and recreation
23 commission is consistent with the public interest. The legislature
24 directs the department to transfer the property to the Washington
25 state parks and recreation commission.

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

29 (b) Prior to completing the transfer in this subsection (1), the
30 department must ensure that provisions are made to accommodate
31 private and public utilities and any facilities that predate the
32 department's acquisition of the property, at no cost to those
33 entities. Prior to completing the transfer, the department shall also
34 ensure that provisions, by fair market assessment, are made to
35 accommodate other private and public utilities and any facilities
36 that have been legally allowed by permit or other instrument.

37 (c) The department may sell any adjoining property that is not
38 necessary to support the Rocky Reach Trail and adjacent buffer areas

1 only after the transfer of trail-related property to the Washington
2 state parks and recreation commission is complete. Adjoining property
3 owners must be given the first opportunity to acquire such property
4 that abuts their property, and applicable boundary line or other
5 adjustments must be made to the legal descriptions for recording
6 purposes.

7 (2) With respect to Parcel 12 of the real property conveyed by
8 the state of Washington to the city of Mercer Island under that
9 certain quitclaim deed, dated April 19, 2000, recorded in King county
10 under recording no. 20000425001234, the requirement in the deed that
11 the property be used for road/street purposes only will be deemed
12 satisfied by the department of transportation so long as commuter
13 parking, as part of the vertical development of the property, is one
14 of the significant uses of the property.

15 (3) \$1,600,000 of the motor vehicle account—state appropriation
16 is provided solely for real estate services activities. Consistent
17 with RCW 47.12.120 and during the 2019-2021 fiscal biennium, when
18 initiating, extending, or renewing any rent or lease agreements with
19 a regional transit authority, consideration of value must be
20 equivalent to one hundred percent of economic or market rent.

21 (4) (a) \$100,000 of the motor vehicle account—state appropriation
22 is provided solely for the department to:

23 (i) Determine the real property owned by the state of Washington
24 and under the jurisdiction of the department in King county that is
25 surplus property located in an area encompassing south of Dearborn
26 Street in Seattle, south of Newcastle, west of SR 515, and north of
27 South 216th to SR 515; and

28 (ii) Use any remaining funds after (a) (i) of this subsection is
29 completed to identify additional real property across the state owned
30 by the state of Washington and under the jurisdiction of the
31 department that is surplus property.

32 (b) The department shall provide a report to the transportation
33 committees of the legislature describing the properties it has
34 identified as surplus property under (a) of this subsection by
35 October 1, 2020.

36 NEW SECTION. **Sec. 214. FOR THE DEPARTMENT OF TRANSPORTATION—**
37 **PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K**

38 Motor Vehicle Account—State Appropriation \$670,000

1	Electric Vehicle Account—State Appropriation.	\$2,000,000
2	Multimodal Transportation Account—State Appropriation. . .	\$1,634,000
3	TOTAL APPROPRIATION.	\$4,304,000

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

6 (1) The economic partnerships program must continue to explore
7 retail partnerships at state-owned park and ride facilities, as
8 authorized in RCW 47.04.295.

9 (2) \$350,000 of the multimodal transportation account—state
10 appropriation is provided solely for the department to execute a
11 transit oriented development pilot project at Kingsgate park and ride
12 in Kirkland intended to be completed by December 31, 2023. The
13 purpose of the pilot project is to demonstrate how appropriate
14 department properties may be used to provide multiple public benefits
15 such as affordable and market rate housing, commercial development,
16 and institutional facilities in addition to transportation purposes.
17 To accomplish the pilot project, the department is authorized to
18 exercise all legal and administrative powers authorized in statute
19 that may include, but is not limited to, the transfer, lease, or sale
20 of some or all of the property to another governmental agency, public
21 development authority, or nonprofit developer approved by the
22 department and partner agencies. The department may also partner with
23 sound transit, King county, the city of Kirkland, and any other
24 federal, regional, or local jurisdiction on any policy changes
25 necessary from those jurisdictions to facilitate the pilot project.
26 By December 1, 2019, the department must report to the legislature on
27 any legislative actions necessary to facilitate the pilot project and
28 future transit oriented development projects.

29 (3) \$2,000,000 of the electric vehicle account—state
30 appropriation is provided solely for the clean alternative fuel
31 vehicle charging and refueling infrastructure program in
32 chapter . . . (Engrossed Second Substitute House Bill No. 2042), Laws
33 of 2019 (advancing green transportation adoption). If chapter . . .
34 (Engrossed Second Substitute House Bill No. 2042), Laws of 2019 is
35 not enacted by June 30, 2019, the amount provided in this subsection
36 lapses.

37 (4) \$1,200,000 of the multimodal transportation account—state
38 appropriation is provided solely for the pilot program established
39 under chapter . . . (Engrossed Second Substitute House Bill No.

1 2042), Laws of 2019 (advancing green transportation adoption) to
 2 provide clean alternative fuel vehicle use opportunities to
 3 underserved communities and low to moderate income members of the
 4 workforce not readily served by transit or located in transportation
 5 corridors with emissions that exceed federal or state emissions
 6 standards. If chapter . . . (Engrossed Second Substitute House Bill
 7 No. 2042), Laws of 2019 is not enacted by June 30, 2019, the amount
 8 provided in this subsection lapses.

9 (5) \$84,000 of the multimodal transportation account—state
 10 appropriation is provided solely for an interagency transfer to the
 11 department of commerce for the purpose of conducting a study as
 12 described in chapter . . . (Engrossed Second Substitute House Bill
 13 No. 2042), Laws of 2019 (advancing green transportation adoption) to
 14 identify opportunities to reduce barriers to electric vehicle
 15 adoption by lower income residents of the state through the use of
 16 vehicle and infrastructure financing assistance. If chapter . . .
 17 (Engrossed Second Substitute House Bill No. 2042), Laws of 2019 is
 18 not enacted by June 30, 2019, the amount provided in this subsection
 19 lapses.

20 NEW SECTION. **Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION—**
 21 **HIGHWAY MAINTENANCE—PROGRAM M**

22	Motor Vehicle Account—State Appropriation	\$495,228,000
23	Motor Vehicle Account—Federal Appropriation	\$7,000,000
24	State Route Number 520 Corridor Account—State	
25	Appropriation	\$4,447,000
26	Tacoma Narrows Toll Bridge Account—State	
27	Appropriation	\$1,549,000
28	Alaskan Way Viaduct Replacement Project	
29	Account—State Appropriation	\$9,533,000
30	Interstate 405 Express Toll Lanes Operations	
31	Account—State Appropriation.	\$1,370,000
32	TOTAL APPROPRIATION.	\$519,127,000

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

35 (1) (a) \$6,170,000 of the motor vehicle account—state
 36 appropriation is provided solely for utility fees assessed by local
 37 governments as authorized under RCW 90.03.525 for the mitigation of
 38 stormwater runoff from state highways. Plan and reporting

1 requirements as required in chapter . . . (Senate Bill No. 5505),
2 Laws of 2019 (Local Stormwater Charges) shall be consistent with the
3 January 2012 findings of the Joint Transportation Committee Report
4 for Effective Cost Recovery Structure for WSDOT, Jurisdictions, and
5 Efficiencies in Stormwater Management.

6 (b) Pursuant to RCW 90.03.525(3), the department and the
7 utilities imposing charges to the department shall negotiate with the
8 goal of agreeing to rates such that the total charges to the
9 department for the 2019-2021 fiscal biennium do not exceed the amount
10 provided in this subsection. The department shall report to the
11 transportation committees of the legislature on the amount of funds
12 requested, the funds granted, and the strategies used to keep costs
13 down, by January 17, 2021. If chapter . . . (Senate Bill No. 5505),
14 Laws of 2019 (local stormwater charges) is enacted by June 30, 2019,
15 this subsection (1)(b) does not take effect.

16 (2) \$4,447,000 of the state route number 520 corridor account—
17 state appropriation is provided solely to maintain the state route
18 number 520 floating bridge. These funds must be used in accordance
19 with RCW 47.56.830(3).

20 (3) \$1,549,000 of the Tacoma Narrows toll bridge account—state
21 appropriation is provided solely to maintain the new Tacoma Narrows
22 bridge. These funds must be used in accordance with RCW 47.56.830(3).

23 (4) \$1,370,000 of the Interstate 405 express toll lanes
24 operations account—state appropriation is provided solely to maintain
25 the Interstate 405 express toll lanes between Lynnwood and Bellevue.
26 These funds must be used in accordance with RCW 47.56.830(3).

27 (5) \$5,000,000 of the motor vehicle account—state appropriation
28 is provided solely for a contingency pool for snow and ice removal.
29 The department must notify the office of financial management and the
30 transportation committees of the legislature when they have spent the
31 base budget for snow and ice removal and will begin using the
32 contingency pool funding.

33 (6) \$1,025,000 of the motor vehicle account—state appropriation
34 is provided solely for the department to implement safety
35 improvements and debris clean up on department-owned rights-of-way in
36 the city of Seattle at levels above that being implemented as of
37 January 1, 2019. The department must contract out or hire a crew
38 dedicated solely to collecting and disposing of garbage, clearing
39 debris or hazardous material, and implementing safety improvements

1 where hazards exist to the traveling public, department employees, or
2 people encamped upon department-owned rights-of-way. The department
3 may request assistance from the Washington state patrol as necessary
4 in order for both agencies to provide enhanced safety-related
5 activities regarding the emergency hazards along state highway
6 rights-of-way in the Seattle area.

7 (7) \$1,015,000 of the motor vehicle account—state appropriation
8 is provided solely for a partnership program between the department
9 and the city of Tacoma. The program shall address the safety and
10 public health problems created by homeless encampments on the
11 department's property along state highways within the city limits.
12 \$570,000 is for dedicated department maintenance staff and associated
13 clean-up costs. The department and the city of Tacoma shall enter
14 into a reimbursable agreement to cover up to \$445,000 of the city's
15 expenses for clean-up crews and landfill costs.

16 (8) The department must commence a pilot program for the
17 2019-2021 fiscal biennium at the four highest demand safety rest
18 areas to create and maintain an online calendar for volunteer groups
19 to check availability of weekends for the free coffee program. The
20 calendar must be updated at least weekly and show dates and times
21 that are, or are not, available to participate in the free coffee
22 program. The department must submit a report to the legislature on
23 the ongoing pilot by December 1, 2020, outlining the costs and
24 benefits of the online calendar pilot, and including surveys from the
25 volunteer groups and agency staff to determine its effectiveness.

26 NEW SECTION. **Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION—**
27 **TRAFFIC OPERATIONS—PROGRAM Q—OPERATING**

28	Motor Vehicle Account—State Appropriation	\$70,681,000
29	Motor Vehicle Account—Federal Appropriation	\$2,050,000
30	Motor Vehicle Account—Private/Local Appropriation	\$250,000
31	TOTAL APPROPRIATION.	\$72,981,000

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

34 (1) \$6,000,000 of the motor vehicle account—state appropriation
35 is provided solely for low-cost enhancements. The department shall
36 give priority to low-cost enhancement projects that improve safety or
37 provide congestion relief. By December 15th of each odd-numbered
38 year, the department shall provide a report to the legislature

1 listing all low-cost enhancement projects completed in the prior
2 fiscal biennium.

3 (2) (a) During the 2019-2021 fiscal biennium, the department shall
4 continue a pilot program that expands private transportation
5 providers' access to high occupancy vehicle lanes. Under the pilot
6 program, when the department reserves a portion of a highway based on
7 the number of passengers in a vehicle, the following vehicles must be
8 authorized to use the reserved portion of the highway if the vehicle
9 has the capacity to carry eight or more passengers, regardless of the
10 number of passengers in the vehicle: (i) Auto transportation company
11 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter
12 carrier vehicles regulated under chapter 81.70 RCW, except marked or
13 unmarked stretch limousines and stretch sport utility vehicles as
14 defined under department of licensing rules; (iii) private nonprofit
15 transportation provider vehicles regulated under chapter 81.66 RCW;
16 and (iv) private employer transportation service vehicles. For
17 purposes of this subsection, "private employer transportation
18 service" means regularly scheduled, fixed-route transportation
19 service that is offered by an employer for the benefit of its
20 employees. Nothing in this subsection is intended to authorize the
21 conversion of public infrastructure to private, for-profit purposes
22 or to otherwise create an entitlement or other claim by private users
23 to public infrastructure.

24 (b) The department shall expand the high occupancy vehicle lane
25 access pilot program to vehicles that deliver or collect blood,
26 tissue, or blood components for a blood-collecting or distributing
27 establishment regulated under chapter 70.335 RCW. Under the pilot
28 program, when the department reserves a portion of a highway based on
29 the number of passengers in a vehicle, blood-collecting or
30 distributing establishment vehicles that are clearly and identifiably
31 marked as such on all sides of the vehicle are considered emergency
32 vehicles and must be authorized to use the reserved portion of the
33 highway.

34 (c) The department shall expand the high occupancy vehicle lane
35 access pilot program to private, for hire vehicles regulated under
36 chapter 81.72 RCW that have been specially manufactured, designed, or
37 modified for the transportation of a person who has a mobility
38 disability and uses a wheelchair or other assistive device. Under the
39 pilot program, when the department reserves a portion of a highway
40 based on the number of passengers in a vehicle, wheelchair-accessible

1 taxicabs that are clearly and identifiably marked as such on all
2 sides of the vehicle are considered public transportation vehicles
3 and must be authorized to use the reserved portion of the highway.

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

8 (3) When regional transit authority construction activities are
9 visible from a state highway, the department shall allow the regional
10 transit authority to place safe and appropriate signage informing the
11 public of the purpose of the construction activity.

12 (4) The department must make signage for low-height bridges a
13 high priority.

14 NEW SECTION. **Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION—**
15 **TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S**

16	Motor Vehicle Account—State Appropriation	\$38,782,000
17	Motor Vehicle Account—Federal Appropriation	\$1,380,000
18	Motor Vehicle Account—Private/Local Appropriation	\$500,000
19	Multimodal Transportation Account—State	
20	Appropriation	\$1,129,000
21	TOTAL APPROPRIATION.	\$41,791,000

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

24 (1) \$2,000,000 of the motor vehicle account—state appropriation
25 is provided solely for a grant program that makes awards for the
26 following: (a) Support for nonprofit agencies, churches, and other
27 entities to help provide outreach to populations underrepresented in
28 the current apprenticeship programs; (b) preapprenticeship training;
29 and (c) child care, transportation, and other supports that are
30 needed to help women, veterans, and minorities enter and succeed in
31 apprenticeship. The department must report on grants that have been
32 awarded and the amount of funds disbursed by December 1st each year.
33 If moneys are provided in the omnibus operating appropriations act
34 for a career connected learning grant program, defined in
35 chapter . . . (Substitute House Bill No. 1336), Laws of 2019, or
36 otherwise, the amount provided in this subsection lapses.

1 (2) \$150,000 of the motor vehicle account—state appropriation is
2 provided solely for a user-centered and mobile-compatible web site
3 redesign using estimated web site ad revenues.

4 (3) From the revenues generated by the five dollar per studded
5 tire fee under RCW 46.37.427, \$250,000 of the motor vehicle account—
6 state appropriation is provided solely for the department, in
7 consultation with the appropriate local jurisdictions and relevant
8 stakeholder groups, to establish a pilot media-based public
9 information campaign regarding the damage of studded tire use on
10 state and local roadways in Whatcom county, and to continue the
11 existing pilot information campaign in Spokane county. The reason for
12 the geographic selection of Spokane and Whatcom counties is based on
13 the high utilization of studded tires in these jurisdictions. The
14 public information campaigns must primarily focus on making the
15 consumer aware of the safety implications for other drivers, road
16 deterioration, financial impact for taxpayers, and, secondarily, the
17 alternatives to studded tires. The Whatcom county pilot media-based
18 public information campaign must begin by September 1, 2020. By
19 January 14, 2021, the department must provide the transportation
20 committees of the legislature an update on the Spokane and Whatcom
21 county pilot media-based public information campaigns.

22 (4) \$138,000 of the motor vehicle account—state appropriation is
23 provided solely for the implementation of chapter . . . (Second
24 Substitute Senate Bill No. 5489), Laws of 2019 (concerning
25 environmental health disparities). If chapter . . . (Second
26 Substitute Senate Bill No. 5489), Laws of 2019 is not enacted by June
27 30, 2019, the amount provided in this subsection lapses.

28 NEW SECTION. **Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION—**
29 **TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T**

30 High Occupancy Toll Lanes Operations

31 Account—State Appropriation	\$3,000,000
32 Motor Vehicle Account—State Appropriation	\$29,403,000
33 Motor Vehicle Account—Federal Appropriation	\$29,485,000
34 Motor Vehicle Account—Private/Local Appropriation	\$800,000
35 Multimodal Transportation Account—State Appropriation	\$710,000
36 Multimodal Transportation Account—Federal	
37 Appropriation	\$2,809,000
38 Multimodal Transportation Account—Private/Local	

1 Appropriation \$100,000
 2 TOTAL APPROPRIATION. \$66,307,000

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

5 (1) \$130,000 of the motor vehicle account—state appropriation is
 6 provided solely for completion of a corridor study to identify
 7 potential improvements between exit 116 and exit 99 of Interstate 5.
 8 The study should further develop mid- and long-term strategies from
 9 the corridor sketch, and identify potential US 101/I-5 interchange
 10 improvements, a strategic plan for the Nisqually River bridges,
 11 regional congestion relief options, and ecosystem benefits to the
 12 Nisqually River estuary for salmon productivity and flood control.

13 (2) The study on state route number 518 referenced in section
 14 218(5), chapter 297, Laws of 2018 must be submitted to the
 15 transportation committees of the legislature by November 30, 2019.

16 (3) \$100,000 of the motor vehicle account—state appropriation is
 17 provided solely to complete the Tacoma mall direct access feasibility
 18 study.

19 (4) \$4,600,000 of the motor vehicle account—federal appropriation
 20 is provided solely to complete the road usage charge pilot project
 21 overseen by the transportation commission using the remaining unspent
 22 amount of the federal grant award. The purpose of the road usage
 23 charge pilot project is to explore the viability of a road usage
 24 charge as a possible replacement for the gas tax.

25 (5) \$3,000,000 of the high occupancy toll lanes operations
 26 account—state appropriation is provided solely for updating the state
 27 route number 167 master plan. If neither chapter . . . (Engrossed
 28 Substitute Senate Bill No. 5825), Laws of 2019 (addressing tolling)
 29 nor chapter . . . (House Bill No. 2132), Laws of 2019 (addressing
 30 tolling) is enacted by June 30, 2019, the amount provided in this
 31 subsection lapses.

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

34 Motor Vehicle Account—State Appropriation \$71,996,000
 35 Multimodal Transportation Account—State
 36 Appropriation \$2,491,000
 37 TOTAL APPROPRIATION. \$74,487,000

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

3 (1) Prior to entering into any negotiated settlement of a claim
4 against the state for the department that exceeds five million
5 dollars, the department, in conjunction with the attorney general and
6 the department of enterprise services, shall notify the director of
7 the office of financial management and the transportation committees
8 of the legislature.

9 (2) Beginning October 1, 2019, and quarterly thereafter, the
10 department, in conjunction with the attorney general and the
11 department of enterprise services, shall provide a report with
12 judgments and settlements dealing with the Washington state ferry
13 system to the director of the office of financial management and the
14 transportation committees of the legislature. The report must include
15 information on: (a) The number of claims and settlements by type; (b)
16 the average claim and settlement by type; (c) defense costs
17 associated with those claims and settlements; and (d) information on
18 the impacts of moving legal costs associated with the Washington
19 state ferry system into the statewide self-insurance pool.

20 (3) Beginning October 1, 2019, and quarterly thereafter, the
21 department, in conjunction with the attorney general and the
22 department of enterprise services, shall provide a report with
23 judgments and settlements dealing with the nonferry operations of the
24 department to the director of the office of financial management and
25 the transportation committees of the legislature. The report must
26 include information on: (a) The number of claims and settlements by
27 type; (b) the average claim and settlement by type; and (c) defense
28 costs associated with those claims and settlements.

29 *NEW SECTION. **Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION—**
30 **PUBLIC TRANSPORTATION—PROGRAM V**

31	State Vehicle Parking Account—State Appropriation	\$784,000
32	Regional Mobility Grant Program Account—State	
33	Appropriation	\$96,630,000
34	Rural Mobility Grant Program Account—State	
35	Appropriation	\$32,223,000
36	Multimodal Transportation Account—State	
37	Appropriation	\$128,554,000
38	Multimodal Transportation Account—Federal	

1	Appropriation	\$3,574,000
2	Multimodal Transportation Account—Local	
3	Appropriation	\$100,000
4	TOTAL APPROPRIATION.	\$261,865,000

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

7 (1) \$62,679,000 of the multimodal transportation account—state
8 appropriation is provided solely for a grant program for special
9 needs transportation provided by transit agencies and nonprofit
10 providers of transportation. If chapter . . . (Engrossed Second
11 Substitute House Bill No. 2042), Laws of 2019 (advancing green
12 transportation adoption) is not enacted by June 30, 2019, \$10,000,000
13 of the amount in this subsection lapses. Of this amount:

14 (a) \$14,278,000 of the multimodal transportation account—state
15 appropriation is provided solely for grants to nonprofit providers of
16 special needs transportation. Grants for nonprofit providers must be
17 based on need, including the availability of other providers of
18 service in the area, efforts to coordinate trips among providers and
19 riders, and the cost effectiveness of trips provided. If
20 chapter . . . (Engrossed Second Substitute House Bill No. 2042), Laws
21 of 2019 (advancing green transportation adoption) is not enacted by
22 June 30, 2019, \$2,278,000 of the amount in this subsection lapses.
23 **Fuel type may not be a factor in the grant selection process.**

24 (b) \$48,401,000 of the multimodal transportation account—state
25 appropriation is provided solely for grants to transit agencies to
26 transport persons with special transportation needs. To receive a
27 grant, the transit agency must, to the greatest extent practicable,
28 have a maintenance of effort for special needs transportation that is
29 no less than the previous year's maintenance of effort for special
30 needs transportation. Grants for transit agencies must be prorated
31 based on the amount expended for demand response service and route
32 deviated service in calendar year 2017 as reported in the "Summary of
33 Public Transportation - 2017" published by the department of
34 transportation. No transit agency may receive more than thirty
35 percent of these distributions. If chapter . . . (Engrossed Second
36 Substitute House Bill No. 2042), Laws of 2019 (advancing green
37 transportation adoption) is not enacted by June 30, 2019, \$7,722,000
38 of the amount in this subsection lapses. **Fuel type may not be a**
39 **factor in the grant selection process.**

1 (2) \$32,223,000 of the rural mobility grant program account—state
2 appropriation is provided solely for grants to aid small cities in
3 rural areas as prescribed in RCW 47.66.100. **Fuel type may not be a**
4 **factor in the grant selection process.**

5 (3) (a) \$10,290,000 of the multimodal transportation account—state
6 appropriation is provided solely for a vanpool grant program for: (i)
7 Public transit agencies to add vanpools or replace vans; and (ii)
8 incentives for employers to increase employee vanpool use. The grant
9 program for public transit agencies will cover capital costs only;
10 operating costs for public transit agencies are not eligible for
11 funding under this grant program. Additional employees may not be
12 hired from the funds provided in this section for the vanpool grant
13 program, and supplanting of transit funds currently funding vanpools
14 is not allowed. The department shall encourage grant applicants and
15 recipients to leverage funds other than state funds. **Fuel type may**
16 **not be a factor in the grant selection process.**

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

19 (4) \$18,951,000 of the regional mobility grant program account—
20 state appropriation is reappropriated and provided solely for the
21 regional mobility grant projects identified in LEAP Transportation
22 Document 2019-2 ALL PROJECTS as developed April 27, 2019, Program -
23 Public Transportation Program (V).

24 (5) (a) \$77,679,000 of the regional mobility grant program account
25 —state appropriation is provided solely for the regional mobility
26 grant projects identified in LEAP Transportation Document 2019-2 ALL
27 PROJECTS as developed April 27, 2019, Program - Public Transportation
28 Program (V). The department shall review all projects receiving grant
29 awards under this program at least semiannually to determine whether
30 the projects are making satisfactory progress. Any project that has
31 been awarded funds, but does not report activity on the project
32 within one year of the grant award, must be reviewed by the
33 department to determine whether the grant should be terminated. The
34 department shall promptly close out grants when projects have been
35 completed, and any remaining funds must be used only to fund projects
36 identified in the LEAP transportation document referenced in this
37 subsection. The department shall provide annual status reports on
38 December 15, 2019, and December 15, 2020, to the office of financial
39 management and the transportation committees of the legislature

1 regarding the projects receiving the grants. It is the intent of the
2 legislature to appropriate funds through the regional mobility grant
3 program only for projects that will be completed on schedule. A
4 grantee may not receive more than twenty-five percent of the amount
5 appropriated in this subsection. Additionally, when allocating
6 funding for the 2021-2023 biennium, no more than thirty percent of
7 the total grant program may directly benefit or support one grantee.
8 The department shall not approve any increases or changes to the
9 scope of a project for the purpose of a grantee expending remaining
10 funds on an awarded grant. **Fuel type may not be a factor in the grant**
11 **selection process.**

12 (b) In order to be eligible to receive a grant under (a) of this
13 subsection during the 2019-2021 fiscal biennium, a transit agency
14 must establish a process for private transportation providers to
15 apply for the use of park and ride facilities. For purposes of this
16 subsection, (i) "private transportation provider" means: An auto
17 transportation company regulated under chapter 81.68 RCW; a passenger
18 charter carrier regulated under chapter 81.70 RCW, except marked or
19 unmarked stretch limousines and stretch sport utility vehicles as
20 defined under department of licensing rules; a private nonprofit
21 transportation provider regulated under chapter 81.66 RCW; or a
22 private employer transportation service provider; and (ii) "private
23 employer transportation service" means regularly scheduled, fixed-
24 route transportation service that is offered by an employer for the
25 benefit of its employees.

26 (6) Funds provided for the commute trip reduction (CTR) program
27 may also be used for the growth and transportation efficiency center
28 program.

29 (7) \$7,670,000 of the multimodal transportation account—state
30 appropriation and \$784,000 of the state vehicle parking account—state
31 appropriation are provided solely for CTR grants and activities. **Fuel**
32 **type may not be a factor in the grant selection process.** Of this
33 amount:

34 (a) \$1,000,000 of the multimodal transportation account—state
35 appropriation is provided solely for the department to continue a
36 pilot transit pass incentive program. Businesses and nonprofit
37 organizations located in a county adjacent to Puget Sound with a
38 population of more than seven hundred thousand that have never
39 offered transit subsidies to employees are eligible to apply to the

1 program for a fifty percent rebate on the cost of employee transit
2 subsidies provided through the regional ORCA fare collection system.
3 No single business or nonprofit organization may receive more than
4 ten thousand dollars from the program.

5 (i) Businesses and nonprofit organizations may apply and be
6 awarded funds prior to purchasing a transit subsidy, but the
7 department may not provide reimbursement until proof of purchase or a
8 contract has been provided to the department.

9 (ii) The department shall update the transportation committees of
10 the legislature on the impact of the program by January 31, 2020, and
11 may adopt rules to administer the program.

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

21 (c) \$1,000,000 of the multimodal transportation account—state
22 appropriation is provided solely for a first mile/last mile
23 connections grant program. Eligible grant recipients include cities,
24 businesses, nonprofits, and transportation network companies with
25 first mile/last mile solution proposals. Transit agencies are not
26 eligible. The commute trip reduction board shall develop grant
27 parameters, evaluation criteria, and evaluate grant proposals. The
28 commute trip reduction board shall provide the transportation
29 committees of the legislature a report on the effectiveness of this
30 grant program and best practices for continuing the program.

31 (8) Except as provided otherwise in this subsection, \$28,048,000
32 of the multimodal transportation account—state appropriation is
33 provided solely for connecting Washington transit projects identified
34 in LEAP Transportation Document 2019-2 ALL PROJECTS as developed
35 April 27, 2019. It is the intent of the legislature that entities
36 identified to receive funding in the LEAP document referenced in this
37 subsection receive the amounts specified in the time frame specified
38 in that LEAP document. If an entity has already completed a project
39 in the LEAP document referenced in this subsection before the time

1 frame identified, the entity may substitute another transit project
2 or projects that cost a similar or lesser amount.

3 (9) \$2,000,000 of the multimodal transportation account—state
4 appropriation is provided solely for transit coordination grants.
5 **Fuel type may not be a factor in the grant selection process.**

6 (10) The department shall not require more than a ten percent
7 match from nonprofit transportation providers for state grants.

8 (11)(a) For projects funded as part of the 2015 connecting
9 Washington transportation package listed on the LEAP transportation
10 document identified in subsection (4) of this section, if the
11 department expects to have substantial reappropriations for the
12 2021-2023 fiscal biennium, the department may, on a pilot basis,
13 apply funding from a project with an appropriation that cannot be
14 used for the current fiscal biennium to advance one or more of the
15 following projects:

16 (i) King County Metro - RapidRide Expansion, Burien-Delridge
17 (G2000031);

18 (ii) King County Metro - Route 40 Northgate to Downtown
19 (G2000032);

20 (iii) Mason Transit Park & Ride Development (G2000042); or

21 (iv) Pierce Transit - SR 7 Express Service (G2000046).

22 (b) At least ten business days before advancing a project
23 pursuant to this subsection, the department must notify the office of
24 financial management and the transportation committees of the
25 legislature. The advancement of a project may not hinder the delivery
26 of the projects for which the reappropriations are necessary for the
27 2021-2023 fiscal biennium.

28 (c) To the extent practicable, the department shall use the
29 flexibility and authority granted in this section to minimize the
30 amount of reappropriations needed each biennium.

31 (12) \$750,000 of the multimodal transportation account—state
32 appropriation is provided solely for Intercity Transit for the Dash
33 shuttle program.

34 (13)(a) \$485,000 of the multimodal transportation account—state
35 appropriation is provided solely for King county for:

36 (i) An expanded pilot program to provide certain students in the
37 Highline, Tukwila, and Lake Washington school districts with an ORCA
38 card during these school districts' summer vacations. In order to be
39 eligible for an ORCA card under this program, a student must also be

1 in high school, be eligible for free and reduced-price lunches, and
2 have a job or other responsibility during the summer; and

3 (ii) Providing administrative support to other interested school
4 districts in King county to prepare for implementing similar programs
5 for their students.

6 (b) King county must provide a report to the department and the
7 transportation committees of the legislature by December 15, 2021,
8 regarding:

9 (i) The annual student usage of the pilot program;

10 (ii) Available ridership data;

11 (iii) A cost estimate, including a detailed description of the
12 various expenses leading to the cost estimate, and any other factors
13 relevant to expanding the program to other King county school
14 districts;

15 (iv) A cost estimate, including a detailed description of the
16 various expenses leading to the cost estimate, and any other factors
17 relevant to expanding the program to student populations other than
18 high school or eligible for free and reduced-price lunches;

19 (v) Opportunities for subsidized ORCA cards or local grant or
20 matching funds; and

21 (vi) Any additional information that would help determine if the
22 pilot program should be extended or expanded.

23 (14) \$12,000,000 of the multimodal transportation account—state
24 appropriation is provided solely for the green transportation capital
25 grant program established in chapter . . . (Engrossed Second
26 Substitute House Bill No. 2042), Laws of 2019 (advancing green
27 transportation adoption). If chapter . . . (Engrossed Second
28 Substitute House Bill No. 2042), Laws of 2019 is not enacted by June
29 30, 2019, the amount provided in this subsection lapses.

30 (15) \$555,000 of the multimodal transportation account—state
31 appropriation is provided solely for an interagency transfer to the
32 Washington State University extension energy program to establish and
33 administer a technical assistance and education program for public
34 agencies on the use of alternative fuel vehicles. If chapter . . .
35 (Engrossed Second Substitute House Bill No. 2042), Laws of 2019
36 (advancing green transportation adoption) is not enacted by June 30,
37 2019, \$375,000 of the amount provided in this subsection lapses.

****Sec. 220 is partially vetoed. See message at end of chapter.***

1 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION—**

2 **MARINE—PROGRAM X**

3 Motor Vehicle Account—State Appropriation. \$250,000

4 Puget Sound Ferry Operations Account—State

5 Appropriation \$540,746,000

6 Puget Sound Ferry Operations Account—Federal

7 Appropriation \$7,932,000

8 Puget Sound Ferry Operations Account—Private/Local

9 Appropriation \$121,000

10 TOTAL APPROPRIATION. \$549,049,000

11 The appropriations in this section are subject to the following

12 conditions and limitations:

13 (1) The office of financial management budget instructions

14 require agencies to recast enacted budgets into activities. The

15 Washington state ferries shall include a greater level of detail in

16 its 2019-2021 supplemental and 2021-2023 omnibus transportation

17 appropriations act requests, as determined jointly by the office of

18 financial management, the Washington state ferries, and the

19 transportation committees of the legislature. This level of detail

20 must include the administrative functions in the operating as well as

21 capital programs.

22 (2) For the 2019-2021 fiscal biennium, the department may enter

23 into a distributor controlled fuel hedging program and other methods

24 of hedging approved by the fuel hedging committee, which must include

25 a representative of the department of enterprise services.

26 (3) \$76,261,000 of the Puget Sound ferry operations account—state

27 appropriation is provided solely for auto ferry vessel operating fuel

28 in the 2019-2021 fiscal biennium, which reflect cost savings from a

29 reduced biodiesel fuel requirement and, therefore, is contingent upon

30 the enactment of section 703 of this act. The amount provided in this

31 subsection represents the fuel budget for the purposes of calculating

32 any ferry fare fuel surcharge. The department shall review future use

33 of alternative fuels and dual fuel configurations, including

34 hydrogen.

35 (4) \$650,000 of the Puget sound ferry operations account—state

36 appropriation is provided solely for increased staffing at Washington

37 ferry terminals to meet increased workload and customer expectations.

38 Within the amount provided in this subsection, the department shall

39 contract with uniformed officers for additional traffic control

1 assistance at the Kingston ferry terminal during peak ferry travel
2 times, with a particular focus on Sundays and holiday weekends.
3 Traffic control methods should include, but not be limited to,
4 holding traffic on the shoulder at Lindvog Road until space opens for
5 cars at the tollbooths and dock, and management of traffic on Highway
6 104 in order to ensure Kingston residents and business owners have
7 access to businesses, roads, and driveways.

8 (5) \$254,000 of the Puget Sound ferry operations account—state
9 appropriation is provided solely for a dedicated inventory logistics
10 manager on a one-time basis.

11 (6) \$500,000 of the Puget Sound ferry operations account—state
12 appropriation is provided solely for operating costs related to
13 moving vessels for emergency capital repairs. Funds may only be spent
14 after approval by the office of financial management.

15 (7) By January 1, 2020, the ferries division must submit a
16 workforce plan for reducing overtime due to shortages of staff
17 available to fill vacant crew positions. The plan must include
18 numbers of crew positions being filled by staff working overtime,
19 strategies for filling these positions with straight time employees,
20 progress toward implementing those strategies, and a forecast for
21 when overtime expenditures will return to historical averages.

22 (8) \$160,000 of the Puget Sound ferry operations account—state
23 appropriation is provided solely for a ferry fleet baseline noise
24 study, conducted by a consultant, for the purpose of establishing
25 plans and data-driven goals to reduce ferry noise when Southern
26 resident orca whales are present. In addition, the study must
27 establish prioritized strategies to address vessels serving routes
28 with the greatest exposure to orca whale movements.

29 (9) (a) \$250,000 of the motor vehicle account—state appropriation
30 is provided solely for the department, in consultation with the
31 Washington state transportation center, to develop a plan for service
32 on the triangle route with a goal of providing maximum sailings
33 moving the most passengers to all stops in the least travel time,
34 including waits between sailings, within budget and resource
35 constraints.

36 (b) The Washington state transportation center must use new
37 traffic management models and scheduling tools to examine proposed
38 improvements for the triangle route. The department shall report to

1 the standing transportation committees of the legislature by January
2 15, 2021. The report must include:

3 (i) Implementation and status of data collection, modeling,
4 scheduling, capital investments, and procedural improvements to allow
5 Washington state ferries to schedule more sailings to and from all
6 stops on the triangle route with minimum time between sailings;

7 (ii) Recommendations for emergency boat allocations, regular
8 schedule policies, and emergency schedule policies based on all
9 customers alternative travel options to ensure that any dock with no
10 road access is prioritized in scheduling and scheduled service is
11 provided based on population size, demographics, and local medical
12 services;

13 (iii) Triangle route pilot economic analysis of Washington state
14 ferries fare revenue and fuel cost impact of offering additional,
15 better spaced sailings;

16 (iv) Results of an economic analysis of the return on investment
17 of potentially acquiring and using traffic control infrastructure,
18 technology, walk on loading bridges, and Good-to-Go and ORCA
19 replacement of current fare sales, validation, collections,
20 accounting, and all associated labor and benefits costs that can be
21 saved via those capital investments; and

22 (v) Recommendation on policies, procedures, or agency
23 interpretations of statute that may be adopted to mitigate any delays
24 or disruptions to scheduled sailings.

25 (c) If at least \$50,000,000 is not made available, by means of
26 transfer, deposit, appropriation, or other similar conveyance, to the
27 motor vehicle account for stormwater-related activities through the
28 enactment of chapter . . . (Engrossed Substitute Senate Bill No.
29 5993), Laws of 2019 (model toxics control program reform) by June 30,
30 2019, the amount provided in this subsection (9) lapses.

31 NEW SECTION. **Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION—**

32 **RAIL—PROGRAM Y—OPERATING**

33 Multimodal Transportation Account—State

34 Appropriation \$75,576,000

35 Multimodal Transportation Account—Private/Local

36 Appropriation \$717,000

37 Multimodal Transportation Account—Federal

38 Appropriation \$500,000

1 TOTAL APPROPRIATION. \$76,793,000

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

4 (1) (a) (i) \$224,000 of the multimodal transportation account—state
5 appropriation and \$671,000 of the multimodal transportation account—
6 private/local appropriation are provided solely for continued
7 analysis of the ultra high-speed ground transportation corridor in a
8 new study, with participation from Washington, Oregon, and British
9 Columbia. No funds may be expended until the department is in receipt
10 of \$671,000 in private/local funding provided solely for this
11 purpose.

12 (ii) The ultra high-speed ground transportation corridor advisory
13 group must include legislative membership.

14 (iii) "Ultra high-speed" means a maximum testing speed of at
15 least two hundred fifty miles per hour.

16 (b) The study must consist of the following:

17 (i) Development of proposed corridor governance, general powers,
18 operating structure, legal instruments, and contracting requirements;

19 (ii) An assessment of current laws in state and provincial
20 jurisdictions and identification of any proposed changes to laws,
21 regulations, and/or agreements that are needed to proceed with
22 development; and

23 (iii) Development of general recommendations for the
24 authorization needed to advance the development of the corridor. This
25 study must build on the results of the 2018 Washington state ultra
26 high-speed ground transportation business case analysis and the 2019
27 Washington state ultra high-speed ground transportation study
28 findings report. The department shall consult with the transportation
29 committees of the legislature regarding all issues related to
30 proposed corridor governance.

31 (c) The development work referenced in (b) of this subsection is
32 intended to identify and make recommendations related to specific
33 entities, including interjurisdictional entities, policies, and
34 processes required for the purposes of furthering preliminary
35 analysis efforts for the ultra high-speed ground transportation
36 corridor. This development work is not intended to authorize one or
37 more entities to assume decision making authority for the design,
38 construction, or operation of an ultra high-speed rail corridor.

1 (d) By December 1, 2020, the department shall provide to the
2 governor and the transportation committees of the legislature a
3 report of the study's findings regarding the three elements noted in
4 this subsection. As applicable, the report should also be sent to the
5 executive and legislative branches of government in the state of
6 Oregon and appropriate government bodies in the province of British
7 Columbia.

8 (2) The department is directed to continue to pursue efforts to
9 reduce costs, increase ridership, and review Amtrak Cascades fares
10 and fare schedules. Within thirty days of each annual cost/revenue
11 reconciliation under the Amtrak service contract, the department
12 shall report annual credits to the office of financial management and
13 the legislative transportation committees. Annual credits from Amtrak
14 to the department including, but not limited to, credits due to
15 higher ridership, reduced level of service, and fare or fare schedule
16 adjustments, must be used to offset corresponding amounts of the
17 multimodal transportation account—state appropriation, which must be
18 placed in reserve.

19 NEW SECTION. **Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION—**
20 **LOCAL PROGRAMS—PROGRAM Z—OPERATING**

21	Motor Vehicle Account—State Appropriation	\$12,190,000
22	Motor Vehicle Account—Federal Appropriation	\$2,567,000
23	Multiuse Roadway Safety Account—State Appropriation	\$132,000
24	Multimodal Transportation Account—State	
25	Appropriation	\$350,000
26	TOTAL APPROPRIATION.	\$15,239,000

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

29 (1) \$350,000 of the multimodal transportation account—state
30 appropriation is provided solely for a study by the Puget Sound
31 regional council of new passenger ferry service to better connect
32 communities throughout the twelve county Puget Sound region. The
33 study must assess potential new routes, identify future terminal
34 locations, and provide recommendations to accelerate the
35 electrification of the ferry fleet. The study must identify future
36 passenger only demand throughout Western Washington, analyze
37 potential routes and terminal locations on Puget Sound, Lake
38 Washington, and Lake Union with an emphasis on preserving waterfront

1 opportunities in public ownership and opportunities for partnership.
2 The study must determine whether and when the passenger ferry service
3 achieves a net reduction in carbon emissions including an analysis of
4 the emissions of modes that passengers would otherwise have used. The
5 study must estimate capital and operating costs for routes and
6 terminals. The study must include early and continuous outreach with
7 all interested stakeholders and a report to the legislature and all
8 interested parties by January 31, 2021.

9 (2) \$1,142,000 of the motor vehicle account—state appropriation
10 is provided solely for the department, from amounts set aside out of
11 statewide fuel taxes distributed to counties according to RCW
12 46.68.120(3), to contract with the Washington state association of
13 counties to:

14 (a) In coordination with stakeholders, identify county-owned fish
15 passage barriers, with priority given to barriers that share the same
16 stream system as state-owned fish passage barriers. The study must
17 identify, map, and provide a preliminary assessment of county-owned
18 barriers that need correction, and provide, where possible,
19 preliminary costs estimates for each barrier correction. The study
20 must provide recommendations on:

21 (i) How to prioritize county-owned barriers within the same
22 stream system of state-owned barriers in the current six-year
23 construction plan to maximize state investment; and

24 (ii) How future state six-year construction plans should
25 incorporate county-owned barriers;

26 (b) Update the local agency guidelines manual, including
27 exploring alternatives within the local agency guidelines manual on
28 county priorities;

29 (c) Study the current state of county transportation funding,
30 identify emerging issues, and identify potential future alternative
31 transportation fuel funding sources to meet current and future needs.

32 **TRANSPORTATION AGENCIES—CAPITAL**

33 NEW SECTION. **Sec. 301. FOR THE FREIGHT MOBILITY STRATEGIC**
34 **INVESTMENT BOARD**

35 Freight Mobility Investment Account—State
36 Appropriation \$18,094,000
37 Freight Mobility Multimodal Account—State

1	Appropriation	\$21,220,000
2	Motor Vehicle Account—Federal Appropriation	\$2,250,000
3	Freight Mobility Multimodal Account—Private/Local	
4	Appropriation	\$1,320,000
5	TOTAL APPROPRIATION.	\$42,884,000

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

8 (1) Except as otherwise provided in this section, the entire
9 appropriations in this section are provided solely for the projects
10 by amount, as listed in the LEAP Transportation Document 2019-3 as
11 developed April 27, 2019, FMSIB Project List.

12 (2) Until directed by the legislature, the board may not initiate
13 a new call for projects. By January 1, 2020, the board must report to
14 the legislature on alternative proposals to revise its project award
15 and obligation process, which result in lower reappropriations.

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

17	State Patrol Highway Account—State Appropriation	\$3,277,000
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18 The appropriation in this section is subject to the following
19 conditions and limitations:

20 The entire appropriation in this section is provided solely for
21 the following projects:

- 22 (1) \$250,000 for emergency repairs;
 - 23 (2) \$468,000 for roof replacements;
 - 24 (3) \$350,000 for fuel tank decommissioning;
 - 25 (4) \$759,000 for generator and electrical replacement;
 - 26 (5) \$750,000 for water and fire suppression systems; and
 - 27 (6) \$700,000 for academy training tank preservation
- 28 reappropriation.

29 The Washington state patrol may transfer funds between projects
30 specified in this section to address cash flow requirements. If a
31 project specified in this section is completed for less than the
32 amount provided, the remainder may be transferred to another project
33 specified in this section not to exceed the total appropriation
34 provided in this section.

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

36	Rural Arterial Trust Account—State Appropriation	\$65,996,000
37	Motor Vehicle Account—State Appropriation	\$1,456,000

1 *the specific allotment change with information on the rationale for*
2 *the change.*

**Sec. 304 is partially vetoed. See message at end of chapter.*

3 NEW SECTION. **Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION—**
4 **FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—**
5 **CAPITAL**

6	Motor Vehicle Account—State Appropriation	\$50,990,000
7	Connecting Washington Account—State Appropriation	\$42,497,000
8	TOTAL APPROPRIATION.	\$93,487,000

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

11 (1) \$42,497,000 of the connecting Washington account—state
12 appropriation is provided solely for a new Olympic region maintenance
13 and administration facility to be located on the department-owned
14 site at the intersection of Marvin Road and 32nd Avenue in Lacey,
15 Washington.

16 (2) (a) \$43,100,000 of the motor vehicle account—state
17 appropriation is provided solely for the department facility located
18 at 15700 Dayton Ave N in Shoreline. This appropriation is contingent
19 upon the department of ecology signing a not less than twenty-year
20 agreement to pay a share of any financing contract issued pursuant to
21 chapter 39.94 RCW.

22 (b) Payments from the department of ecology as described in this
23 subsection shall be deposited into the motor vehicle account.

24 (c) Total project costs are not to exceed \$46,500,000.

25 (3) \$1,565,000 from the motor vehicle account—state appropriation
26 is provided solely for furniture for the renovated Northwest Region
27 Headquarters at Dayton Avenue. The department must efficiently
28 furnish the renovated building. The amount provided in this
29 subsection is the maximum the department may spend on furniture for
30 this facility.

31 *NEW SECTION. **Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION—**
32 **IMPROVEMENTS—PROGRAM I**

33	High Occupancy Toll Lanes Operations	
34	Account—State Appropriation.	\$7,000,000
35	Transportation Partnership Account—State	
36	Appropriation	\$325,275,000

1	Motor Vehicle Account—State Appropriation	\$92,504,000
2	Motor Vehicle Account—Federal Appropriation	\$154,337,000
3	Motor Vehicle Account—Private/Local Appropriation	\$26,839,000
4	Connecting Washington Account—State	
5	Appropriation	\$2,137,381,000
6	Special Category C Account—State Appropriation	\$81,000,000
7	Multimodal Transportation Account—State	
8	Appropriation	\$5,408,000
9	Alaskan Way Viaduct Replacement Project Account—State	
10	Appropriation	\$77,956,000
11	Transportation 2003 Account (Nickel Account)—State	
12	Appropriation	\$21,819,000
13	Interstate 405 Express Toll Lanes Operations Account—State	
14	Appropriation	\$48,036,000
15	TOTAL APPROPRIATION.	\$2,977,555,000

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

18 (1) Except as provided otherwise in this section, the entire
19 connecting Washington account—state appropriation and the entire
20 transportation partnership account—state appropriation are provided
21 solely for the projects and activities as listed by fund, project,
22 and amount in LEAP Transportation Document 2019-1 as developed April
23 27, 2019, Program - Highway Improvements Program (I). However,
24 limited transfers of specific line-item project appropriations may
25 occur between projects for those amounts listed subject to the
26 conditions and limitations in section 601 of this act.

27 (2) Except as provided otherwise in this section, the entire
28 motor vehicle account—state appropriation and motor vehicle account—
29 federal appropriation are provided solely for the projects and
30 activities listed in LEAP Transportation Document 2019-2 ALL PROJECTS
31 as developed April 27, 2019, Program - Highway Improvements Program
32 (I). Any federal funds gained through efficiencies, adjustments to
33 the federal funds forecast, additional congressional action not
34 related to a specific project or purpose, or the federal funds
35 redistribution process must then be applied to highway and bridge
36 preservation activities or fish passage barrier corrections
37 (0BI4001).

38 (3) Within the motor vehicle account—state appropriation and
39 motor vehicle account—federal appropriation, the department may

1 transfer funds between programs I and P, except for funds that are
2 otherwise restricted in this act. Ten days prior to any transfer, the
3 department must submit its request to the office of financial
4 management and the transportation committees of the legislature and
5 consider any concerns raised. The department shall submit a report on
6 fiscal year funds transferred in the prior fiscal year using this
7 subsection as part of the department's annual budget submittal.

8 (4) The connecting Washington account—state appropriation
9 includes up to \$1,519,899,000 in proceeds from the sale of bonds
10 authorized in RCW 47.10.889.

11 (5) The special category C account—state appropriation includes
12 up to \$75,274,000 in proceeds from the sale of bonds authorized in
13 RCW 47.10.861.

14 (6) The transportation partnership account—state appropriation
15 includes up to \$150,232,000 in proceeds from the sale of bonds
16 authorized in RCW 47.10.812.

17 (7) The Alaskan Way viaduct replacement project account—state
18 appropriation includes up to \$77,956,000 in proceeds from the sale of
19 bonds authorized in RCW 47.10.873.

20 (8) The multimodal transportation account—state appropriation
21 includes up to \$5,408,000 in proceeds from the sale of bonds
22 authorized in RCW 47.10.867.

23 (9) \$90,464,000 of the transportation partnership account—state
24 appropriation, \$7,006,000 of the motor vehicle account—private/local
25 appropriation, \$3,383,000 of the transportation 2003 account (nickel
26 account)—state appropriation, \$77,956,000 of the Alaskan Way viaduct
27 replacement project account—state appropriation, and \$1,838,000 of
28 the multimodal transportation account—state appropriation are
29 provided solely for the SR 99/Alaskan Way Viaduct Replacement project
30 (809936Z).

31 (10) \$3,000,000 of the multimodal transportation account—state
32 appropriation is provided solely for transit mitigation for the SR
33 99/Viaduct Project - Construction Mitigation project (809940B).

34 (11) \$164,000,000 of the connecting Washington account—state
35 appropriation is provided solely for the US 395 North Spokane
36 Corridor project (M00800R).

37 (12)(a) \$22,195,000 of the transportation partnership account—
38 state appropriation, \$12,805,000 of the transportation 2003 account
39 (nickel account)—state appropriation, and \$48,000,000 of the

1 Interstate 405 express toll lanes operations account—state
2 appropriation are provided solely for the I-405/SR 522 to I-5
3 Capacity Improvements project (L2000234) for activities related to
4 adding capacity on Interstate 405 between state route number 522 and
5 Interstate 5, with the goals of increasing vehicle throughput and
6 aligning project completion with the implementation of bus rapid
7 transit in the vicinity of the project. The transportation
8 partnership account—state appropriation and transportation 2003
9 account (nickel account)—state appropriation are a transfer or a
10 reappropriation of a transfer from the I-405/Kirkland Vicinity Stage
11 2 - Widening project (8BI1002) due to savings and will fund right-of-
12 way and construction for an additional phase of this I-405 project.

13 (b) If sufficient bonding authority to complete this project is
14 not provided within chapter . . . (Engrossed Substitute Senate Bill
15 No. 5825), Laws of 2019 (addressing tolling) or chapter . . . (House
16 Bill No. 2132), Laws of 2019 (addressing tolling), or within a bond
17 authorization act referencing chapter . . . (Engrossed Substitute
18 Senate Bill No. 5825), Laws of 2019 or chapter . . . (House Bill No.
19 2132), Laws of 2019, by June 30, 2019, \$21,000,000 of the Interstate
20 405 express toll lanes operations account—state appropriation
21 provided in this subsection lapses, and it is the intent of the
22 legislature to reduce the Interstate 405 express toll lanes
23 operations account—state appropriation in the 2021-2023 biennium to
24 \$5,000,000, and in the 2023-2025 biennium to \$0 on the list
25 referenced in subsection (2) of this section.

26 (13)(a) \$395,822,000 of the connecting Washington account—state
27 appropriation, \$60,000 of the motor vehicle account—state
28 appropriation, and \$342,000 of the motor vehicle account—private/
29 local appropriation are provided solely for the SR 520 Seattle
30 Corridor Improvements - West End project (M00400R).

31 (b) Recognizing that the department of transportation requires
32 full possession of parcel number 1-23190 to complete the Montlake
33 Phase of the West End project, the department is directed to:

34 (i) Work with the operator of the Montlake boulevard market
35 located on parcel number 1-23190 to negotiate a lease allowing
36 continued operations up to January 1, 2020. After that time, the
37 department shall identify an area in the vicinity of the Montlake
38 property for a temporary market or other food service to be provided
39 during the period of project construction. Should the current

1 operator elect not to participate in providing that temporary
2 service, the department shall then develop an outreach plan with the
3 city to solicit community input on the food services provided, and
4 then advertise the opportunity to other potential vendors. Further,
5 the department shall work with the city of Seattle and existing
6 permit processes to facilitate vendor access to and use of the area
7 in the vicinity of the Montlake property.

8 (ii) Upon completion of the Montlake Phase of the West End
9 project (current anticipated contract completion of 2023), WSDOT
10 shall sell that portion of the property not used for permanent
11 transportation improvements and initiate a process to convey that
12 surplus property to a subsequent owner.

13 (c) \$60,000 of the motor vehicle account—state appropriation is
14 provided solely for grants to nonprofit organizations located in a
15 city with a population exceeding six hundred thousand persons and
16 that empower artists through equitable access to vital expertise,
17 opportunities, and business services. Funds may be used only for the
18 purpose of preserving, commemorating, and sharing the history of the
19 city of Seattle's freeway protests and making the history of activism
20 around the promotion of more integrated transportation and land use
21 planning accessible to current and future generations through the
22 preservation of Bent 2 of the R. H. Thompson freeway ramp.

23 (14) It is the intent of the legislature that for the I-5 JBLM
24 Corridor Improvements project (M00100R), the department shall
25 actively pursue \$50,000,000 in federal funds to pay for this project
26 to supplant state funds in the future. \$50,000,000 in connecting
27 Washington account funding must be held in unallotted status during
28 the 2021-2023 fiscal biennium. These funds may only be used after the
29 department has provided notice to the office of financial management
30 that it has exhausted all efforts to secure federal funds from the
31 federal highway administration and the department of defense.

32 (15) \$265,100,000 of the connecting Washington account—state
33 appropriation is provided solely for the SR 167/SR 509 Puget Sound
34 Gateway project (M00600R).

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

37 (b) Proceeds from the sale of any surplus real property acquired
38 for the purpose of building the SR 167/SR 509 Puget Sound Gateway
39 (M00600R) project must be deposited into the motor vehicle account
40 for the purpose of constructing the project.

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

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

19 (e) In designing the state route number 509/state route number
20 516 interchange component of the SR 167/SR 509 Puget Sound Gateway
21 project (M00600R), the department shall make every effort to utilize
22 the preferred "4B" design.

23 (f) The department shall explore the development of a multiuse
24 trail for bicyclists, pedestrians, skateboarders, and similar users
25 along the SR 167 right-of-way acquired for the project to connect a
26 network of new and existing trails from Mount Rainier to Point
27 Defiance Park.

28 (g) If sufficient bonding authority to complete this project is
29 not provided within chapter . . . (Engrossed Substitute Senate Bill
30 No. 5825), Laws of 2019 (addressing tolling) or chapter . . . (House
31 Bill No. 2132), Laws of 2019 (addressing tolling), or within a bond
32 authorization act referencing chapter . . . (Engrossed Substitute
33 Senate Bill No. 5825), Laws of 2019 or chapter . . . (House Bill No.
34 2132), Laws of 2019, by June 30, 2019, it is the intent of the
35 legislature to return the Puget Sound Gateway project (M00600R) to
36 its previously identified construction schedule by moving
37 \$128,900,000 in connecting Washington account—state appropriation
38 back to the 2027-2029 biennium from the 2023-2025 biennium on the
39 list referenced in subsection (2) of this section. If sufficient
40 bonding authority is provided, it is the intent of the legislature to

1 advance the project to allow for earlier completion and inflationary
2 savings.

3 (16) It is the intent of the legislature that, for the I-5/North
4 Lewis County Interchange project (L2000204), the department develop
5 and design the project with the objective of significantly improving
6 access to the industrially zoned properties in north Lewis county.
7 The design must consider the county's process of investigating
8 alternatives to improve such access from Interstate 5 that began in
9 March 2015.

10 **(17) The department shall support Pierce county's New Rhodes Lake**
11 **Road project including state route 162 and 128th Street East**
12 **intersection improvements following the preferred and recommended**
13 **alternative of Pierce county's SEIS issued May 3, 2018. The**
14 **department shall fully support, review, and approve improvements and**
15 **right-of-way plans in a timely manner.**

16 (18) \$950,000 of the transportation partnership account—state
17 appropriation is provided solely for the U.S. 2 Trestle IJR project
18 (L1000158).

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

25 (20) Any advisory group that the department convenes during the
26 2019-2021 fiscal biennium must consider the interests of the entire
27 state of Washington.

28 (21) The legislature finds that there are sixteen companies
29 involved in wood preserving in the state that employ four hundred
30 workers and have an annual payroll of fifteen million dollars. Before
31 the department's switch to steel guardrails, ninety percent of the
32 twenty-five hundred mile guardrail system was constructed of
33 preserved wood and one hundred ten thousand wood guardrail posts were
34 produced annually for state use. Moreover, the policy of using steel
35 posts requires the state to use imported steel. Given these findings,
36 where practicable, and until June 30, 2021, the department shall
37 include the design option to use wood guardrail posts, in addition to
38 steel posts, in new guardrail installations. The selection of posts
39 must be consistent with the agency design manual policy that existed
40 before December 2009.

1 (22) (a) For projects funded as part of the 2015 connecting
2 Washington transportation package listed on the LEAP transportation
3 document identified in subsection (1) of this section, if the
4 department expects to have substantial reappropriations for the
5 2021-2023 fiscal biennium, the department may, on a pilot basis,
6 apply funding from a project in this section with an appropriation
7 that cannot be used for the current fiscal biennium to advance one or
8 more of the following projects:

9 (i) I-82 Yakima - Union Gap Economic Development Improvements
10 (T21100R);

11 (ii) I-5 Federal Way - Triangle Vicinity Improvements (T20400R);
12 or

13 (iii) SR 522/Paradise Lk Rd Interchange & Widening on SR 522
14 (Design/Engineering) (NPARADI).

15 (b) At least ten business days before advancing a project
16 pursuant to this subsection, the department must notify the office of
17 financial management and the transportation committees of the
18 legislature. The advancement of a project may not hinder the delivery
19 of the projects for which the reappropriations are necessary for the
20 2021-2023 fiscal biennium.

21 (c) For connecting Washington projects that have already begun
22 and are eligible for the authority granted in section 601 of this
23 act, the department shall prioritize advancing the following projects
24 if expected reappropriations become available:

25 (i) SR 14/I-205 to SE 164th Ave - Auxiliary Lanes (L2000102);

26 (ii) SR 305 Construction - Safety Improvements (N30500R);

27 (iii) SR 14/Bingen Underpass (L2220062);

28 (iv) I-405/NE 132nd Interchange - Totem Lake (L1000110);

29 (v) US Hwy 2 Safety (N00200R);

30 (vi) US-12/Walla Walla Corridor Improvements (T20900R);

31 (vii) I-5 JBLM Corridor Improvements (M00100R);

32 (viii) I-5/Slater Road Interchange - Improvements (L1000099);

33 (ix) SR 510/Yelm Loop Phase 2 (T32700R); or

34 (x) SR 520/124th St Interchange (Design and Right of Way)
35 (L1000098).

36 (d) To the extent practicable, the department shall use the
37 flexibility and authority granted in this section and in section 601
38 of this act to minimize the amount of reappropriations needed each
39 biennium.

1 (23) The legislature continues to prioritize the replacement of
2 the state's aging infrastructure and recognizes the importance of
3 reusing and recycling construction aggregate and recycled concrete
4 materials in our transportation system. To accomplish Washington
5 state's sustainability goals in transportation and in accordance with
6 RCW 70.95.805, the legislature reaffirms its determination that
7 recycled concrete aggregate and other transportation building
8 materials are natural resource construction materials that are too
9 valuable to be wasted and landfilled, and are a commodity as defined
10 in WAC 173-350-100.

11 Further, the legislature determines construction aggregate and
12 recycled concrete materials substantially meet widely recognized
13 international, national, and local standards and specifications
14 referenced in American society for testing and materials, American
15 concrete institute, Washington state department of transportation,
16 Seattle department of transportation, American public works
17 association, federal aviation administration, and federal highway
18 administration specifications, and are described as necessary and
19 desirable products for recycling and reuse by state and federal
20 agencies.

21 As these recyclable materials have well established markets, are
22 substantially a primary or secondary product of necessary
23 construction processes and production, and are managed as an item of
24 commercial value, construction aggregate and recycled concrete
25 materials are exempt from chapter 173-350 WAC.

26 (24) (a) \$17,500,000 of the motor vehicle account—state
27 appropriation is provided solely for staffing of a project office to
28 replace the Interstate 5 bridge across the Columbia river (G2000088).
29 If at least a \$9,000,000 transfer is not authorized in section
30 406(29) of this act, then \$9,000,000 of the motor vehicle account—
31 state appropriation lapses.

32 (b) Of the amount provided in this subsection, \$7,780,000 of the
33 motor vehicle account—state appropriation must be placed in
34 unallotted status by the office of financial management until the
35 department develops a detailed plan for the work of this project
36 office in consultation with the chairs and ranking members of the
37 transportation committees of the legislature. The director of the
38 office of financial management shall consult with the chairs and

1 ranking members of the transportation committees of the legislature
2 prior to making a decision to allot these funds.

3 (c) The work of this project office includes, but is not limited
4 to, the reevaluation of the purpose and need identified for the
5 project previously known as the Columbia river crossing, the
6 reevaluation of permits and development of a finance plan, the
7 reengagement of key stakeholders and the public, and the reevaluation
8 of scope, schedule, and budget for a reinvigorated bistate effort for
9 replacement of the Interstate 5 Columbia river bridge. When
10 reevaluating the finance plan for the project, the department shall
11 assume that some costs of the new facility may be covered by tolls.
12 The project office must also study the possible different governance
13 structures for a bridge authority that would provide for the joint
14 administration of the bridges over the Columbia river between Oregon
15 and Washington. As part of this study, the project office must
16 examine the feasibility and necessity of an interstate compact in
17 conjunction with the national center for interstate compacts.

18 (d) Within the amount provided in this subsection, the department
19 must implement chapter . . . (Engrossed Substitute House Bill No.
20 1994), Laws of 2019 (projects of statewide significance).

21 (e) The department shall have as a goal to:

22 (i) Reengage project stakeholders and reevaluate the purpose and
23 need and environmental permits by July 1, 2020;

24 (ii) Develop a finance plan by December 1, 2020; and

25 (iii) Have made significant progress toward beginning the
26 supplemental environmental impact statement process by June 30, 2021.
27 The department shall aim to provide a progress report on these
28 activities to the governor and the transportation committees of the
29 legislature by December 1, 2019, and a final report to the governor
30 and the transportation committees of the legislature by December 1,
31 2020.

32 (25) \$17,500,000 of the motor vehicle account—state appropriation
33 is provided solely to begin the pre-design phase on the I-5/Columbia
34 River Bridge project (G2000088); however, if at least \$50,000,000 is
35 not made available, by means of transfer, deposit, appropriation, or
36 other similar conveyance, to the motor vehicle account for
37 stormwater-related activities through the enactment of chapter . . .
38 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model
39 toxics control program reform) by June 30, 2019, the amount provided
40 in this subsection lapses.

1 (26) (a) \$36,500,000 of the connecting Washington account—state
2 appropriation, \$44,961,000 of the motor vehicle account—federal
3 appropriation, and \$18,539,000 of the transportation partnership
4 account—state appropriation are provided solely for the Fish Passage
5 Barrier project (0BI4001) with the intent of fully complying with the
6 court injunction by 2030.

7 (b) Of the amounts provided in this subsection, \$320,000 of the
8 connecting Washington account—state appropriation is provided solely
9 to remove the fish passage barrier on state route number 6 that
10 interfaces with Boistfort Valley water utilities near milepost 46.6.

11 (c) The department shall coordinate with the Brian Abbott fish
12 passage barrier removal board to use a watershed approach to maximize
13 habitat gain by replacing both state and local culverts. The
14 department shall deliver high habitat value fish passage barrier
15 corrections that it has identified, guided by the following factors:
16 Opportunity to bundle projects, ability to leverage investments by
17 others, presence of other barriers, project readiness, other
18 transportation projects in the area, and transportation impacts.

19 (d) The department must keep track of, for each barrier removed:
20 (i) The location; (ii) the amount of fish habitat gain; and (iii) the
21 amount spent to comply with the injunction.

22 (27) \$14,750,000 of the connecting Washington account—state
23 appropriation and \$6,000,000 of the motor vehicle account—private/
24 local appropriation are provided solely for the I-90/Barker to
25 Harvard - Improve Interchanges & Local Roads project (L2000122). The
26 connecting Washington account appropriation for the improvements that
27 fall within the city of Liberty Lake may only be expended if the city
28 of Liberty Lake agrees to cover any project costs above the
29 \$20,900,000 of state appropriation provided for the total project in
30 LEAP Transportation Document 2019-1 as developed April 27, 2019,
31 Program - Highway Improvements (I).

32 (28) (a) \$7,060,000 of the motor vehicle account—federal
33 appropriation, \$72,000 of the motor vehicle account—state
34 appropriation, \$3,580,000 of the transportation partnership account—
35 state appropriation, and \$7,000,000 of the high occupancy toll lanes
36 operations account—state appropriation are provided solely for the SR
37 167/SR 410 to SR 18 - Congestion Management project (316706C).

38 (b) If sufficient bonding authority to complete this project is
39 not provided within chapter . . . (Engrossed Substitute Senate Bill

1 No. 5825), Laws of 2019 (addressing tolling) or chapter . . . (House
2 Bill No. 2132), Laws of 2019 (addressing tolling), or within a bond
3 authorization act referencing chapter . . . (Engrossed Substitute
4 Senate Bill No. 5825), Laws of 2019 or chapter . . . (House Bill No.
5 2132), Laws of 2019, by June 30, 2019, it is the intent of the
6 legislature to remove the \$100,000,000 in toll funding from this
7 project on the list referenced in subsection (2) of this section.

8 (29) For the I-405/North 8th Street Direct Access Ramp in Renton
9 project (L1000280), if sufficient bonding authority to begin this
10 project is not provided within chapter . . . (Engrossed Substitute
11 Senate Bill No. 5825), Laws of 2019 (addressing tolling) or
12 chapter . . . (House Bill No. 2132), Laws of 2019 (addressing
13 tolling), or within a bond authorization act referencing
14 chapter . . . (Engrossed Substitute Senate Bill No. 5825), Laws of
15 2019 or chapter . . . (House Bill No. 2132), Laws of 2019, by June
16 30, 2019, it is the intent of the legislature to remove the project
17 from the list referenced in subsection (2) of this section.

18 (30) \$7,900,000 of the Special Category C account—state
19 appropriation and \$1,000,000 of the motor vehicle account—private/
20 local appropriation are provided solely for the SR 18 Widening -
21 Issaquah/Hobart Rd to Raging River project (L1000199) for improving
22 and widening state route number 18 to four lanes from Issaquah-Hobart
23 Road to Raging River.

24 (31) \$2,250,000 of the motor vehicle account—state appropriation
25 is provided solely for the I-5 Corridor from Mounts Road to Tumwater
26 project (L1000231) for completing a National and State Environmental
27 Policy Act (NEPA/SEPA) analysis to identify mid- and long-term
28 environmental impacts associated with future improvements along the
29 I-5 corridor from Tumwater to DuPont.

30 (32) \$1,290,000 of the motor vehicle account—state appropriation
31 is provided solely for the US 101/East Sequim Corridor Improvements
32 project (L2000343); however, if at least \$50,000,000 is not made
33 available, by means of transfer, deposit, appropriation, or other
34 similar conveyance, to the motor vehicle account for stormwater-
35 related activities through the enactment of chapter . . . (Engrossed
36 Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control
37 program reform) by June 30, 2019, the amount provided in this
38 subsection lapses.

1 (33) \$12,800,000 of the motor vehicle account—state appropriation
2 is provided solely for the SR 522/Paradise Lk Rd Interchange &
3 Widening on SR 522 (Design/Engineering) project (NPARADI); however,
4 if at least \$50,000,000 is not made available, by means of transfer,
5 deposit, appropriation, or other similar conveyance, to the motor
6 vehicle account for stormwater-related activities through the
7 enactment of chapter . . . (Engrossed Substitute Senate Bill No.
8 5993), Laws of 2019 (model toxics control program reform) by June 30,
9 2019, the amount provided in this subsection lapses.

10 (34) \$1,000,000 of the motor vehicle account—state appropriation
11 is provided solely for the US 101/Morse Creek Safety Barrier project
12 (L1000247); however, if at least \$50,000,000 is not made available,
13 by means of transfer, deposit, appropriation, or other similar
14 conveyance, to the motor vehicle account for stormwater-related
15 activities through the enactment of chapter . . . (Engrossed
16 Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control
17 program reform) by June 30, 2019, the amount provided in this
18 subsection lapses.

19 (35) \$1,000,000 of the motor vehicle account—state appropriation
20 is provided solely for the SR 162/410 Interchange Design and Right of
21 Way project (L1000276); however, if at least \$50,000,000 is not made
22 available, by means of transfer, deposit, appropriation, or other
23 similar conveyance, to the motor vehicle account for stormwater-
24 related activities through the enactment of chapter . . . (Engrossed
25 Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control
26 program reform) by June 30, 2019, the amount provided in this
27 subsection lapses.

28 (36) \$1,000,000 of the motor vehicle account—state appropriation
29 is provided solely for the I-5/Rush Road Interchange Improvements
30 project (L1000223); however, if at least \$50,000,000 is not made
31 available, by means of transfer, deposit, appropriation, or other
32 similar conveyance, to the motor vehicle account for stormwater-
33 related activities through the enactment of chapter . . . (Engrossed
34 Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control
35 program reform) by June 30, 2019, the amount provided in this
36 subsection lapses.

****Sec. 306 is partially vetoed. See message at end of chapter.***

1 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION—**

2 **PRESERVATION—PROGRAM P**

3 Recreational Vehicle Account—State Appropriation \$1,744,000
4 Transportation Partnership Account—State
5 Appropriation \$23,706,000
6 Motor Vehicle Account—State Appropriation \$74,885,000
7 Motor Vehicle Account—Federal Appropriation \$454,758,000
8 Motor Vehicle Account—Private/Local Appropriation \$5,159,000
9 State Route Number 520 Corridor Account—State
10 Appropriation \$544,000
11 Connecting Washington Account—State Appropriation \$189,771,000
12 Tacoma Narrows Toll Bridge Account—State Appropriation . . \$7,906,000
13 Alaskan Way Viaduct Replacement Project Account—State
14 Appropriation. \$10,000
15 Transportation 2003 Account (Nickel Account)—State
16 Appropriation \$9,617,000
17 TOTAL APPROPRIATION. \$768,100,000

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

20 (1) Except as provided otherwise in this section, the entire
21 connecting Washington account—state appropriation and the entire
22 transportation partnership account—state appropriation are provided
23 solely for the projects and activities as listed by fund, project,
24 and amount in LEAP Transportation Document 2019-1 as developed April
25 27, 2019, Program - Highway Preservation Program (P). However,
26 limited transfers of specific line-item project appropriations may
27 occur between projects for those amounts listed subject to the
28 conditions and limitations in section 601 of this act.

29 (2) Except as provided otherwise in this section, the entire
30 motor vehicle account—state appropriation and motor vehicle account—
31 federal appropriation are provided solely for the projects and
32 activities listed in LEAP Transportation Document 2019-2 ALL PROJECTS
33 as developed April 27, 2019, Program - Highway Preservation Program
34 (P). Any federal funds gained through efficiencies, adjustments to
35 the federal funds forecast, additional congressional action not
36 related to a specific project or purpose, or the federal funds
37 redistribution process must then be applied to highway and bridge
38 preservation activities or fish passage barrier corrections
39 (0BI4001).

1 (3) Within the motor vehicle account—state appropriation and
2 motor vehicle account—federal appropriation, the department may
3 transfer funds between programs I and P, except for funds that are
4 otherwise restricted in this act. Ten days prior to any transfer, the
5 department must submit its request to the office of financial
6 management and the transportation committees of the legislature and
7 consider any concerns raised. The department shall submit a report on
8 fiscal year funds transferred in the prior fiscal year using this
9 subsection as part of the department's annual budget submittal.

10 (4) \$25,036,000 of the connecting Washington account—state
11 appropriation is provided solely for the land mobile radio upgrade
12 (G2000055) and is subject to the conditions, limitations, and review
13 provided in section 701 of this act. The land mobile radio project is
14 subject to technical oversight by the office of the chief information
15 officer. The department, in collaboration with the office of the
16 chief information officer, shall identify where existing or proposed
17 mobile radio technology investments should be consolidated, identify
18 when existing or proposed mobile radio technology investments can be
19 reused or leveraged to meet multiagency needs, increase mobile radio
20 interoperability between agencies, and identify how redundant
21 investments can be reduced over time. The department shall also
22 provide quarterly reports to the technology services board on project
23 progress.

24 (5) \$2,500,000 of the motor vehicle account—state appropriation
25 is provided solely for extraordinary costs incurred from litigation
26 awards, settlements, or dispute mitigation activities not eligible
27 for funding from the self-insurance fund. The amount provided in this
28 subsection must be held in unallotted status until the department
29 submits a request to the office of financial management that includes
30 documentation detailing litigation-related expenses. The office of
31 financial management may release the funds only when it determines
32 that all other funds designated for litigation awards, settlements,
33 and dispute mitigation activities have been exhausted. No funds
34 provided in this subsection may be expended on any legal fees related
35 to the SR 99/Alaskan Way viaduct replacement project (809936Z).

36 (6) The appropriation in this section includes funding for
37 starting planning, engineering, and construction of the Elwha River
38 bridge replacement. To the greatest extent practicable, the
39 department shall maintain public access on the existing route.

1 (7) \$22,729,000 of the motor vehicle account—federal
2 appropriation and \$553,000 of the motor vehicle account—state
3 appropriation are provided solely for the preservation of
4 structurally deficient bridges or bridges that are at risk of
5 becoming structurally deficient (L1000068). These funds must be used
6 widely around the state of Washington. When practicable, the
7 department shall pursue design-build contracts for these bridge
8 projects to expedite delivery. The department shall provide a report
9 that identifies the progress of each project funded in this
10 subsection as part of its annual agency budget request.

11 (8) The department must consult with the Washington state patrol
12 and the office of financial management during the design phase of any
13 improvement or preservation project that could impact Washington
14 state patrol weigh station operations. During the design phase of any
15 such project, the department must estimate the cost of designing
16 around the affected weigh station's current operations, as well as
17 the cost of moving the affected weigh station.

18 (9) During the course of any planned resurfacing or other
19 preservation activity on state route number 26 between Colfax and
20 Othello in the 2019-2021 fiscal biennium, the department must add
21 dug-in reflectors.

22 (10)(a) For projects funded as part of the 2015 connecting
23 Washington transportation package listed on the LEAP transportation
24 document identified in subsection (1) of this section, if the
25 department expects to have substantial reappropriations for the
26 2021-2023 fiscal biennium, the department may, on a pilot basis,
27 apply funding from a project in this section with an appropriation
28 that cannot be used for the current fiscal biennium to advance the SR
29 4/Abernathy Creek Br - Replace Bridge project (400411A).

30 (b) At least ten business days before advancing the project
31 pursuant to this subsection, the department must notify the office of
32 financial management and the transportation committees of the
33 legislature. The advancement of the project may not hinder the
34 delivery of the projects for which the reappropriations are necessary
35 for the 2021-2023 fiscal biennium.

36 (c) To the extent practicable, the department shall use the
37 flexibility and authority granted in this section and in section 601
38 of this act to minimize the amount of reappropriations needed each
39 biennium.

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

9 NEW SECTION. **Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION—**
10 **TRAFFIC OPERATIONS—PROGRAM Q—CAPITAL**

11	Motor Vehicle Account—State Appropriation	\$7,311,000
12	Motor Vehicle Account—Federal Appropriation	\$5,331,000
13	Motor Vehicle Account—Private/Local Appropriation	\$500,000
14	TOTAL APPROPRIATION.	\$13,142,000

15 The appropriations in this section are subject to the following
16 conditions and limitations: \$700,000 of the motor vehicle account—
17 state appropriation is provided solely for the SR 99 Aurora Bridge
18 ITS project (L2000338); however, if at least \$50,000,000 is not made
19 available, by means of transfer, deposit, appropriation, or other
20 similar conveyance, to the motor vehicle account for stormwater-
21 related activities through the enactment of chapter . . . (Engrossed
22 Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control
23 program reform) by June 30, 2019, the amount provided in this
24 subsection lapses.

25 NEW SECTION. **Sec. 309. FOR THE DEPARTMENT OF TRANSPORTATION—**
26 **WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W**

27	Puget Sound Capital Construction Account—State	
28	Appropriation	\$111,076,000
29	Puget Sound Capital Construction Account—Federal	
30	Appropriation	\$141,750,000
31	Puget Sound Capital Construction Account—Private/Local	
32	Appropriation	\$350,000
33	Transportation Partnership Account—State	
34	Appropriation	\$4,936,000
35	Connecting Washington Account—State Appropriation	\$92,766,000
36	Capital Vessel Replacement Account—State	
37	Appropriation.	\$99,000,000

1 TOTAL APPROPRIATION. \$449,878,000

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

4 (1) Except as provided otherwise in this section, the entire
5 appropriations in this section are provided solely for the projects
6 and activities as listed in LEAP Transportation Document 2019-2 ALL
7 PROJECTS as developed April 27, 2019, Program - Washington State
8 Ferries Capital Program (W).

9 (2) \$1,461,000 of the Puget Sound capital construction account—
10 state appropriation, \$59,650,000 of the connecting Washington account
11 —state appropriation, are provided solely for the Mukilteo ferry
12 terminal (952515P). To the extent practicable, the department shall
13 avoid the closure of, or disruption to, any existing public access
14 walkways in the vicinity of the terminal project during construction.

15 (3) \$73,089,000 of the Puget Sound capital construction account—
16 federal appropriation, \$33,089,000 of the connecting Washington
17 account—state appropriation, and \$8,778,000 of the Puget Sound
18 capital construction account—state appropriation are provided solely
19 for the Seattle Terminal Replacement project (900010L).

20 (4) \$5,000,000 of the Puget Sound capital construction account—
21 state appropriation is provided solely for emergency capital repair
22 costs (999910K). Funds may only be spent after approval by the office
23 of financial management.

24 (5) \$2,300,000 of the Puget Sound capital construction account—
25 state appropriation is provided solely for the ORCA acceptance
26 project (L2000300). The ferry system shall work with Washington
27 technology solutions and the tolling division on the development of a
28 new, interoperable ticketing system.

29 (6) \$495,000 of the Puget Sound capital construction account—
30 state appropriation is provided solely for an electric ferry planning
31 team (G2000087) to develop ten-year and twenty-year implementation
32 plans to efficiently deploy hybrid-electric vessels, including a
33 cost-benefit analysis of construction and operation of hybrid-
34 electric vessels with and without charging infrastructure. The plan
35 includes, but is not limited to, vessel technology and feasibility,
36 vessel and terminal deployment schedules, project financing, and
37 workforce requirements. The plan shall be submitted to the office of
38 financial management and the transportation committees of the
39 legislature by June 30, 2020.

1 (7) \$35,000,000 of the Puget Sound capital construction account—
2 state appropriation and \$6,500,000 of the Puget Sound capital
3 construction account—federal appropriation are provided solely for
4 the conversion of up to two Jumbo Mark II vessels to electric hybrid
5 propulsion (G2000084). The department shall seek additional funds for
6 the purposes of this subsection. The department may spend from the
7 Puget Sound capital construction account—state appropriation in this
8 section only as much as the department receives in Volkswagen
9 settlement funds for the purposes of this subsection.

10 (8) \$400,000 of the Puget Sound capital construction account—
11 state appropriation is provided solely for a request for proposals
12 for a new maintenance management system (project L2000301) and is
13 subject to the conditions, limitations, and review provided in
14 section 701 of this act.

15 (9) \$99,000,000 of the capital vessel replacement account—state
16 appropriation is provided solely for the acquisition of a 144-car
17 hybrid-electric vessel. The vendor must present to the joint
18 transportation committee and the office of financial management, by
19 September 15, 2019, a list of options that will result in significant
20 cost savings changes in terms of construction or the long-term
21 maintenance and operations of the vessel. The vendor must allow for
22 exercising the options without a penalty. It is the intent of the
23 legislature to provide an additional \$88,000,000 in funding in the
24 2021-23 biennium. Unless (a) chapter . . . (Engrossed Substitute
25 House Bill No. 2161), Laws of 2019 (capital surcharge) or
26 chapter . . . (Substitute Senate Bill No. 5992), Laws of 2019
27 (capital surcharge) is enacted by June 30, 2019, and (b)
28 chapter . . . (Engrossed House Bill No. 1789), Laws of 2019 (service
29 fees) or chapter . . . (Substitute Senate Bill No. 5419), Laws of
30 2019 (service fees) is enacted by June 30, 2019, the amount provided
31 in this subsection lapses.

32 (10) The capital vessel replacement account—state appropriation
33 includes up to \$99,000,000 in proceeds from the sale of bonds
34 authorized in RCW 47.10.873.

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

37 Motor Vehicle Account—State Appropriation. \$1,750,000
38 Essential Rail Assistance Account—State Appropriation . . . \$500,000

1	Transportation Infrastructure Account—State	
2	Appropriation	\$7,554,000
3	Multimodal Transportation Account—State	
4	Appropriation	\$85,441,000
5	Multimodal Transportation Account—Federal	
6	Appropriation	\$8,302,000
7	Multimodal Transportation Account—Local	
8	Appropriation	\$336,000
9	TOTAL APPROPRIATION.	\$103,883,000

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

12 (1) Except as provided otherwise in this section, the entire
13 appropriations in this section are provided solely for the projects
14 and activities as listed by project and amount in LEAP Transportation
15 Document 2019-2 ALL PROJECTS as developed April 27, 2019, Program -
16 Rail Program (Y).

17 (2) \$7,136,000 of the transportation infrastructure account—state
18 appropriation is provided solely for new low-interest loans approved
19 by the department through the freight rail investment bank (FRIB)
20 program. The department shall issue FRIB program loans with a
21 repayment period of no more than ten years, and charge only so much
22 interest as is necessary to recoup the department's costs to
23 administer the loans. The department shall report annually to the
24 transportation committees of the legislature and the office of
25 financial management on all FRIB loans issued.

26 (3) \$8,112,000 of the multimodal transportation account—state
27 appropriation, \$51,000 of the transportation infrastructure account—
28 state appropriation, and \$135,000 of the essential rail assistance
29 account—state appropriation are provided solely for new statewide
30 emergent freight rail assistance projects identified in the LEAP
31 transportation document referenced in subsection (1) of this section.

32 (4) \$367,000 of the transportation infrastructure account—state
33 appropriation and \$1,100,000 of the multimodal transportation account
34 —state appropriation are provided solely to reimburse Highline Grain,
35 LLC for approved work completed on Palouse River and Coulee City
36 (PCC) railroad track in Spokane county between the BNSF Railway
37 Interchange at Cheney and Geiger Junction and must be administered in
38 a manner consistent with freight rail assistance program projects.
39 The value of the public benefit of this project is expected to meet

1 or exceed the cost of this project in: Shipper savings on
2 transportation costs; jobs saved in rail-dependent industries; and/or
3 reduced future costs to repair wear and tear on state and local
4 highways due to fewer annual truck trips (reduced vehicle miles
5 traveled). The amounts provided in this subsection are not a
6 commitment for future legislatures, but it is the legislature's
7 intent that future legislatures will work to approve biennial
8 appropriations until the full \$7,337,000 cost of this project is
9 reimbursed.

10 (5) (a) \$365,000 of the essential rail assistance account—state
11 appropriation is provided solely for the purpose of the
12 rehabilitation and maintenance of the Palouse river and Coulee City
13 railroad line (F01111B).

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

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

19 (ii) Revenues from trackage rights agreement fees paid by
20 shippers; and

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

25 (6) The department shall issue a call for projects for the
26 freight rail assistance program, and shall evaluate the applications
27 in a manner consistent with past practices as specified in section
28 309, chapter 367, Laws of 2011. By November 15, 2020, the department
29 shall submit a prioritized list of recommended projects to the office
30 of financial management and the transportation committees of the
31 legislature.

32 (7) \$10,000,000 of the multimodal transportation account—state
33 appropriation is provided solely as expenditure authority for any
34 insurance proceeds received by the state for Passenger Rail Equipment
35 Replacement (project 700010C.) The department must use this
36 expenditure authority only to purchase new train sets that have been
37 competitively procured.

38 (8) \$600,000 of the multimodal transportation account—federal
39 appropriation and \$6,000 of the multimodal transportation account—

1 state appropriation are provided solely for the Ridgefield Rail
2 Overpass (project 725910A). Total costs for this project may not
3 exceed \$909,000 across fiscal biennia.

4 (9) (a) For projects funded as part of the 2015 connecting
5 Washington transportation package listed on the LEAP transportation
6 document identified in subsection (1) of this section, if the
7 department expects to have substantial reappropriations for the
8 2021-2023 fiscal biennium, the department may, on a pilot basis,
9 apply funding from a project in this section with an appropriation
10 that cannot be used for the current fiscal biennium to advance the
11 South Kelso Railroad Crossing project (L1000147).

12 (b) At least ten business days before advancing the project
13 pursuant to this subsection, the department must notify the office of
14 financial management and the transportation committees of the
15 legislature. The advancement of the project may not hinder the
16 delivery of the projects for which the reappropriations are necessary
17 for the 2021-2023 fiscal biennium.

18 (c) To the extent practicable, the department shall use the
19 flexibility and authority granted in this section to minimize the
20 amount of reappropriations needed each biennium.

21 (10) The multimodal transportation account—state appropriation
22 includes up to \$19,592,000 in proceeds from the sale of bonds
23 authorized in RCW 47.10.867.

24 (11) The department must report to the joint transportation
25 committee on the progress made on freight rail investment bank
26 projects and freight rail assistance projects funded during this
27 biennium by January 1, 2020.

28 (12) \$1,500,000 of the multimodal transportation account—state
29 appropriation is provided solely for the Chelatchie Prairie railroad
30 roadbed rehabilitation project (L1000233).

31 (13) \$250,000 of the multimodal transportation account—state
32 appropriation is provided solely for the Port of Moses Lake Northern
33 Columbia Basin railroad feasibility study (L1000235).

34 (14) \$500,000 of the multimodal transportation account—state
35 appropriation is provided solely for the Spokane airport transload
36 facility project (L1000242).

37 (15) \$1,000,000 of the motor vehicle account—state appropriation
38 is provided solely for the grade separation at Bell road project
39 (L1000239); however, if at least \$50,000,000 is not made available,

1 by means of transfer, deposit, appropriation, or other similar
2 conveyance, to the motor vehicle account for stormwater-related
3 activities through the enactment of chapter . . . (Engrossed
4 Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control
5 program reform) by June 30, 2019, the amount provided in this
6 subsection lapses.

7 (16) \$750,000 of the motor vehicle account—state appropriation is
8 provided solely for the rail crossing improvements at 6th Ave. and
9 South 19th St. project (L2000289); however, if at least \$50,000,000
10 is not made available, by means of transfer, deposit, appropriation,
11 or other similar conveyance, to the motor vehicle account for
12 stormwater-related activities through the enactment of chapter . . .
13 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model
14 toxics control program reform) by June 30, 2019, the amount provided
15 in this subsection lapses.

16 NEW SECTION. **Sec. 311. FOR THE DEPARTMENT OF TRANSPORTATION—**
17 **LOCAL PROGRAMS—PROGRAM Z—CAPITAL**

18	Highway Infrastructure Account—State Appropriation	\$793,000
19	Highway Infrastructure Account—Federal Appropriation	\$981,000
20	Transportation Partnership Account—State	
21	Appropriation	\$750,000
22	Highway Safety Account—State Appropriation	\$800,000
23	Motor Vehicle Account—State Appropriation	\$30,878,000
24	Motor Vehicle Account—Federal Appropriation	\$33,813,000
25	Motor Vehicle Account—Private/Local Appropriation	\$21,500,000
26	Connecting Washington Account—State Appropriation	\$172,454,000
27	Multimodal Transportation Account—State	
28	Appropriation	\$72,269,000
29	TOTAL APPROPRIATION.	\$334,238,000

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

32 (1) Except as provided otherwise in this section, the entire
33 appropriations in this section are provided solely for the projects
34 and activities as listed by project and amount in LEAP Transportation
35 Document 2019-2 ALL PROJECTS as developed April 27, 2019, Program -
36 Local Programs Program (Z).

1 (2) The amounts identified in the LEAP transportation document
2 referenced under subsection (1) of this section for pedestrian
3 safety/safe routes to school are as follows:

4 (a) \$18,380,000 of the multimodal transportation account—state
5 appropriation is provided solely for newly selected pedestrian and
6 bicycle safety program projects. \$5,940,000 of the multimodal
7 transportation account—state appropriation and \$750,000 of the
8 transportation partnership account—state appropriation are
9 reappropriated for pedestrian and bicycle safety program projects
10 selected in the previous biennia (L2000188).

11 (b) \$11,400,000 of the motor vehicle account—federal
12 appropriation and \$7,750,000 of the multimodal transportation account
13 —state appropriation are provided solely for newly selected safe
14 routes to school projects. \$6,690,000 of the motor vehicle account—
15 federal appropriation, \$2,320,000 of the multimodal transportation
16 account—state appropriation, and \$800,000 of the highway safety
17 account—state appropriation are reappropriated for safe routes to
18 school projects selected in the previous biennia (L2000189). The
19 department may consider the special situations facing high-need
20 areas, as defined by schools or project areas in which the percentage
21 of the children eligible to receive free and reduced-price meals
22 under the national school lunch program is equal to, or greater than,
23 the state average as determined by the department, when evaluating
24 project proposals against established funding criteria while ensuring
25 continued compliance with federal eligibility requirements.

26 (3) The department shall submit a report to the transportation
27 committees of the legislature by December 1, 2019, and December 1,
28 2020, on the status of projects funded as part of the pedestrian
29 safety/safe routes to school grant program. The report must include,
30 but is not limited to, a list of projects selected and a brief
31 description of each project's status.

32 (4) \$28,319,000 of the multimodal transportation account—state
33 appropriation is provided solely for bicycle and pedestrian projects
34 listed in the LEAP transportation document referenced in subsection
35 (1) of this section.

36 (5) \$19,160,000 of the connecting Washington account—state
37 appropriation is provided solely for the Covington Connector
38 (L2000104). The amounts described in the LEAP transportation document
39 referenced in subsection (1) of this section are not a commitment by

1 future legislatures, but it is the legislature's intent that future
2 legislatures will work to approve appropriations in the 2019-2021
3 fiscal biennium to reimburse the city of Covington for approved work
4 completed on the project up to the full \$24,000,000 cost of this
5 project.

6 (6) (a) For projects funded as part of the 2015 connecting
7 Washington transportation package listed on the LEAP transportation
8 document identified in subsection (1) of this section, if the
9 department expects to have substantial reappropriations for the
10 2021-2023 fiscal biennium, the department may, on a pilot basis,
11 apply funding from a project in this section with an appropriation
12 that cannot be used for the current fiscal biennium to advance one or
13 more of the following projects:

- 14 (i) East-West Corridor Overpass and Bridge (L2000067);
- 15 (ii) 41st Street Rucker Avenue Freight Corridor Phase 2
16 (L2000134);
- 17 (iii) Mottman Rd Pedestrian & Street Improvements (L1000089);
- 18 (iv) I-5/Port of Tacoma Road Interchange (L1000087);
- 19 (v) Complete SR 522 Improvements-Kenmore (T10600R);
- 20 (vi) SR 99 Revitalization in Edmonds (NEDMOND); or
- 21 (vii) SR 523 145th Street (L1000148);

22 (b) At least ten business days before advancing a project
23 pursuant to this subsection, the department must notify the office of
24 financial management and the transportation committees of the
25 legislature. The advancement of a project may not hinder the delivery
26 of the projects for which the reappropriations are necessary for the
27 2021-2023 fiscal biennium.

28 (c) To the extent practicable, the department shall use the
29 flexibility and authority granted in this section to minimize the
30 amount of reappropriations needed each biennium.

31 (7) It is the expectation of the legislature that the department
32 will be administering a local railroad crossing safety grant program
33 for \$7,000,000 in federal funds during the 2019-2021 fiscal biennium.

34 (8) (a) \$15,213,000 of the motor vehicle account—federal
35 appropriation is provided solely for national highway freight network
36 projects identified on the project list submitted in accordance with
37 section 218(4) (b), chapter 14, Laws of 2016 on October 31, 2016.

38 (b) In advance of the expiration of the fixing America's surface
39 transportation (FAST) act in 2020, the department must work with the
40 Washington state freight advisory committee to agree on a framework

1 for allocation of any new national highway freight funding that may
2 be approved in a new federal surface transportation reauthorization
3 act. The department and representatives of the advisory committee
4 must report to the joint transportation committee by October 1, 2020,
5 on the status of planning for allocating new funds for this program.

6 (9) \$1,000,000 of the motor vehicle account—state appropriation
7 is provided solely for the Beech Street Extension project (L1000222);
8 however, if at least \$50,000,000 is not made available, by means of
9 transfer, deposit, appropriation, or other similar conveyance, to the
10 motor vehicle account for stormwater-related activities through the
11 enactment of chapter . . . (Engrossed Substitute Senate Bill No.
12 5993), Laws of 2019 (model toxics control program reform) by June 30,
13 2019, the amount provided in this subsection lapses.

14 (10) \$3,900,000 of the motor vehicle account—state appropriation
15 is provided solely for the Dupont-Steilacoom road improvements
16 project (L1000224); however, if at least \$50,000,000 is not made
17 available, by means of transfer, deposit, appropriation, or other
18 similar conveyance, to the motor vehicle account for stormwater-
19 related activities through the enactment of chapter . . . (Engrossed
20 Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control
21 program reform) by June 30, 2019, the amount provided in this
22 subsection lapses.

23 (11) \$650,000 of the motor vehicle account—state appropriation is
24 provided solely for the SR 104/40th place northeast roundabout
25 project (L1000244); however, if at least \$50,000,000 is not made
26 available, by means of transfer, deposit, appropriation, or other
27 similar conveyance, to the motor vehicle account for stormwater-
28 related activities through the enactment of chapter . . . (Engrossed
29 Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control
30 program reform) by June 30, 2019, the amount provided in this
31 subsection lapses.

32 (12) \$860,000 of the multimodal transportation account—state
33 appropriation is provided solely for the Clinton to Ken's corner
34 trail project (L1000249).

35 (13) \$210,000 of the motor vehicle account—state appropriation is
36 provided solely for the I-405/44th gateway signage and green-scaping
37 improvements project (L1000250); however, if at least \$50,000,000 is
38 not made available, by means of transfer, deposit, appropriation, or
39 other similar conveyance, to the motor vehicle account for

1 stormwater-related activities through the enactment of chapter . . .
2 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model
3 toxics control program reform) by June 30, 2019, the amount provided
4 in this subsection lapses.

5 (14) \$750,000 of the multimodal transportation account—state
6 appropriation is provided solely for the Edmonds waterfront connector
7 project (L1000252).

8 (15) \$650,000 of the motor vehicle account—state appropriation is
9 provided solely for the Wallace Kneeland and Shelton springs road
10 intersection improvements project (L1000260); however, if at least
11 \$50,000,000 is not made available, by means of transfer, deposit,
12 appropriation, or other similar conveyance, to the motor vehicle
13 account for stormwater-related activities through the enactment of
14 chapter . . . (Engrossed Substitute Senate Bill No. 5993), Laws of
15 2019 (model toxics control program reform) by June 30, 2019, the
16 amount provided in this subsection lapses.

17 (16) \$1,000,000 of the motor vehicle account—state appropriation
18 and \$500,000 of the multimodal transportation account—state
19 appropriation are provided solely for the complete 224th Phase two
20 project (L1000270); however, if at least \$50,000,000 is not made
21 available, by means of transfer, deposit, appropriation, or other
22 similar conveyance, to the motor vehicle account for stormwater-
23 related activities through the enactment of chapter . . . (Engrossed
24 Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control
25 program reform) by June 30, 2019, the amount in this subsection
26 provided from the motor vehicle account—state appropriation lapses.

27 (17) \$60,000 of the multimodal transportation account—state
28 appropriation is provided solely for the installation of an updated
29 meteorological station at the Colville airport (L1000279).

30 (18) (a) \$700,000 of the motor vehicle account—state appropriation
31 is provided solely for the Ballard-Interbay Regional Transportation
32 system plan project (L1000281); however, if at least \$50,000,000 is
33 not made available, by means of transfer, deposit, appropriation, or
34 other similar conveyance, to the motor vehicle account for
35 stormwater-related activities through the enactment of chapter . . .
36 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model
37 toxics control program reform) by June 30, 2019, the amount provided
38 in this subsection lapses.

1 (b) Funding in this subsection is provided solely for the city of
2 Seattle to develop a plan and report for the Ballard-Interbay
3 Regional Transportation System project to improve mobility for people
4 and freight. The plan must be developed in coordination and
5 partnership with entities including but not limited to the city of
6 Seattle, King county, the Port of Seattle, Sound Transit, the
7 Washington state military department for the Seattle armory, and the
8 Washington state department of transportation. The plan must examine
9 replacement of the Ballard bridge and the Magnolia bridge, which was
10 damaged in the 2001 Nisqually earthquake. The city must provide a
11 report on the plan that includes recommendations to the Seattle city
12 council, King county council, and the transportation committees of
13 the legislature by November 1, 2020. The report must include
14 recommendations on how to maintain the current and future capacities
15 of the Magnolia and Ballard bridges, an overview and analysis of all
16 plans between 2010 and 2020 that examine how to replace the Magnolia
17 bridge, and recommendations on a timeline for constructing new
18 Magnolia and Ballard bridges.

19 (19) \$750,000 of the motor vehicle account—state appropriation is
20 provided solely for the Mickelson Parkway project (L1000282);
21 however, if at least \$50,000,000 is not made available, by means of
22 transfer, deposit, appropriation, or other similar conveyance, to the
23 motor vehicle account for stormwater-related activities through the
24 enactment of chapter . . . (Engrossed Substitute Senate Bill No.
25 5993), Laws of 2019 (model toxics control program reform) by June 30,
26 2019, the amount provided in this subsection lapses.

27 (20) \$300,000 of the motor vehicle account—state appropriation is
28 provided solely for the South 314th Street Improvements project
29 (L1000283); however, if at least \$50,000,000 is not made available,
30 by means of transfer, deposit, appropriation, or other similar
31 conveyance, to the motor vehicle account for stormwater-related
32 activities through the enactment of chapter . . . (Engrossed
33 Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control
34 program reform) by June 30, 2019, the amount provided in this
35 subsection lapses.

36 (21) \$250,000 of the motor vehicle account—state appropriation is
37 provided solely for the Ridgefield South I-5 Access Planning project
38 (L1000284); however, if at least \$50,000,000 is not made available,
39 by means of transfer, deposit, appropriation, or other similar

1 conveyance, to the motor vehicle account for stormwater-related
2 activities through the enactment of chapter . . . (Engrossed
3 Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control
4 program reform) by June 30, 2019, the amount provided in this
5 subsection lapses.

6 (22) \$300,000 of the motor vehicle account—state appropriation is
7 provided solely for the Washougal 32nd Street Underpass Design and
8 Permitting project (L1000285); however, if at least \$50,000,000 is
9 not made available, by means of transfer, deposit, appropriation, or
10 other similar conveyance, to the motor vehicle account for
11 stormwater-related activities through the enactment of chapter . . .
12 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model
13 toxics control program reform) by June 30, 2019, the amount provided
14 in this subsection lapses.

15 (23) \$150,000 of the motor vehicle account—state appropriation
16 and \$50,000 of the multimodal transportation account—state
17 appropriation are provided solely for the Bingen Walnut Creek and
18 Maple Railroad Crossing (L2000328); however, if at least \$50,000,000
19 is not made available, by means of transfer, deposit, appropriation,
20 or other similar conveyance, to the motor vehicle account for
21 stormwater-related activities through the enactment of chapter . . .
22 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model
23 toxics control program reform) by June 30, 2019, the amount in this
24 subsection provided from the motor vehicle account—state
25 appropriation lapses.

26 (24) \$1,500,000 of the motor vehicle account—state appropriation
27 is provided solely for the SR 303 Warren Avenue Bridge Pedestrian
28 Improvements project (L2000339); however, if at least \$50,000,000 is
29 not made available, by means of transfer, deposit, appropriation, or
30 other similar conveyance, to the motor vehicle account for
31 stormwater-related activities through the enactment of chapter . . .
32 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model
33 toxics control program reform) by June 30, 2019, the amount provided
34 in this subsection lapses.

35 (25) \$1,000,000 of the motor vehicle account—state appropriation
36 is provided solely for the 72nd/Washington Improvements in Yakima
37 project (L2000341); however, if at least \$50,000,000 is not made
38 available, by means of transfer, deposit, appropriation, or other
39 similar conveyance, to the motor vehicle account for stormwater-

1 related activities through the enactment of chapter . . . (Engrossed
2 Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control
3 program reform) by June 30, 2019, the amount provided in this
4 subsection lapses.

5 (26) \$650,000 of the motor vehicle account—state appropriation is
6 provided solely for the 48th/Washington Improvements in Yakima
7 project (L2000342); however, if at least \$50,000,000 is not made
8 available, by means of transfer, deposit, appropriation, or other
9 similar conveyance, to the motor vehicle account for stormwater-
10 related activities through the enactment of chapter . . . (Engrossed
11 Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control
12 program reform) by June 30, 2019, the amount provided in this
13 subsection lapses.

14 NEW SECTION. **Sec. 312. ANNUAL REPORTING REQUIREMENTS FOR**
15 **CAPITAL PROGRAM**

16 (1) As part of its annual budget submittal, the department of
17 transportation shall provide an update to the report provided to the
18 legislature in the prior fiscal year that: (a) Compares the original
19 project cost estimates approved in the 2003, 2005, and 2015 revenue
20 package project lists to the completed cost of the project, or the
21 most recent legislatively approved budget and total project costs for
22 projects not yet completed; (b) identifies highway projects that may
23 be reduced in scope and still achieve a functional benefit; (c)
24 identifies highway projects that have experienced scope increases and
25 that can be reduced in scope; (d) identifies highway projects that
26 have lost significant local or regional contributions that were
27 essential to completing the project; and (e) identifies contingency
28 amounts allocated to projects.

29 (2) As part of its annual budget submittal, the department of
30 transportation shall provide: (a) An annual report on the number of
31 toll credits the department has accumulated and how the department
32 has used the toll credits, and (b) a status report on the projects
33 funded using federal national highway freight program funds.

34 NEW SECTION. **Sec. 313. QUARTERLY REPORTING REQUIREMENTS FOR**
35 **CAPITAL PROGRAM**

36 On a quarterly basis, the department of transportation shall
37 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,
8 and schedule adjustments for all projects consistent with the
9 structure of 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,
16 and seismic bridges. Projects within this programmatic level funding
17 must be completed on a priority basis and scoped to be completed
18 within the current programmatic budget;

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

21 (f) Highway projects that have experienced scope increases and
22 that 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 costs and operationally complete date for
29 projects with budgets of twenty million dollars or more that are
30 funded with preexisting funds to the original project cost estimates
31 and schedule; and

32 (b) Provide a list of nickel and TPA projects charging to the
33 nickel/TPA environmental mitigation reserve (OBI4ENV) and the amount
34 each project is charging.

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

36 (a) Identify the estimated advertisement date for all projects
37 consistent with the structure of the most recently enacted
38 transportation budget that are going to advertisement during the
39 current fiscal biennium;

1 (b) Identify the anticipated operationally complete date for all
2 projects consistent with the structure of the most recently enacted
3 transportation budget that are going to advertisement during the
4 current fiscal biennium; and

5 (c) Identify the estimated cost of completion for all projects
6 consistent with the structure of the most recently enacted
7 transportation budget that are going to advertisement during the
8 current fiscal biennium.

9 NEW SECTION. **Sec. 314. FEDERAL FUNDS RECEIVED FOR CAPITAL**
10 **PROJECT EXPENDITURES**

11 To the greatest extent practicable, the department of
12 transportation shall expend federal funds received for capital
13 project expenditures before state funds.

14 **TRANSFERS AND DISTRIBUTIONS**

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

19	Special Category C Account—State Appropriation.	\$376,000
20	Multimodal Transportation Account—State Appropriation. . . .	\$125,000
21	Transportation Partnership Account—State Appropriation. . .	\$1,636,000
22	Connecting Washington Account—State Appropriation.	\$7,599,000
23	Highway Bond Retirement Account—State	
24	Appropriation.	\$1,327,766,000
25	Ferry Bond Retirement Account—State Appropriation.	\$25,077,000
26	Transportation Improvement Board Bond Retirement	
27	Account—State Appropriation.	\$12,684,000
28	Nondebt-Limit Reimbursable Bond Retirement	
29	Account—State Appropriation.	\$29,594,000
30	Toll Facility Bond Retirement Account—State	
31	Appropriation.	\$86,493,000
32	TOTAL APPROPRIATION.	\$1,491,340,000

1 Account—State. \$7,000,000
2 (4) Motor Vehicle Account—State Appropriation:
3 For transfer to the Freight Mobility Investment
4 Account—State. \$8,511,000
5 (5) Motor Vehicle Account—State Appropriation:
6 For transfer to the Rural Arterial Trust
7 Account—State. \$4,844,000
8 (6) Motor Vehicle Account—State Appropriation:
9 For transfer to the Transportation Improvement
10 Account—State. \$9,688,000
11 (7) Highway Safety Account—State Appropriation:
12 For transfer to the State Patrol Highway
13 Account—State. \$44,000,000
14 (8) Rural Mobility Grant Program Account—State
15 Appropriation: For transfer to the Multimodal
16 Transportation Account—State. \$3,000,000
17 (9) State Route Number 520 Civil Penalties
18 Account—State Appropriation: For transfer to
19 the State Route Number 520 Corridor
20 Account—State. \$1,434,000
21 (10) Capital Vessel Replacement Account—State
22 Appropriation: For transfer to the Connecting
23 Washington Account—State. \$50,000,000
24 (11) Multimodal Transportation Account—State
25 Appropriation: For transfer to the Freight
26 Mobility Multimodal Account—State. \$8,511,000
27 (12) Multimodal Transportation Account—State
28 Appropriation: For transfer to the Puget Sound
29 Capital Construction Account—State. \$15,000,000
30 (13) Multimodal Transportation Account—State
31 Appropriation: For transfer to the Puget Sound
32 Ferry Operations Account—State. \$45,000,000
33 (14) Multimodal Transportation Account—State
34 Appropriation: For transfer to the Regional
35 Mobility Grant Program Account—State. \$27,679,000
36 (15) Multimodal Transportation Account—State
37 Appropriation: For transfer to the Rural
38 Mobility Grant Program Account—State. \$15,223,000

1 (16) Transportation 2003 Account (Nickel Account)—
2 State Appropriation: For transfer to the Puget
3 Sound Capital Construction Account—State. \$20,000,000

4 (17) (a) Alaskan Way Viaduct Replacement Project
5 Account—State Appropriation: For transfer to the
6 Motor Vehicle Account—State. \$9,992,000

7 (b) The transfer identified in this subsection is provided solely
8 to repay in full the motor vehicle account—state appropriation loan
9 from section 1005(21) of this act.

10 (18) (a) Transportation Partnership Account—State
11 Appropriation: For transfer to the Alaskan Way Viaduct
12 Replacement Project Account—State. \$77,951,000

13 (b) The amount transferred in this subsection represents that
14 portion of the up to \$200,000,000 in proceeds from the sale of bonds
15 authorized in RCW 47.10.873, intended to be sold through the
16 2021-2023 fiscal biennium, used only for construction of the SR 99/
17 Alaskan Way Viaduct Replacement project (809936Z), and that must be
18 repaid from the Alaskan Way viaduct replacement project account
19 consistent with RCW 47.56.864.

20 (19) Motor Vehicle Account—State Appropriation:
21 For transfer to the County Arterial Preservation
22 Account—State. \$4,844,000

23 (20) (a) General Fund Account—State Appropriation:
24 For transfer to the State Patrol Highway
25 Account—State. \$625,000

26 (b) The state treasurer shall transfer the funds only after
27 receiving notification from the Washington state patrol under section
28 207(7) of this act.

29 (21) Capital Vessel Replacement Account—State
30 Appropriation: For transfer to the Transportation
31 Partnership Account—State. \$3,293,000

32 (22) (a) Alaskan Way Viaduct Replacement Project
33 Account—State Appropriation: For transfer to the
34 Transportation Partnership Account—State. \$19,262,000

35 (b) The amount transferred in this subsection represents
36 repayment of debt service incurred for the construction of the SR 99/
37 Alaskan Way Viaduct Replacement project (809936Z).

38 (23) Tacoma Narrows Toll Bridge Account—State
39 Appropriation: For transfer to the Motor

1 Vehicle Account—State. \$950,000

2 (24) (a) Tacoma Narrows Toll Bridge Account—State Appropriation:

3 For transfer to the Motor Vehicle

4 Account—State. \$5,000,000

5 (b) A transfer in the amount of \$5,000,000 was made from the

6 Motor Vehicle Account to the Tacoma Narrows Toll Bridge Account in

7 April 2019. It is the intent of the legislature that this transfer

8 was to be temporary, for the purpose of minimizing the impact of toll

9 increases, and this is an equivalent reimbursing transfer to occur in

10 November 2019.

11 (25) (a) Transportation 2003 Account (Nickel Account)

12 —State Appropriation: For transfer to the Tacoma

13 Narrows Toll Bridge Account—State. \$12,543,000

14 (b) It is the intent of the legislature that this transfer is

15 temporary, for the purpose of minimizing the impact of toll

16 increases, and an equivalent reimbursing transfer is to occur after

17 the debt service and deferred sales tax on the Tacoma Narrows bridge

18 construction costs are fully repaid in accordance with chapter 195,

19 Laws of 2018.

20 (26) Transportation Infrastructure Account—State

21 Appropriation: For transfer to the multimodal

22 Transportation Account—State. \$9,000,000

23 (27) Multimodal Transportation Account—State

24 Appropriation: For transfer to the Pilotage

25 Account—State. \$2,500,000

26 (28) (a) Motor Vehicle Account—State

27 Appropriation: For transfer to the County Road

28 Administration Board Emergency Loan Account—State. \$1,000,000

29 (b) If chapter . . . (Senate Bill No. 5923), Laws of 2019 is not

30 enacted by June 30, 2019, the amount provided in this subsection

31 lapses.

32 (29) (a) Advanced Environmental Mitigation

33 Revolving Account—State Appropriation: For transfer

34 to the Motor Vehicle Account—State. \$9,000,000

35 (b) The amount transferred in this subsection is contingent on at

36 least a \$9,000,000 transfer to the advanced environmental mitigation

37 revolving account authorized by June 30, 2019, in the omnibus capital

38 appropriations act.

39 (30) Motor Vehicle account—State Appropriation:

1 For transfer to the Electric Vehicle Charging
2 Infrastructure Account—State. \$12,255,000
3 (31) Multimodal Transportation Account—State
4 Appropriation: For transfer to the Electric Vehicle
5 Charging Infrastructure Account—State. \$8,000,000
6 (32) Multimodal Transportation Account—State
7 Appropriation: For transfer to the Complete Streets
8 Grant Program Account—State. \$14,670,000
9 (33)(a) Transportation Partnership
10 Account—State Appropriation: For transfer to the Capital Vessel
11 Replacement Account—State. \$99,000,000
12 (b) The amount transferred in this subsection represents proceeds
13 from the sale of bonds authorized in RCW 47.10.873.

14 NEW SECTION. **Sec. 407. FOR THE STATE TREASURER—STATE REVENUES**
15 **FOR DISTRIBUTION**

16 Multimodal Transportation Account—State
17 Appropriation: For distribution to cities and
18 counties. \$26,786,000
19 Motor Vehicle Account—State Appropriation: For
20 distribution to cities and counties. \$23,438,000
21 TOTAL APPROPRIATION. \$50,224,000

22 NEW SECTION. **Sec. 408. FOR THE STATE TREASURER—BOND RETIREMENT**
23 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
24 **DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE**

25 Toll Facility Bond Retirement Account—Federal
26 Appropriation \$199,522,000
27 Toll Facility Bond Retirement Account—State
28 Appropriation \$25,372,000
29 TOTAL APPROPRIATION. \$225,273,000

30 **COMPENSATION**

31 NEW SECTION. **Sec. 501. COLLECTIVE BARGAINING AGREEMENTS NOT**
32 **IMPAIRED**

33 Nothing in this act prohibits the expenditure of any funds by an
34 agency or institution of the state for benefits guaranteed by any

1 collective bargaining agreement in effect on the effective date of
2 this section.

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

4 Sections 503 through 520 of this act represent the results of the
5 2019-2021 collective bargaining process required under chapters
6 41.80, 47.64, and 41.56 RCW. Provisions of the collective bargaining
7 agreements contained in sections 503 through 520 of this act are
8 described in general terms. Only major economic terms are included in
9 the descriptions. These descriptions do not contain the complete
10 contents of the agreements. The collective bargaining agreements
11 contained in sections 503 through 520 of this act may also be funded
12 by expenditures from nonappropriated accounts. If positions are
13 funded with lidded grants or dedicated fund sources with insufficient
14 revenue, additional funding from other sources is not provided.

15 NEW SECTION. **Sec. 503. DEPARTMENT OF TRANSPORTATION MARINE**
16 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—OPEIU**

17 An agreement has been reached between the governor and the office
18 and professional employees international union local eight (OPEIU)
19 pursuant to chapter 47.64 RCW for the 2019-2021 fiscal biennium.
20 Funding is provided for a four percent general wage increase
21 effective July 1, 2019, and a four percent general wage increase
22 effective July 1, 2020. The agreement also includes and funding is
23 provided for salary adjustments for targeted job classifications, a
24 restructure of the pay schedule and increased vacation leave.

25 NEW SECTION. **Sec. 504. DEPARTMENT OF TRANSPORTATION MARINE**
26 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—FASPAA**

27 An agreement has been reached between the governor and the ferry
28 agents, supervisors, and project administrators association pursuant
29 to chapter 47.64 RCW for the 2019-2021 fiscal biennium. Funding is
30 provided for a three percent general wage increase effective July 1,
31 2019, and a three percent general wage increase effective July 1,
32 2020. The agreement also includes and funding is provided for an
33 increase in the drug and alcohol sampling certification and a new
34 scheduling committee with two employee representatives.

1 NEW SECTION. **Sec. 505. DEPARTMENT OF TRANSPORTATION MARINE**
2 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—SEIU LOCAL 6**

3 An agreement has been reached between the governor and the
4 service employees international union local 6 pursuant to chapter
5 47.64 RCW for the 2019-2021 fiscal biennium. Funding is provided for
6 a nine percent general wage increase effective July 1, 2019, and a
7 three percent general wage increase effective July 1, 2020. The
8 agreement also includes and funding is provided for an increase in
9 the shift premium rate.

10 NEW SECTION. **Sec. 506. DEPARTMENT OF TRANSPORTATION MARINE**
11 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—CARPENTERS**

12 An agreement has been reached between the governor and the
13 Pacific Northwest regional council of carpenters through an interest
14 arbitration award pursuant to chapter 47.64 RCW for the 2019-2021
15 fiscal biennium. Funding is provided for the awarded four percent
16 general wage increase effective July 1, 2019, and a four percent
17 general wage increase effective July 1, 2020.

18 NEW SECTION. **Sec. 507. DEPARTMENT OF TRANSPORTATION MARINE**
19 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—METAL TRADES**

20 An agreement has been reached between the governor and the Puget
21 Sound metal trades council pursuant to chapter 47.64 RCW for the
22 2019-2021 fiscal biennium. Funding is provided for a four percent
23 general wage increase effective July 1, 2019, and a four percent
24 general wage increase effective July 1, 2020.

25 NEW SECTION. **Sec. 508. DEPARTMENT OF TRANSPORTATION MARINE**
26 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—MEBA-UL**

27 An agreement has been reached between the governor and the marine
28 engineers' beneficial association unlicensed engine room employees
29 through an interest arbitration award pursuant to chapter 47.64 RCW
30 for the 2019-2021 fiscal biennium. Funding is provided for the
31 awarded three and one-half percent general wage increase effective
32 July 1, 2019, and a three and one-half percent general wage increase
33 effective July 1, 2020. The agreement also includes and funding is
34 provided for related watch turnover rate increases tied to salary
35 increases and reimbursement for safety-toed work boots.

1 NEW SECTION. **Sec. 509. DEPARTMENT OF TRANSPORTATION MARINE**
2 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—MEBA-L**

3 An agreement has been reached between the governor and the marine
4 engineers' beneficial association licensed engineer officers through
5 an interest arbitration award pursuant to chapter 47.64 RCW for the
6 2019-2021 fiscal biennium. Funding is provided for the awarded three
7 and one-half percent general wage increase effective July 1, 2019,
8 and a three and one-half percent general wage increase effective July
9 1, 2020. The agreement also includes and funding is provided for
10 related watch turnover rate increases tied to salary increases and
11 reimbursement for safety-toed work boots.

12 NEW SECTION. **Sec. 510. DEPARTMENT OF TRANSPORTATION MARINE**
13 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—MEBA—PORT ENGINEERS**

14 An agreement has been reached between the governor and the marine
15 engineers' beneficial association port engineers pursuant to chapter
16 47.64 RCW for the 2019-2021 fiscal biennium. Funding is provided for
17 an initial salary structure and for a one percent general wage
18 increase effective July 1, 2019, and a three percent general wage
19 increase effective July 1, 2020. The agreement also includes and
20 funding is provided for payment of a daily rate when required to be
21 on duty outside normal working hours, a minimum pay for call outs,
22 and reimbursement for safety shoes.

23 NEW SECTION. **Sec. 511. DEPARTMENT OF TRANSPORTATION MARINE**
24 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—MM&P MATES**

25 An agreement has been reached between the governor and the
26 masters, mates, and pilots - mates pursuant to chapter 47.64 RCW for
27 the 2019-2021 fiscal biennium. Funding is provided for a three
28 percent general wage increase effective July 1, 2019, and three
29 percent general wage increase effective July 1, 2020.

30 NEW SECTION. **Sec. 512. DEPARTMENT OF TRANSPORTATION MARINE**
31 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—MM&P MASTERS**

32 An agreement has been reached between the governor and the
33 masters, mates, and pilots - masters pursuant to chapter 47.64 RCW
34 for the 2019-2021 fiscal biennium. Funding is provided for a three
35 percent general wage increase effective July 1, 2019, and three
36 percent general wage increase effective July 1, 2020.

1 NEW SECTION. **Sec. 513. DEPARTMENT OF TRANSPORTATION MARINE**
2 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—MM&P WATCH CENTER**
3 **SUPERVISORS**

4 An agreement has been reached between the governor and the
5 masters, mates, and pilots - watch center supervisors pursuant to
6 chapter 47.64 RCW for the 2019-2021 fiscal biennium. Funding is
7 provided for a three percent general wage increase effective July 1,
8 2019, and two percent general wage increase effective July 1, 2020.
9 The agreement also includes and funding is provided for call back and
10 an increase in relief pay.

11 NEW SECTION. **Sec. 514. DEPARTMENT OF TRANSPORTATION MARINE**
12 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—IBU**

13 An agreement has been reached between the governor and the
14 inlandboatmen's union of the Pacific pursuant to chapter 47.64 RCW
15 through an interest arbitration award for the 2019-2021 fiscal
16 biennium. Funding is provided for the awarded three percent general
17 wage increase effective July 1, 2019, a three percent general wage
18 increase effective July 1, 2020, and a two percent general wage
19 increase effective January 1, 2021. The agreement also includes and
20 funding is provided for salary adjustments for targeted job
21 classifications in the shoregang series, increased holiday pay and
22 increased premium pay for use of selected power tools.

23 NEW SECTION. **Sec. 515. COLLECTIVE BARGAINING AGREEMENT—WFSE**

24 An agreement has been reached between the governor and the
25 Washington federation of state employees under the provisions of
26 chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is
27 provided for a three percent general wage increase effective July 1,
28 2019, and a three percent general wage increase effective July 1,
29 2020. The agreement also includes and funding is provided for salary
30 adjustments for targeted job classifications, premium pay for
31 employees who work in King county, and establishment of a new
32 information technology professional compensation structure.

33 NEW SECTION. **Sec. 516. COLLECTIVE BARGAINING AGREEMENT—PTE**
34 **LOCAL 17**

35 An agreement has been reached between the governor and the
36 professional and technical employees local 17 under the provisions of

1 chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is
2 provided for a three percent general wage increase effective July 1,
3 2019, and a three percent general wage increase effective July 1,
4 2020. The agreement also includes and funding is provided for salary
5 adjustments for targeted job classifications and premium pay for
6 employees who work in King county.

7 NEW SECTION. **Sec. 517. COLLECTIVE BARGAINING AGREEMENT—WPEA**

8 An agreement has been reached between the governor and the
9 Washington public employees association under the provisions of
10 chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is
11 provided for a three percent general wage increase effective July 1,
12 2019, and a three percent general wage increase effective July 1,
13 2020. The agreement also includes and funding is provided for salary
14 adjustments for targeted job classifications, premium pay for
15 employees who work in King county, and establishment of a new
16 information technology professional compensation structure.

17 NEW SECTION. **Sec. 518. COLLECTIVE BARGAINING AGREEMENT—**
18 **COALITION OF UNIONS**

19 An agreement has been reached for the 2019-2021 biennium between
20 the governor and the coalition of unions under the provisions of
21 chapter 41.80 RCW for the 2019-21 fiscal biennium. Funding is
22 provided for a three percent general wage increase effective July 1,
23 2019, and a three percent general wage increase effective July 1,
24 2020. The agreement also includes and funding is provided for salary
25 adjustments for targeted job classifications, premium pay for
26 employees who work in King county, loan repayments for eligible
27 physicians and psychiatrists, and recruitment incentives for
28 psychiatrists.

29 NEW SECTION. **Sec. 519. COLLECTIVE BARGAINING AGREEMENT—WSP**
30 **TROOPERS ASSOCIATION**

31 An agreement has been reached between the governor and the
32 Washington state patrol troopers association under the provisions of
33 chapter 41.56 RCW for the 2019-2021 fiscal biennium. Funding is
34 provided for a two percent general wage increase effective July 1,
35 2019, and a two and one-half of one percent general wage increase
36 effective July 1, 2020.

1 NEW SECTION. **Sec. 520. COLLECTIVE BARGAINING AGREEMENT—WSP**
2 **LIEUTENANTS AND CAPTAINS ASSOCIATION**

3 An agreement has been reached between the governor and the
4 Washington state patrol lieutenants and captains association under
5 the provisions of chapter 41.56 RCW for the 2019-2021 fiscal
6 biennium. Funding is provided for a two percent general wage increase
7 effective July 1, 2019, and a two and one-half of one percent general
8 wage increase effective July 1, 2020.

9 NEW SECTION. **Sec. 521. COMPENSATION—REPRESENTED EMPLOYEES—**
10 **HEALTH CARE—COALITION—INSURANCE BENEFITS**

11 An agreement was reached for the 2019-2021 biennium between the
12 governor and the health care coalition under the provisions of
13 chapter 41.80 RCW. Appropriations in this act for state agencies,
14 including institutions of higher education, are sufficient to
15 implement the provisions of the 2019-2021 collective bargaining
16 agreement, including health flexible spending accounts for eligible
17 employees under the agreement, and are subject to the following
18 conditions and limitations:

19 The monthly employer funding rate for insurance benefit premiums,
20 public employees' benefits board administration, and the uniform
21 medical plan, shall not exceed \$939 per eligible employee for fiscal
22 year 2020. For fiscal year 2021, the monthly employer funding rate
23 shall not exceed \$976 per eligible employee.

24 NEW SECTION. **Sec. 522. COMPENSATION—REPRESENTED EMPLOYEES**
25 **OUTSIDE HEALTH CARE COALITION—INSURANCE BENEFITS**

26 Appropriations for state agencies in this act are sufficient for
27 represented employees outside the coalition for health benefits, and
28 are subject to the following conditions and limitations: The monthly
29 employer funding rate for insurance benefit premiums, public
30 employees' benefits board administration, and the uniform medical
31 plan, may not exceed \$939 per eligible employee for fiscal year 2020.
32 For fiscal year 2021, the monthly employer funding rate may not
33 exceed \$976 per eligible employee.

34 NEW SECTION. **Sec. 523. COMPENSATION—NONREPRESENTED EMPLOYEES—**
35 **INSURANCE BENEFITS**

1 Appropriations for state agencies in this act are sufficient for
2 nonrepresented state employee health benefits for state agencies,
3 including institutions of higher education, and are subject to the
4 following conditions and limitations:

5 (1) The employer monthly funding rate for insurance benefit
6 premiums, public employees' benefits board administration, and the
7 uniform medical plan, shall not exceed \$939 per eligible employee for
8 fiscal year 2020. For fiscal year 2021, the monthly employer funding
9 rate shall not exceed \$976 per eligible employee.

10 NEW SECTION. **Sec. 524. GENERAL WAGE INCREASES**

11 (1) Appropriations for state agency employee compensation in this
12 act are sufficient to provide general wage increases to state agency
13 employees who are not represented or who bargain under statutory
14 authority other than chapter 41.80 or 47.64 RCW or RCW 41.56.473 or
15 41.56.475.

16 (2) Funding is provided for a three percent general wage increase
17 effective July 1, 2019, for all classified employees as specified in
18 subsection (1) of this section, employees in the Washington
19 management service, and exempt employees under the jurisdiction of
20 the office of financial management. The appropriations are also
21 sufficient to fund a three percent salary increase effective July 1,
22 2019, for executive, legislative, and judicial branch employees
23 exempt from merit system rules whose maximum salaries are not set by
24 the commission on salaries for elected officials.

25 (3) Funding is provided for a three percent general wage increase
26 effective July 1, 2020, for all classified employees as specified in
27 subsection (1) of this section, employees in the Washington
28 management service, and exempt employees under the jurisdiction of
29 the office of financial management. The appropriations are also
30 sufficient to fund a three percent salary increase effective July 1,
31 2020, for executive, legislative, and judicial branch employees
32 exempt from merit system rules whose maximum salaries are not set by
33 the commission on salaries for elected officials.

34 NEW SECTION. **Sec. 525. TARGETED COMPENSATION INCREASES**

35 Funding is provided for salary adjustments for targeted job
36 classifications as specified by the office of financial management
37 for classified state employees, except those represented by a

1 collective bargaining unit under chapters 41.80 and 47.64 RCW and RCW
2 41.56.473 and 41.56.475.

3 NEW SECTION. **Sec. 526. MINIMUM STARTING WAGE**

4 Funding is also provided for a minimum starting wage of fourteen
5 dollars an hour, effective July 1, 2019, and for increases in wages
6 of job classes that are aligned with affected job classes, except
7 those represented by a collective bargaining unit under chapters
8 41.80 and 47.64 RCW and RCW 41.56.473 and 41.56.475. This funding is
9 sufficient for general government agencies and higher education
10 institutions to comply with the provisions of Initiative Measure No.
11 1433 with respect to state employees.

12 NEW SECTION. **Sec. 527. PREMIUM PAY**

13 Funding is also provided for a five percent premium pay for
14 employees working in King county, except those represented under
15 chapters 41.80 and 47.64 RCW, and RCW 41.56.473 and 41.56.475.

16 NEW SECTION. **Sec. 528. COMPENSATION—REVISE PENSION CONTRIBUTION**
17 **RATES**

18 The appropriations in this act for school districts and state
19 agencies, including institutions of higher education, are subject to
20 the following conditions and limitations: Appropriations are adjusted
21 to reflect changes to agency appropriations to reflect pension
22 contribution rates adopted by the pension funding council and the law
23 enforcement officers' and firefighters' retirement system plan 2
24 board.

25 NEW SECTION. **Sec. 529. PUBLIC EMPLOYEES' BENEFITS BOARD**
26 **MEDICARE-ELIGIBLE RETIREE SUBSIDY**

27 Appropriations for state agencies in this act provide sufficient
28 funding for an increase in the state employer funding rate in the
29 public employees' benefits board program of one dollar in fiscal year
30 2020 and five dollars in fiscal year 2021 attributable to increasing
31 the monthly medicare-eligible retiree subsidy from one hundred sixty-
32 eight dollars per month to one hundred eighty-three dollars per
33 month.

34 **IMPLEMENTING PROVISIONS**

1 NEW SECTION. **Sec. 601. FUND TRANSFERS**

2 (1) The 2005 transportation partnership projects or improvements
3 and 2015 connecting Washington projects or improvements are listed in
4 the LEAP Transportation Document 2019-1 as developed April 27, 2019,
5 which consists of a list of specific projects by fund source and
6 amount over a sixteen-year period. Current fiscal biennium funding
7 for each project is a line-item appropriation, while the outer year
8 funding allocations represent a sixteen-year plan. The department of
9 transportation is expected to use the flexibility provided in this
10 section to assist in the delivery and completion of all
11 transportation partnership account and connecting Washington account
12 projects on the LEAP transportation document referenced in this
13 subsection. For the 2019-2021 project appropriations, unless
14 otherwise provided in this act, the director of the office of
15 financial management may provide written authorization for a transfer
16 of appropriation authority between projects funded with
17 transportation partnership account appropriations or connecting
18 Washington account appropriations to manage project spending and
19 efficiently deliver all projects in the respective program under the
20 following conditions and limitations:

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

23 (b) Transfers from a project may not be made as a result of the
24 reduction of the scope of a project or be made to support increases
25 in the scope of a project;

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

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

31 (e) Transfers may not be made while the legislature is in
32 session;

33 (f) Transfers to a project may not be made with funds designated
34 as attributable to practical design savings as described in RCW
35 47.01.480;

36 (g) Each transfer between projects may only occur if the director
37 of the office of financial management finds that any resulting change
38 will not hinder the completion of the projects as approved by the
39 legislature. Until the legislature reconvenes to consider the 2020
40 supplemental omnibus transportation appropriations act, any

1 unexpended 2017-2019 appropriation balance as approved by the office
2 of financial management, in consultation with the chairs and ranking
3 members of the house of representatives and senate transportation
4 committees, may be considered when transferring funds between
5 projects; and

6 (h) Transfers between projects may be made by the department of
7 transportation without the formal written approval provided under
8 this subsection (1), provided that the transfer amount does not
9 exceed two hundred fifty thousand dollars or ten percent of the total
10 project, whichever is less. These transfers must be reported
11 quarterly to the director of the office of financial management and
12 the chairs of the house of representatives and senate transportation
13 committees.

14 (2) The department of transportation must submit quarterly all
15 transfers authorized under this section in the transportation
16 executive information system. The office of financial management must
17 maintain a legislative baseline project list identified in the LEAP
18 transportation documents referenced in this act, and update that
19 project list with all authorized transfers under this section.

20 (3) At the time the department submits a request to transfer
21 funds under this section, a copy of the request must be submitted to
22 the chairs and ranking members of the transportation committees of
23 the legislature.

24 (4) Before approval, the office of financial management shall
25 work with legislative staff of the house of representatives and
26 senate transportation committees to review the requested transfers in
27 a timely manner and consider any concerns raised by the chairs and
28 ranking members of the transportation committees.

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

34 (6) The department must submit annually as part of its budget
35 submittal a report detailing all transfers made pursuant to this
36 section.

37 NEW SECTION. **Sec. 602. BOND REIMBURSEMENT**

38 To the extent that any appropriation authorizes expenditures of
39 state funds from the motor vehicle account, special category C

1 account, Tacoma Narrows toll bridge account, transportation 2003
2 account (nickel account), transportation partnership account,
3 transportation improvement account, Puget Sound capital construction
4 account, multimodal transportation account, state route number 520
5 corridor account, connecting Washington account, or other
6 transportation capital project account in the state treasury for a
7 state transportation program that is specified to be funded with
8 proceeds from the sale of bonds authorized in chapter 47.10 RCW, the
9 legislature declares that any such expenditures made before the issue
10 date of the applicable transportation bonds for that state
11 transportation program are intended to be reimbursed from proceeds of
12 those transportation bonds in a maximum amount equal to the amount of
13 such appropriation.

14 NEW SECTION. **Sec. 603. BELATED CLAIMS**

15 The agencies and institutions of the state may expend moneys
16 appropriated in this act, upon approval of the office of financial
17 management, for the payment of supplies and services furnished to the
18 agency or institution in prior fiscal biennia.

19 NEW SECTION. **Sec. 604. REAPPROPRIATIONS REPORTING**

20 (1) As part of its 2020 supplemental budget submittal, the
21 department of transportation shall provide a report to the
22 legislature and the office of financial management that:

23 (a) Identifies, by capital project, the amount of state funding
24 that has been reappropriated from the 2017-2019 fiscal biennium into
25 the 2019-2021 fiscal biennium; and

26 (b) Identifies, for each project, the amount of cost savings or
27 increases in funding that have been identified as compared to the
28 2017 enacted omnibus transportation appropriations act.

29 (2) As part of the agency request for capital programs, the
30 department shall load reappropriations separately from funds that
31 were assumed to be required for the 2019-2021 fiscal biennium into
32 budgeting systems.

33 NEW SECTION. **Sec. 605. WEB SITE REPORTING REQUIREMENTS**

34 (1) The department of transportation shall post on its web site
35 every report that is due from the department to the legislature
36 during the 2019-2021 fiscal biennium on one web page. The department

1 must post both completed reports and planned reports on a single web
2 page.

3 (2) The department shall provide a web link for each change order
4 that is more than five hundred thousand dollars on the affected
5 project web page.

6 NEW SECTION. **Sec. 606. TRANSIT, BICYCLE, AND PEDESTRIAN**
7 **ELEMENTS REPORTING**

8 (1) By November 15th of each year, the department of
9 transportation must report on amounts expended to benefit transit,
10 bicycle, or pedestrian elements within all connecting Washington
11 projects in programs I, P, and Z identified in LEAP Transportation
12 Document 2019-2 ALL PROJECTS as developed April 27, 2019. The report
13 must address each modal category separately and identify if
14 eighteenth amendment protected funds have been used and, if not, the
15 source of funding.

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

20 NEW SECTION. **Sec. 607. PROJECT SCOPE CHANGES**

21 (1) During the 2019-2021 fiscal biennium, while the legislature
22 is not in session, the director of the office of financial management
23 may approve project scope change requests to connecting Washington
24 projects in the highway improvements program, provided that the
25 requests meet the criteria outlined in RCW 47.01.480 and are subject
26 to the limitations in this section.

27 (2) At the time the department of transportation submits a
28 request for a project scope change under this section, a copy of the
29 request must be submitted to the transportation committees of the
30 legislature.

31 (3) Before approval, the office of financial management shall
32 work with legislative staff of the house of representatives and
33 senate transportation committees to review the requested project
34 scope changes.

35 (4) No fewer than ten days after the receipt of a scope change
36 request, the director of the office of financial management must
37 provide written notification to the department of any decision

1 regarding project scope changes, with copies submitted to the
2 transportation committees of the legislature.

3 (5) As part of its annual budget submittal, the department of
4 transportation must report on all approved scope change requests from
5 the prior year, including a comparison of the scope before and after
6 the requested change.

7 NEW SECTION. **Sec. 608. TOLL CREDITS**

8 The department of transportation may provide up to three million
9 dollars in toll credits to Kitsap transit for its role in passenger-
10 only ferry service and ferry corridor-related projects. The number of
11 toll credits provided must be equal to, but no more than, the number
12 sufficient to meet federal match requirements for grant funding for
13 passenger-only ferry service, but must not exceed the amount
14 authorized in this section.

15 **MISCELLANEOUS 2019-2021 FISCAL BIENNIUM**

16 NEW SECTION. **Sec. 701. INFORMATION TECHNOLOGY OVERSIGHT**

17 (1) Agencies must apply to the office of the state chief
18 information officer for approval before beginning a project or
19 proceeding with each discreet stage of a project subject to this
20 section. At each stage, the office of the state chief information
21 officer must certify that the project has an approved technology
22 budget and investment plan, complies with state information
23 technology and security requirements, and other policies defined by
24 the office of the state chief information officer.

25 (2) (a) Each project must have a technology budget. The technology
26 budget must use a method similar to the state capital budget,
27 identifying project costs, each fund source, and anticipated
28 deliverables through each stage of the entire project investment and
29 across fiscal periods and biennia from project onset through
30 implementation and close out.

31 (b) As part of the development of a technology budget and at each
32 request for funding, the agency shall submit detailed financial
33 information to the office of financial management and the office of
34 the state chief information officer. The technology budget must
35 describe the total cost of the project by fiscal month to include and
36 identify:

37 (i) Fund sources;

1 (ii) Full-time equivalent staffing level to include job
2 classification assumptions;

3 (iii) A discreet appropriation index and program index;

4 (iv) Object and subobject codes of expenditures; and

5 (v) Anticipated deliverables.

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

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

9 (ii) The office of the state chief information officer staff
10 assigned to the project;

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

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

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

20 (vi) Financial budget coding to include at least discrete program
21 index and subobject codes.

22 (4) Projects with estimated costs greater than one hundred
23 million dollars from initiation to completion and implementation may
24 be divided into discrete subprojects as determined by the office of
25 the state chief information officer. Each subproject must have a
26 technology budget and investment plan as provided in this section.

27 (5) (a) The office of the state chief information officer shall
28 maintain an information technology project dashboard that provides
29 updated information each fiscal month on projects subject to this
30 section:

31 (i) Project changes each fiscal month;

32 (ii) Noting if the project has a completed market requirements
33 document;

34 (iii) Financial status of information technology projects under
35 oversight; and

36 (iv) Coordination with agencies.

37 (b) The dashboard must retain a roll up of the entire project
38 cost, including all subprojects, that can be displayed the subproject
39 detail.

40 (6) If the project affects more than one agency:

1 (a) A separate technology budget and investment plan must be
2 prepared for each agency; and

3 (b) The dashboard must contain a statewide project technology
4 budget roll up that includes each affected agency at the subproject
5 level.

6 (7) For any project that exceeds two million dollars in total
7 funds to complete, requires more than one biennium to complete, or is
8 financed through financial contracts, bonds, or other indebtedness:

9 (a) Quality assurance for the project must report independently
10 the office of the chief information officer;

11 (b) The office of the chief information officer must review, and,
12 if necessary, revise the proposed project to ensure it is flexible
13 and adaptable to advances in technology;

14 (c) The technology budget must specifically identify the uses of
15 any financing proceeds. No more than thirty percent of the financing
16 proceeds may be used for payroll-related costs for state employees
17 assigned to project management, installation, testing, or training;

18 (d) The agency must consult with the office of the state
19 treasurer during the competitive procurement process to evaluate
20 early in the process whether products and services to be solicited
21 and the responsive bids from a solicitation may be financed; and

22 (e) The agency must consult with the contracting division of the
23 department of enterprise services for a review of all contracts and
24 agreements related to the project's information technology
25 procurements.

26 (8) The office of the state chief information officer must
27 evaluate the project at each stage and certify whether the project is
28 planned, managed, and meeting deliverable targets as defined in the
29 project's approved technology budget and investment plan.

30 (9) The office of the state chief information officer may suspend
31 or terminate a project at any time if it determines that the project
32 is not meeting or not expected to meet anticipated performance and
33 technology outcomes. Once suspension or termination occurs, the
34 agency shall unallot any unused funding and shall not make any
35 expenditure for the project without the approval of the office of
36 financial management.

37 (10) The office of the state chief information officer, in
38 consultation with the office of financial management, may identify
39 additional projects to be subject to this section, including projects
40 that are not separately identified within an agency budget.

1 (11) The following department of transportation projects are
2 subject to the conditions, limitations, and review provided in this
3 section: Labor System Replacement, New Ferry Division Dispatch
4 System, Maintenance Management System, Land Mobile Radio System
5 Replacement, and New CSC System and Operator.

6 NEW SECTION. **Sec. 702. ACQUISITION OF PROPERTIES AND FACILITIES**
7 **THROUGH FINANCIAL CONTRACTS**

8 (1) The department of transportation is authorized, subject to
9 the conditions in section 305(2) of this act, to enter into a
10 financing contract pursuant to chapter 39.94 RCW through the state
11 treasurer's lease-purchase program for the purposes indicated. The
12 department may use any funds, appropriated or nonappropriated, in not
13 more than the principal amounts indicated, plus financing expenses
14 and required reserves, if any. Expenditures made by the department of
15 transportation for the indicated purposes before the issue date of
16 the authorized financing contract and any certificates of
17 participation therein may be reimbursed from proceeds of the
18 financing contract and any certificates of participation therein to
19 the extent provided in the agency's financing plan approved by the
20 state finance committee.

21 (2) Department of transportation: Enter into a financing contract
22 for up to \$32,500,000 plus financing expenses and required reserves
23 pursuant to chapter 39.94 RCW to renovate the existing office
24 building at 15700 Dayton Ave N, Shoreline.

25 **Sec. 703.** RCW 43.19.642 and 2017 c 313 s 703 are each amended to
26 read as follows:

27 (1) Effective June 1, 2006, for agencies complying with the
28 ultra-low sulfur diesel mandate of the United States environmental
29 protection agency for on-highway diesel fuel, agencies shall use
30 biodiesel as an additive to ultra-low sulfur diesel for lubricity,
31 provided that the use of a lubricity additive is warranted and that
32 the use of biodiesel is comparable in performance and cost with other
33 available lubricity additives. The amount of biodiesel added to the
34 ultra-low sulfur diesel fuel shall be not less than two percent.

35 (2) Except as provided in subsection (5) of this section,
36 effective June 1, 2009, state agencies are required to use a minimum
37 of twenty percent biodiesel as compared to total volume of all diesel

1 purchases made by the agencies for the operation of the agencies'
2 diesel-powered vessels, vehicles, and construction equipment.

3 (3) All state agencies using biodiesel fuel shall, beginning on
4 July 1, 2016, file annual reports with the department of enterprise
5 services documenting the use of the fuel and a description of how any
6 problems encountered were resolved.

7 (4) By December 1, 2009, the department of enterprise services
8 shall:

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

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

14 (5) During the (~~2015-2017 and~~) 2017-2019 and 2019-2021 fiscal
15 biennia, the Washington state ferries is required to use a minimum of
16 five percent biodiesel as compared to total volume of all diesel
17 purchases made by the Washington state ferries for the operation of
18 the Washington state ferries diesel-powered vessels, as long as the
19 price of a B5 or B10 biodiesel blend does not exceed the price of
20 conventional diesel fuel by five percent or more.

21 **Sec. 704.** RCW 46.20.745 and 2017 c 313 s 704 are each amended to
22 read as follows:

23 (1) The ignition interlock device revolving account program is
24 created within the department to assist in covering the monetary
25 costs of installing, removing, and leasing an ignition interlock
26 device, and applicable licensing, for indigent persons who are
27 required under RCW 46.20.385, 46.20.720, and 46.61.5055 to install an
28 ignition interlock device in all vehicles owned or operated by the
29 person. For purposes of this subsection, "indigent" has the same
30 meaning as in RCW 10.101.010, as determined by the department. During
31 the (~~2017-2019~~) 2019-2021 fiscal biennium, the ignition interlock
32 device revolving account program also includes ignition interlock
33 enforcement work conducted by the Washington state patrol.

34 (2) A pilot program is created within the ignition interlock
35 device revolving account program for the purpose of monitoring
36 compliance by persons required to use ignition interlock devices and
37 by ignition interlock companies and vendors.

38 (3) The department, the state patrol, and the Washington traffic
39 safety commission shall coordinate to establish a compliance pilot

1 program that will target at least one county from eastern Washington
2 and one county from western Washington, as determined by the
3 department, state patrol, and Washington traffic safety commission.

4 (4) At a minimum, the compliance pilot program shall:

5 (a) Review the number of ignition interlock devices that are
6 required to be installed in the targeted county and the number of
7 ignition interlock devices actually installed;

8 (b) Work to identify those persons who are not complying with
9 ignition interlock requirements or are repeatedly violating ignition
10 interlock requirements; and

11 (c) Identify ways to track compliance and reduce noncompliance.

12 (5) As part of monitoring compliance, the Washington traffic
13 safety commission shall also track recidivism for violations of RCW
14 46.61.502 and 46.61.504 by persons required to have an ignition
15 interlock driver's license under RCW 46.20.385 and 46.20.720.

16 **Sec. 705.** RCW 46.68.060 and 2017 c 313 s 707 are each amended to
17 read as follows:

18 There is hereby created in the state treasury a fund to be known
19 as the highway safety fund to the credit of which must be deposited
20 all moneys directed by law to be deposited therein. This fund must be
21 used for carrying out the provisions of law relating to driver
22 licensing, driver improvement, financial responsibility, cost of
23 furnishing abstracts of driving records and maintaining such case
24 records, and to carry out the purposes set forth in RCW 43.59.010,
25 and chapters 46.72 and 46.72A RCW. During the 2013-2015 and 2015-2017
26 fiscal biennia, the legislature may transfer from the highway safety
27 fund to the Puget Sound ferry operations account, the motor vehicle
28 fund, and the multimodal transportation account such amounts as
29 reflect the excess fund balance of the highway safety fund. During
30 the 2017-2019 and the 2019-2021 fiscal (~~biennium~~) biennia, the
31 legislature may direct the state treasurer to make transfers of
32 moneys in the highway safety fund to the multimodal transportation
33 account.

34 **Sec. 706.** RCW 46.68.280 and 2017 c 313 s 708 are each amended to
35 read as follows:

36 (1) The transportation 2003 account (nickel account) is hereby
37 created in the motor vehicle fund. Money in the account may be spent
38 only after appropriation. Expenditures from the account must be used

1 only for projects or improvements identified as transportation 2003
2 projects or improvements in the omnibus transportation budget and to
3 pay the principal and interest on the bonds authorized for
4 transportation 2003 projects or improvements. Upon completion of the
5 projects or improvements identified as transportation 2003 projects
6 or improvements, moneys deposited in this account must only be used
7 to pay the principal and interest on the bonds authorized for
8 transportation 2003 projects or improvements, and any funds in the
9 account in excess of the amount necessary to make the principal and
10 interest payments may be used for maintenance on the completed
11 projects or improvements.

12 (2) During the 2015-2017 fiscal biennium, the legislature may
13 transfer from the transportation 2003 account (nickel account) to the
14 connecting Washington account such amounts as reflect the excess fund
15 balance of the transportation 2003 account (nickel account).

16 (3) During the 2017-2019 and the 2019-2021 fiscal (~~biennium~~)
17 biennia, the legislature may direct the state treasurer to make
18 transfers of moneys in the transportation 2003 account (nickel
19 account) to the connecting Washington account, the Puget Sound
20 capital construction account, and the Tacoma Narrows toll bridge
21 account.

22 (4) The "nickel account" means the transportation 2003 account.

23 **Sec. 707.** RCW 46.68.290 and 2017 c 313 s 709 are each amended to
24 read as follows:

25 (1) The transportation partnership account is hereby created in
26 the state treasury. All distributions to the account from RCW
27 46.68.090 must be deposited into the account. Money in the account
28 may be spent only after appropriation. Expenditures from the account
29 must be used only for projects or improvements identified as 2005
30 transportation partnership projects or improvements in the omnibus
31 transportation appropriations act, including any principal and
32 interest on bonds authorized for the projects or improvements.

33 (2) The legislature finds that:

34 (a) Citizens demand and deserve accountability of transportation-
35 related programs and expenditures. Transportation-related programs
36 must continuously improve in quality, efficiency, and effectiveness
37 in order to increase public trust;

1 (b) Transportation-related agencies that receive tax dollars must
2 continuously improve the way they operate and deliver services so
3 citizens receive maximum value for their tax dollars; and

4 (c) Fair, independent, comprehensive performance audits of
5 transportation-related agencies overseen by the elected state auditor
6 are essential to improving the efficiency, economy, and effectiveness
7 of the state's transportation system.

8 (3) For purposes of chapter 314, Laws of 2005:

9 (a) "Performance audit" means an objective and systematic
10 assessment of a state agency or agencies or any of their programs,
11 functions, or activities by the state auditor or designee in order to
12 help improve agency efficiency, effectiveness, and accountability.
13 Performance audits include economy and efficiency audits and program
14 audits.

15 (b) "Transportation-related agency" means any state agency,
16 board, or commission that receives funding primarily for
17 transportation-related purposes. At a minimum, the department of
18 transportation, the transportation improvement board or its successor
19 entity, the county road administration board or its successor entity,
20 and the traffic safety commission are considered transportation-
21 related agencies. The Washington state patrol and the department of
22 licensing shall not be considered transportation-related agencies
23 under chapter 314, Laws of 2005.

24 (4) Within the authorities and duties under chapter 43.09 RCW,
25 the state auditor shall establish criteria and protocols for
26 performance audits. Transportation-related agencies shall be audited
27 using criteria that include generally accepted government auditing
28 standards as well as legislative mandates and performance objectives
29 established by state agencies. Mandates include, but are not limited
30 to, agency strategies, timelines, program objectives, and mission and
31 goals as required in RCW 43.88.090.

32 (5) Within the authorities and duties under chapter 43.09 RCW,
33 the state auditor may conduct performance audits for transportation-
34 related agencies. The state auditor shall contract with private firms
35 to conduct the performance audits.

36 (6) The audits may include:

37 (a) Identification of programs and services that can be
38 eliminated, reduced, consolidated, or enhanced;

1 (b) Identification of funding sources to the transportation-
2 related agency, to programs, and to services that can be eliminated,
3 reduced, consolidated, or enhanced;

4 (c) Analysis of gaps and overlaps in programs and services and
5 recommendations for improving, dropping, blending, or separating
6 functions to correct gaps or overlaps;

7 (d) Analysis and recommendations for pooling information
8 technology systems used within the transportation-related agency, and
9 evaluation of information processing and telecommunications policy,
10 organization, and management;

11 (e) Analysis of the roles and functions of the transportation-
12 related agency, its programs, and its services and their compliance
13 with statutory authority and recommendations for eliminating or
14 changing those roles and functions and ensuring compliance with
15 statutory authority;

16 (f) Recommendations for eliminating or changing statutes, rules,
17 and policy directives as may be necessary to ensure that the
18 transportation-related agency carry out reasonably and properly those
19 functions vested in the agency by statute;

20 (g) Verification of the reliability and validity of
21 transportation-related agency performance data, self-assessments, and
22 performance measurement systems as required under RCW 43.88.090;

23 (h) Identification of potential cost savings in the
24 transportation-related agency, its programs, and its services;

25 (i) Identification and recognition of best practices;

26 (j) Evaluation of planning, budgeting, and program evaluation
27 policies and practices;

28 (k) Evaluation of personnel systems operation and management;

29 (l) Evaluation of purchasing operations and management policies
30 and practices;

31 (m) Evaluation of organizational structure and staffing levels,
32 particularly in terms of the ratio of managers and supervisors to
33 nonmanagement personnel; and

34 (n) Evaluation of transportation-related project costs, including
35 but not limited to environmental mitigation, competitive bidding
36 practices, permitting processes, and capital project management.

37 (7) Within the authorities and duties under chapter 43.09 RCW,
38 the state auditor must provide the preliminary performance audit
39 reports to the audited state agency for comment. The auditor also may
40 seek input on the preliminary report from other appropriate

1 officials. Comments must be received within thirty days after receipt
2 of the preliminary performance audit report unless a different time
3 period is approved by the state auditor. The final performance audit
4 report shall include the objectives, scope, and methodology; the
5 audit results, including findings and recommendations; the agency's
6 response and conclusions; and identification of best practices.

7 (8) The state auditor shall provide final performance audit
8 reports to the citizens of Washington, the governor, the joint
9 legislative audit and review committee, the appropriate legislative
10 committees, and other appropriate officials. Final performance audit
11 reports shall be posted on the internet.

12 (9) The audited transportation-related agency is responsible for
13 follow-up and corrective action on all performance audit findings and
14 recommendations. The audited agency's plan for addressing each audit
15 finding and recommendation shall be included in the final audit
16 report. The plan shall provide the name of the contact person
17 responsible for each action, the action planned, and the anticipated
18 completion date. If the audited agency does not agree with the audit
19 findings and recommendations or believes action is not required, then
20 the action plan shall include an explanation and specific reasons.

21 The office of financial management shall require periodic
22 progress reports from the audited agency until all resolution has
23 occurred. The office of financial management is responsible for
24 achieving audit resolution. The office of financial management shall
25 annually report by December 31st the status of performance audit
26 resolution to the appropriate legislative committees and the state
27 auditor. The legislature shall consider the performance audit results
28 in connection with the state budget process.

29 The auditor may request status reports on specific audits or
30 findings.

31 (10) For the period from July 1, 2005, until June 30, 2007, the
32 amount of \$4,000,000 is appropriated from the transportation
33 partnership account to the state auditors office for the purposes of
34 subsections (2) through (9) of this section.

35 (11) During the 2015-2017 fiscal biennium, the legislature may
36 transfer from the transportation partnership account to the
37 connecting Washington account such amounts as reflect the excess fund
38 balance of the transportation partnership account.

39 (12) During the 2017-2019 and the 2019-2021 fiscal (~~biennium~~)
40 biennia, the legislature may direct the state treasurer to make

1 transfers of moneys in the transportation partnership account to the
2 connecting Washington account and the motor vehicle fund.

3 **Sec. 708.** RCW 46.68.325 and 2017 c 313 s 710 are each amended to
4 read as follows:

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

9 (2) Beginning September 2011, by the last day of September,
10 December, March, and June of each year, the state treasurer shall
11 transfer from the multimodal transportation account to the rural
12 mobility grant program account two million five hundred thousand
13 dollars.

14 (3) During the 2015-2017 fiscal biennium, the legislature may
15 transfer from the rural mobility grant program account to the
16 multimodal transportation account such amounts as reflect the excess
17 fund balance of the rural mobility grant program account.

18 (4) During the 2017-2019 and the 2019-2021 fiscal (~~biennium~~)
19 biennia, the legislature may direct the state treasurer to make
20 transfers of moneys in the rural mobility grant program account to
21 the multimodal transportation account.

22 **Sec. 709.** RCW 47.56.403 and 2017 c 313 s 712 are each amended to
23 read as follows:

24 (1) The department may provide for the establishment,
25 construction, and operation of a pilot project of high occupancy toll
26 lanes on state route 167 high occupancy vehicle lanes within King
27 county. The department may issue, buy, and redeem bonds, and deposit
28 and expend them; secure and remit financial and other assistance in
29 the construction of high occupancy toll lanes, carry insurance, and
30 handle any other matters pertaining to the high occupancy toll lane
31 pilot project.

32 (2) Tolls for high occupancy toll lanes will be established as
33 follows:

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

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

1 (c) The department shall establish performance standards for the
2 state route 167 high occupancy toll lane pilot project. The
3 department must automatically adjust the toll charge, using dynamic
4 tolling, to ensure that toll-paying single-occupant vehicle users are
5 only permitted to enter the lane to the extent that average vehicle
6 speeds in the lane remain above forty-five miles per hour at least
7 ninety percent of the time during peak hours. The toll charge may
8 vary in amount by time of day, level of traffic congestion within the
9 highway facility, vehicle occupancy, or other criteria, as the
10 commission may deem appropriate. The commission may also vary toll
11 charges for single-occupant inherently low-emission vehicles such as
12 those powered by electric batteries, natural gas, propane, or other
13 clean burning fuels.

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

17 (3) The department shall monitor the state route 167 high
18 occupancy toll lane pilot project and shall annually report to the
19 transportation commission and the legislature on operations and
20 findings. At a minimum, the department shall provide facility use
21 data and review the impacts on:

22 (a) Freeway efficiency and safety;

23 (b) Effectiveness for transit;

24 (c) Person and vehicle movements by mode;

25 (d) Ability to finance improvements and transportation services
26 through tolls; and

27 (e) The impacts on all highway users. The department shall
28 analyze aggregate use data and conduct, as needed, separate surveys
29 to assess usage of the facility in relation to geographic,
30 socioeconomic, and demographic information within the corridor in
31 order to ascertain actual and perceived questions of equitable use of
32 the facility.

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

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

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

4 (b) If high occupancy vehicle tolls are being collected on June
5 30, (~~(2019)~~) 2021.

6 (6) The department of transportation shall adopt rules that allow
7 automatic vehicle identification transponders used for electronic
8 toll collection to be compatible with other electronic payment
9 devices or transponders from the Washington state ferry system, other
10 public transportation systems, or other toll collection systems to
11 the extent that technology permits.

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

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

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

20 **Sec. 710.** RCW 47.56.876 and 2017 c 313 s 713 are each amended to
21 read as follows:

22 A special account to be known as the state route number 520 civil
23 penalties account is created in the state treasury. All state route
24 number 520 bridge replacement and HOV program civil penalties
25 generated from the nonpayment of tolls on the state route number 520
26 corridor must be deposited into the account, as provided under RCW
27 47.56.870(4)(b)(vii). Moneys in the account may be spent only after
28 appropriation. Expenditures from the account may be used to fund any
29 project within the state route number 520 bridge replacement and HOV
30 program, including mitigation. During the 2013-2015 and 2015-2017
31 fiscal biennia, the legislature may transfer from the state route
32 number 520 civil penalties account to the state route number 520
33 corridor account such amounts as reflect the excess fund balance of
34 the state route number 520 civil penalties account. Funds transferred
35 must be used solely for capital expenditures for the state route
36 number 520 bridge replacement and HOV project. During the 2017-2019
37 and the 2019-2021 fiscal (~~(biennium)~~) biennia, the legislature may
38 direct the state treasurer to make transfers of moneys in the state

1 route number 520 civil penalties account to the state route number
2 520 corridor account.

3 **Sec. 711.** RCW 41.45.0631 and 2009 c 561 s 7 are each amended to
4 read as follows:

5 (1) The allocation of costs between the employer and members of
6 the Washington state patrol retirement system shall be made only
7 after the application of any minimum total contribution rate that may
8 be in effect for the system under subsection (4) of this section. For
9 benefit improvements effective on or after July 1, 2007, costs shall
10 be shared equally by members and the employer, and any cap on member
11 contributions shall be adjusted accordingly. The member contribution
12 rate shall be based on the adjusted total contribution rate described
13 in subsection (2) of this section. Beginning July 1, 2007, the
14 required member contribution rate for members of the Washington state
15 patrol retirement system shall be the lesser of the following: (a)
16 One-half of the adjusted total contribution rate for the system; or
17 (b) seven percent, plus fifty percent of the contribution rate
18 increase caused by any benefit improvements effective on or after
19 July 1, 2007.

20 (2) The employer shall continue to pay for all costs attributable
21 to distributions under RCW 43.43.270(2) for survivors of members who
22 became disabled under RCW 43.43.040(2) prior to July 1, 2006, until
23 such costs are fully paid. In order to avoid charging members for
24 these costs, the total required contribution rate shall be adjusted
25 to exclude these costs. The result of the adjustment shall be the
26 adjusted total contribution rate that is to be used to calculate the
27 required member contribution rate.

28 (3) The employer rate shall be the contribution rate required to
29 cover all total system costs that are not covered by the member
30 contribution rate.

31 (4) Beginning July 1, 2009, a minimum total contribution rate is
32 established for the Washington state patrol retirement system. The
33 total Washington state patrol retirement system contribution rate may
34 exceed, but may not drop below, the established minimum total
35 contribution rate. From July 1, 2009, through June 30, 2011, the
36 minimum total contribution rate shall equal the total contribution
37 rate required to fund fifty percent of the Washington state patrol
38 retirement system's normal cost as calculated under the entry age
39 normal cost method. Beginning July 1, 2011, the minimum total

1 contribution rate shall equal the total contribution rate required to
2 fund seventy percent of the Washington state patrol retirement
3 system's normal cost as calculated under the entry age normal cost
4 method. This minimum rate, when applicable, shall be collected in
5 addition to any contribution rate required to amortize any unfunded
6 costs attributable to distributions under RCW 43.43.270(2) for
7 survivors of members who became disabled under RCW 43.43.040(2) prior
8 to July 1, 2006.

9 (5) Upon completion of each biennial actuarial valuation, the
10 state actuary shall review the appropriateness of this minimum total
11 contribution rate and recommend to the council any adjustments as may
12 be needed. Any changes adopted by the council shall be subject to
13 revision by the legislature.

14 (6) The legislature recognizes the short-term volatility of
15 projected employer contribution rates for the Washington state patrol
16 retirement system and intends to phase-in the increase in
17 contribution rates from the 2017-2019 biennium to the 2019-2021
18 biennium over three successive biennia. The phase-in shall be
19 calculated by the state actuary and shall not result in an expected
20 funding shortfall when measured over the entire phase-in period.
21 Consistent with this intent, the legislature revises the basic
22 employer contribution rate for the Washington state patrol retirement
23 system from 22.13 percent to 17.5 percent during the 2019-2021
24 biennium. By June 30, 2020, the state actuary shall calculate and
25 report to the council the expected change to the basic employer
26 contribution rates for the 2021-2023 and 2023-2025 biennia that
27 continue this phase-in.

28 **Sec. 712.** RCW 46.68.063 and 2014 c 79 s 2 are each amended to
29 read as follows:

30 The department of licensing technology improvement and data
31 management account is created in the highway safety fund. All
32 receipts from fees collected under RCW 46.12.630(5) must be deposited
33 into the account. Expenditures from the account may be used only for
34 investments in technology and data management at the department.
35 During the 2019-2021 biennium, the account may also be used for
36 responding to public records requests. Moneys in the account may be
37 spent only after appropriation.

1 **Sec. 713.** RCW 46.68.370 and 2013 c 306 s 713 are each amended to
2 read as follows:

3 The license plate technology account is created in the state
4 treasury. All receipts collected under RCW 46.17.015 must be
5 deposited into this account. Expenditures from this account must
6 support current and future license plate technology and systems
7 integration upgrades for both the department and correctional
8 industries. Moneys in the account may be spent only after
9 appropriation. Additionally, the moneys in this account may be used
10 to reimburse the motor vehicle account for any appropriation made to
11 implement the digital license plate system. During the 2011-2013 and
12 2013-2015 fiscal biennia, the legislature may transfer from the
13 license plate technology account to the highway safety account [fund]
14 such amounts as reflect the excess fund balance of the license plate
15 technology account. During the 2019-2021 biennium, the account may
16 also be used for the maintenance of recently modernized information
17 technology systems for vehicle registrations.

18 **Sec. 714.** RCW 46.68.300 and 2013 c 104 s 3 are each amended to
19 read as follows:

20 The freight mobility investment account is hereby created in the
21 state treasury. Money in the account may be spent only after
22 appropriation. Expenditures from the account may be used only for
23 freight mobility projects that have been approved by the freight
24 mobility strategic investment board in RCW 47.06A.020 and may include
25 any principal and interest on bonds authorized for the projects or
26 improvements. During the 2019-2021 fiscal biennium, the expenditures
27 from the account may also be used for the administrative expenses of
28 the freight mobility strategic investment board.

29 **Sec. 715.** RCW 47.12.340 and 2013 c 306 s 715 are each amended to
30 read as follows:

31 (1) The advanced environmental mitigation revolving account is
32 created in the custody of the treasurer, into which the department
33 shall deposit directly and may expend without appropriation:

34 ~~((1))~~ (a) An initial appropriation included in the department
35 of transportation's 1997-99 budget, and deposits from other
36 identified sources;

1 ~~((2))~~ (b) All moneys received by the department from internal
2 and external sources for the purposes of conducting advanced
3 environmental mitigation; and

4 ~~((3))~~ (c) Interest gained from the management of the advanced
5 environmental mitigation revolving account.

6 ~~((4))~~ (2) During the 2011-2013 and 2013-2015 fiscal biennia,
7 the legislature may transfer from the advanced environmental
8 mitigation revolving account to the motor vehicle account such
9 amounts as reflect the excess fund balance of the advanced
10 environmental mitigation revolving account.

11 (3) During the 2019-2021 fiscal biennium, the legislature may
12 direct the state treasurer to make transfers of moneys in the
13 advanced environmental mitigation revolving account to the motor
14 vehicle fund.

15 **Sec. 716.** RCW 47.60.322 and 2015 3rd sp.s. c 44 s 213 are each
16 amended to read as follows:

17 (1) The capital vessel replacement account is created in the
18 motor vehicle fund. All revenues generated from the vessel
19 replacement surcharge under RCW 47.60.315(7) and service fees
20 collected by the department of licensing or county auditor or other
21 agent appointed by the director under RCW 46.17.040, 46.17.050, and
22 46.17.060 must be deposited into the account. Moneys in the account
23 may be spent only after appropriation. Expenditures from the account
24 may be used only for the construction or purchase of ferry vessels
25 and to pay the principal and interest on bonds authorized for the
26 construction or purchase of ferry vessels. However, expenditures from
27 the account must first be used to support the construction or
28 purchase, including any applicable financing costs, of a ferry vessel
29 with a carrying capacity of at least one hundred forty-four cars.

30 (2) The state treasurer may transfer moneys from the capital
31 vessel replacement account to the transportation 2003 account (nickel
32 account) for debt service on bonds issued for the construction of
33 144-car class ferry vessels.

34 (3) The legislature may transfer from the capital vessel
35 replacement account to the connecting Washington account created
36 under RCW 46.68.395 such amounts as reflect the excess fund balance
37 of the capital vessel replacement account to be used for ferry
38 terminal construction and preservation.

1 (2) \$1,000,000 of the highway safety account—state appropriation
 2 is provided solely for the implementation of section 13(4), chapter
 3 336, Laws of 2017 (impaired driving). The funding is provided for
 4 grants to organizations that seek to reduce driving under the
 5 influence of drugs and alcohol and for administering the program.
 6 \$108,806 of the amount provided in this subsection is for the
 7 commission to cover the costs associated with administering the grant
 8 program. The funding provided in this subsection is contingent on the
 9 availability of funds raised by the fee, described in section 13(4),
 10 chapter 336, Laws of 2017 (impaired driving), sufficient to cover the
 11 costs of administering the program.

12 **Sec. 802.** 2018 c 297 s 202 (uncodified) is amended to read as
 13 follows:

14 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

15 Rural Arterial Trust Account—State Appropriation	\$1,056,000
16 Motor Vehicle Account—State Appropriation	(\$2,720,000)
17	<u>\$2,791,000</u>
18 County Arterial Preservation Account—State	
19 Appropriation	\$1,592,000
20 TOTAL APPROPRIATION.	(\$5,368,000)
21	<u>\$5,439,000</u>

22 **Sec. 803.** 2018 c 297 s 204 (uncodified) is amended to read as
 23 follows:

24 **FOR THE JOINT TRANSPORTATION COMMITTEE**

25 ((Highway Safety Account—State Appropriation.	\$150,000)
26 Motor Vehicle Account—State Appropriation	\$2,030,000
27 Multimodal Transportation Account—State	
28 Appropriation.	\$1,570,000
29 TOTAL APPROPRIATION.	(\$3,750,000)
30	<u>\$3,600,000</u>

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

33 (1) (a) \$200,000 of the multimodal transportation account—state
 34 appropriation is for a consultant study of marine pilotage in
 35 Washington state, with a goal of recommending best practices for: An
 36 analytically-driven pilotage tariff and fee setting process;
 37 determination of the total number of pilots and pilot workload; pilot

1 recruitment, training, review, and selection, with a focus on
2 increasing pilot diversity; and selection of governance structures
3 for the oversight and management of pilotage activities. The study
4 must include the following:

5 (i) (A) An examination of current practices of the board of
6 pilotage related to: Pilotage tariff and fee setting, including a
7 review of the development and composition of fees, their relationship
8 to tariffs and pilotage district expenditures, and an analysis of
9 pilot benefits; the setting of the total number of pilots and pilot
10 workload distribution; pilot candidate recruitment and training;
11 pilot review and selection processes; and reporting to comply with
12 statutory requirements;

13 (B) An examination of the current oversight, administrative
14 practices, and governance of the board of pilotage commissioners and
15 the two pilotage districts, including board composition analysis, the
16 possible role of the legislative appropriations process, and options
17 for insurance liability coverage for the board of pilotage
18 commissioners;

19 (ii) A comparison of current practices identified under this
20 subsection (1)(a) to best practices in marine pilotage elsewhere in
21 the United States, including both state licensed pilotage and federal
22 pilotage systems with independent contractor, public employee, or
23 private employee pilots; and a comparison to marine pilotage
24 activities outside of the United States, to the extent these marine
25 pilotage activities can inform the evaluation process and identify
26 additional best practices that could be implemented in Washington
27 state;

28 (iii) A comparison of the results of the examination of current
29 practices to best practices in the United States in areas other than
30 marine pilotage for which similar activities are conducted;

31 (iv) An evaluation of the extent to which the best practices
32 examined can be implemented and would be effective in Washington
33 state; and

34 (v) A recommendation for the best practices that should be
35 adopted by Washington state for each of the areas examined.

36 (b) The joint transportation committee must issue a report of its
37 findings and recommendations to the house of representatives and
38 senate transportation committees by January 8, 2018.

39 (2) \$160,000 of the motor vehicle account—state appropriation is
40 for the joint transportation committee to contract with the

1 University of Minnesota to independently analyze and assess traffic
2 data for the express toll lanes and general purpose lanes of the
3 Interstate 405 tolled corridor, including in terms of the performance
4 measures described in RCW 47.56.880, and to develop and recommend
5 near-term and longer-term strategies for the improvement of traffic
6 performance in this corridor. A report summarizing the results of the
7 traffic data assessment and providing recommended strategies is due
8 to the transportation committees of the legislature by January 8,
9 2018.

10 (3) (a) \$500,000 of the multimodal transportation account—state
11 appropriation is for a consultant study of air cargo movement at
12 Washington airports. The study must:

13 (i) Describe the state's air cargo system, and identify the
14 facilities that comprise the system;

15 (ii) Evaluate the current and projected future capacity of the
16 air cargo system;

17 (iii) Identify underutilized capacity;

18 (iv) Identify and describe what market forces may determine
19 demand for cargo service at different facilities and what role the
20 shippers and cargo service providers play in determining how cargo is
21 moved in the state;

22 (v) Develop a definition of congestion in the state's air cargo
23 system, including metrics by which to measure congestion and the cost
24 of congestion to shippers; and

25 (vi) Evaluate what would be needed to more effectively use
26 existing capacity at airports across the state. As part of this
27 evaluation, the study must:

28 (A) Evaluate air, land, and surface transportation constraints,
29 including intermodal constraints, to accommodate current demand and
30 future growth;

31 (B) Evaluate impediments to addressing those constraints;

32 (C) Evaluate options to address those constraints; and

33 (D) Evaluate the impacts to air cargo-related industries that
34 would result from shifting cargo service to Washington airports that
35 currently have available capacity.

36 (b) The study must also identify the state's interest in reducing
37 air cargo congestion and evaluate ways to address this interest on a
38 statewide basis.

39 (c) The study must provide recommendations regarding:

1 (i) Options to reduce air cargo congestion and more efficiently
2 use available capacity at Washington airports;

3 (ii) Options to address the state's interest in reducing air
4 cargo congestion on a statewide basis;

5 (iii) Strategies to accomplish the recommendations under this
6 subsection (3)(c); and

7 (iv) Statutory changes needed to implement the recommendations
8 under this subsection (3)(c).

9 (d) The department of transportation shall provide technical
10 support for the study, including providing guidance regarding
11 information that may already be available due to the department's
12 ongoing work on the Washington aviation system plan.

13 (e) The joint transportation committee shall issue a report of
14 its findings and recommendations to the house of representatives and
15 senate transportation committees by December 14, 2018.

16 (4) \$100,000 of the motor vehicle account—state appropriation is
17 for the joint transportation committee to conduct an assessment of
18 the current roles and responsibilities of the transportation
19 commission. The purpose of the assessment is to review the current
20 membership, functions, powers, and duties of the transportation
21 commission beyond those granted to the transportation commission as
22 the tolling authority under RCW 47.56.850, for the adoption of ferry
23 fares and pricing policies under RCW 47.60.315, or for work related
24 to the road usage charge pilot project as directed by the
25 legislature. When conducting the assessment, the joint transportation
26 committee must consult with the transportation commission and the
27 office of financial management.

28 (a) The assessment must consist of a review of the following:

29 (i) The primary enabling statutes of the transportation
30 commission contained in RCW 47.01.051 through 47.01.075;

31 (ii) The transportation commission's functions relating to
32 ferries under chapters 47.60 and 47.64 RCW beyond those granted by
33 the legislature for adoption of fares and pricing policies;

34 (iii) The existing budget of the transportation commission to
35 ensure it is appropriate for the roles and responsibilities it is
36 directed to do by the governor and the legislature;

37 (iv) The transportation commission's current roles and
38 responsibilities relating to transportation planning, transportation
39 policy development, and other functions; and

1 (v) Other issues related to the transportation commission as
2 determined by the joint transportation committee.

3 (b) A report of the assessment findings and recommendations is
4 due to the transportation committees of the legislature by December
5 31, 2017.

6 (5) (a) \$360,000 of the motor vehicle account—state appropriation,
7 from the cities' statewide fuel tax distributions under RCW
8 46.68.110(2), is for the joint transportation committee to conduct a
9 study to assess the current state of city transportation funding,
10 identify emerging issues, and recommend funding sources to meet
11 current and future needs. As part of the study, the joint
12 transportation committee shall:

13 (i) Identify current city transportation funding
14 responsibilities, sources, and gaps;

15 (ii) Identify emerging issues that may add additional strain on
16 city costs and funding capacity;

17 (iii) Identify future city funding needs;

18 (iv) Evaluate alternative sources of funding; and

19 (v) Recommend sources of funding to address those needs and gaps.

20 (b) In considering alternative sources of funding, the study
21 shall evaluate sources available outside of the state of Washington
22 that currently are not available in Washington.

23 (c) In conducting the study, the joint transportation committee
24 must consult with:

25 (i) City representatives;

26 (ii) A representative from the department of transportation local
27 programs division;

28 (iii) A representative from the transportation improvement board;

29 (iv) A representative from the department of transportation/
30 metropolitan planning organization/regional transportation planning
31 organization coordinating committee; and

32 (v) Others as appropriate.

33 (d) The association of Washington cities and the department of
34 transportation shall provide technical support to the study.

35 (e) The joint transportation committee must issue a report of its
36 findings and recommendations to the transportation committees of the
37 legislature by June 30, 2019.

38 (6) (a) \$315,000 of the multimodal transportation account—state
39 appropriation is for a consultant study of the capital needs of
40 public transportation systems operated by public transportation

1 benefit areas, metropolitan municipal corporations, cities, counties,
2 and county transportation authorities. The study must include:

3 (i) An inventory of each agency's vehicle fleet;

4 (ii) An inventory of each agency's facilities, including the
5 state of repair;

6 (iii) The replacement and expansion needs of each agency's
7 vehicle fleet, as well as the associated costs, over the next ten
8 years;

9 (iv) The replacement and expansion needs for each agency's
10 facilities including, but not limited to, such facilities as park and
11 rides, transit centers, and maintenance buildings;

12 (v) The source of funding, if known, planned to cover the cost of
13 the bus and facilities replacement and expansion needs including, but
14 not limited to, local revenue, state grants, and federal grants;

15 (vi) The amount of service that could be provided with the local
16 funds that are currently required for each agency's total capital
17 needs; and

18 (vii) A list of potential state, federal, or local revenue
19 sources that public transportation agencies could access or implement
20 in order to meet agencies' capital needs. These revenue sources may
21 be either currently available sources or sources that would need
22 legislative authorization.

23 (b) The Washington state transit association and the Washington
24 state department of transportation shall provide technical support to
25 the study.

26 (c) The joint transportation committee shall issue a report of
27 its findings and recommendations to the transportation committees of
28 the legislature by (~~March 1~~) June 30, 2019.

29 (7) \$255,000 of the multimodal transportation account—state
30 appropriation is for the joint transportation committee to conduct a
31 study regarding the regulation of transportation network companies
32 within the state of Washington. In conducting the study, the joint
33 transportation committee must consult with relevant representatives
34 of the department of licensing, the utilities and transportation
35 commission, the Washington state patrol, local governments involved
36 in the regulation of transportation network companies, entities
37 providing transportation network services, and other relevant
38 stakeholders. The study must include a review of the regulatory
39 framework used by local jurisdictions within Washington state and in
40 other states, an evaluation of the most effective public safety

1 aspects of a regulatory framework, including among other aspects, the
2 type of required background checks, and an assessment of the most
3 effective and efficient state and local regulatory structure for
4 regulation of transportation network companies. The joint
5 transportation committee must issue a report of its findings and
6 recommendations to the house and senate transportation committees by
7 January 14, 2019.

8 (8) \$300,000 of the multimodal transportation account—state
9 appropriation is for the joint transportation committee to conduct a
10 study regarding the regulation of taxi and for hire services
11 regulated by state, local governments, and port districts. The study
12 must compare state and local regulations in the state of Washington
13 that govern these private passenger transportation services and may
14 include recommendations for improving the consistency or overall
15 effectiveness and competitive fairness of the current regulatory
16 frameworks. In conducting the study, the joint transportation
17 committee shall consult with the department of licensing, the
18 utilities and transportation commission, the Washington state patrol,
19 appropriate local entities engaged in the regulation of commercial
20 passenger transportation services, and other relevant stakeholders.
21 The joint transportation committee must issue a report of its
22 findings and recommendations to the house and senate transportation
23 committees by January 14, 2019.

24 (9) (a) (~~(\$150,000 of the highway safety account state~~
25 ~~appropriation is for)~~) Within existing resources, the joint
26 transportation committee (~~(to)~~) shall assess and recommend methods
27 for setting state medical standards in the areas listed in (b) of
28 this subsection for commercial driver's license holders and
29 applicants, when these standards are not governed by specific
30 criteria under federal law, to help reduce the current shortage of
31 licensed commercial motor vehicle drivers in the state.

32 (b) This review must consist of an assessment of possible
33 approaches for developing a method by which to set state standards
34 for:

35 (i) Medical certification requirements for excepted interstate
36 commercial driver's license holders and applicants, as this class is
37 defined under 49 C.F.R. 383.71, who are not required to obtain
38 medical certification under federal law; and

39 (ii) Medical waiver requirements for intrastate nonexcepted
40 commercial driver's license holders and applicants, which must be set

1 in a manner consistent with the requirements of 49 C.F.R. Sec.
2 350.341(h) (2).

3 (c) The review must include consideration and evaluation of the
4 relevant practices, laws, and regulations of other states. The review
5 must also ensure that recommendations made are consistent with
6 federal law and do not jeopardize federal funding, and that they
7 incorporate relevant safety considerations.

8 (d) The joint transportation committee must consult with the
9 department of licensing, the Washington state patrol, the traffic
10 safety commission, the state department of health, and stakeholders
11 who rely on the state's commercial driver's license medical
12 certification process.

13 (e) The joint transportation committee must issue a report of its
14 findings and recommendations, including an indication of statutory
15 changes needed to implement the recommendations, to the
16 transportation committees of the legislature and the governor by
17 January 14, 2019.

18 **Sec. 804.** 2018 c 297 s 207 (uncodified) is amended to read as
19 follows:

20 **FOR THE WASHINGTON STATE PATROL**

21 State Patrol Highway Account—State Appropriation . . .	(\$490,359,000)
	<u>\$475,475,000</u>
23 State Patrol Highway Account—Federal Appropriation . . .	\$14,571,000
24 State Patrol Highway Account—Private/Local	
25 Appropriation	\$4,011,000
26 Highway Safety Account—State Appropriation	\$1,074,000
27 Ignition Interlock Device Revolving Account—State	
28 Appropriation	\$510,000
29 Multimodal Transportation Account—State Appropriation . . .	\$276,000
30 TOTAL APPROPRIATION.	(\$510,801,000)
31	<u>\$495,917,000</u>

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

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

1 Washington state patrol must be reimbursed for the use of the vehicle
2 at the prevailing state employee rate for mileage and hours of usage,
3 subject to guidelines developed by the chief of the Washington state
4 patrol.

5 (2) \$510,000 of the ignition interlock device revolving account—
6 state appropriation is provided (~~solely~~) for the ignition interlock
7 program at the Washington state patrol to provide funding for two
8 staff to work and provide support for the program in working with
9 manufacturers, service centers, technicians, and participants in the
10 program.

11 (3) \$1,000,000 of the state patrol highway account—state
12 appropriation is provided (~~solely~~) for ongoing support, system
13 updates, maintenance, and an independent assessment of the P25
14 digital land mobile radio system. Of the amount provided in this
15 subsection, \$400,000 must be used for the independent assessment of
16 the P25 digital land mobile radio system. The independent assessment
17 must identify implementation issues and coverage gaps and recommend
18 strategies to address these issues and gaps. The assessment must be
19 submitted to the governor and the transportation committees of the
20 legislature by September 1, 2018. To the extent practicable, the
21 Washington state patrol shall begin implementing recommendations
22 before the completion of the independent assessment.

23 (4) The Washington state patrol and the department of
24 transportation shall jointly submit a prioritized list of weigh
25 station projects to the office of financial management by October 1,
26 2017. Projects submitted must include estimated costs for preliminary
27 engineering, rights-of-way, and construction and must also consider
28 the timing of any available funding for weigh station projects.

29 (5) The Washington state patrol and the office of financial
30 management must be consulted by the department of transportation
31 during the design phase of any improvement or preservation project
32 that could impact Washington state patrol weigh station operations.
33 During the design phase of any such project, the department of
34 transportation must estimate the cost of designing around the
35 affected weigh station's current operations, as well as the cost of
36 moving the affected weigh station.

37 (6) \$580,000 of the state patrol highway account—state
38 appropriation is provided (~~solely~~) for the operation of and
39 administrative support to the license investigation unit to enforce

1 vehicle registration laws in southwestern Washington. The Washington
2 state patrol, in consultation with the department of revenue, shall
3 maintain a running estimate of sales and use taxes remitted to the
4 state pursuant to activity conducted by the license investigation
5 unit. At the end of the calendar quarter in which it is estimated
6 that more than \$625,000 in taxes have been remitted to the state
7 since the effective date of this section, the Washington state patrol
8 shall notify the state treasurer and the state treasurer shall
9 transfer funds pursuant to section 408(25), chapter 313, Laws of
10 2017.

11 (7) \$600,000 of the state patrol highway account—state
12 appropriation is provided (~~solely~~) for the implementation of
13 chapter 181, Laws of 2017 (WSPRS salary definition).

14 (8) \$4,354,000 of the state patrol highway account—state
15 appropriation is provided (~~solely~~) for an additional cadet class,
16 consisting of the 35th arming class and 111th trooper basic training
17 class, in the 2017-2019 fiscal biennium.

18 **Sec. 805.** 2018 c 297 s 208 (uncodified) is amended to read as
19 follows:

20 **FOR THE DEPARTMENT OF LICENSING**

21	Marine Fuel Tax Refund Account—State Appropriation	\$34,000
22	Motorcycle Safety Education Account—State	
23	Appropriation	(\$4,607,000)
24		<u>\$4,773,000</u>
25	State Wildlife Account—State Appropriation	(\$888,000)
26		<u>\$538,000</u>
27	Highway Safety Account—State Appropriation	(\$254,301,000)
28		<u>\$247,100,000</u>
29	Highway Safety Account—Federal Appropriation	\$3,215,000
30	Motor Vehicle Account—State Appropriation	(\$83,871,000)
31		<u>\$82,456,000</u>
32	Motor Vehicle Account—Federal Appropriation	\$329,000
33	Motor Vehicle Account—Private/Local Appropriation	(\$5,224,000)
34		<u>\$5,709,000</u>
35	Ignition Interlock Device Revolving Account—State	
36	Appropriation	(\$5,261,000)
37		<u>\$5,932,000</u>
38	Department of Licensing Services Account—State	

1	Appropriation	\$6,903,000
2	License Plate Technology Account—State	
3	Appropriation	\$3,000,000
4	Abandoned Recreational Vehicle Account—State	
5	Appropriation.	((\$172,000))
6		<u>\$312,000</u>
7	((Driver Licensing Technology Support Account—State	
8	Appropriation.	\$150,000))
9	TOTAL APPROPRIATION.	((\$367,955,000))
10		<u>\$360,301,000</u>

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

13 ((~~2~~)) (1) \$20,810,000 of the highway safety account—state
14 appropriation and \$3,000,000 of the license plate technology account—
15 state appropriation are provided solely for business and technology
16 modernization. The department and the state chief information officer
17 or his or her designee must provide a joint project status report to
18 the transportation committees of the legislature on at least a
19 calendar quarter basis. The report must include, but is not limited
20 to: Detailed information about the planned and actual scope,
21 schedule, and budget; status of key vendor and other project
22 deliverables; and a description of significant changes to planned
23 deliverables or system functions over the life of the project.
24 Project staff will periodically brief the committees or the
25 committees' staff on system security and data protection measures.

26 ((~~3~~)) (2) The department when modernizing its computer systems
27 must place personal and company data elements in separate data fields
28 to allow the department to select discrete data elements when
29 providing information or data to persons or entities outside the
30 department. This requirement must be included as part of the systems
31 design in the department's business and technology modernization.
32 Pursuant to the restrictions in federal and state law, a person's
33 photo, social security number, or medical information must not be
34 made available through public disclosure or data being provided under
35 RCW 46.12.630 or 46.12.635.

36 ((~~4~~)) (3) \$4,471,000 of the highway safety account—state
37 appropriation is provided solely for costs necessary to accommodate
38 increased demand for enhanced drivers' licenses and enhanced
39 identicards. The office of financial management shall place the

1 entire amount provided in this subsection in unallotted status. The
2 office of financial management may release portions of the funds when
3 it determines that average wait times have increased by more than two
4 minutes based on wait time and volume data provided by the department
5 compared to average wait times and volume during the month of
6 December 2016. The department and the office of financial management
7 shall evaluate the use of these funds on a monthly basis and
8 periodically report to the transportation committees of the
9 legislature on average wait times and volume data for enhanced
10 drivers' licenses and enhanced identicards.

11 ~~((5))~~ (4) The department shall continue to encourage the use of
12 online vehicle registration renewal reminders and minimize the number
13 of letters mailed by the department. To further this goal, the
14 department shall develop a pilot program to replace first-class mail,
15 letter-form renewal reminders with postcard renewal reminders. The
16 goal of the pilot program is to realize substantial savings on
17 printing and postage costs. The pilot program must include customers
18 who performed their last renewal online and still receive a paper
19 renewal notice. The appropriations in this section reflect savings in
20 postage and printing costs of at least \$250,000 in the 2017-2019
21 fiscal biennium.

22 ~~((6))~~ (5) \$550,000 of the highway safety account—state
23 appropriation is provided solely for communication and outreach
24 activities necessary to inform the public of federally acceptable
25 identification options including, but not limited to, enhanced
26 drivers' licenses and enhanced identicards. The department shall
27 develop and implement an outreach plan that includes informational
28 material that can be effectively communicated to all communities and
29 populations in Washington. At least thirty-five percent of this
30 appropriation must be used by the department for outreach efforts to
31 communities that would not otherwise be served by traditional media
32 outlets.

33 ~~((7))~~ (6) \$19,000 of the highway safety account—state
34 appropriation is provided solely for the implementation of chapter
35 334, Laws of 2017 (distracted driving).

36 ~~((8))~~ (7) \$57,000 of the motor vehicle account—state
37 appropriation is provided solely for the implementation of chapter
38 11, Laws of 2017 (aviation license plate).

1 ~~((+9))~~ (8) \$572,000 of the highway safety account—state
2 appropriation is provided solely for the implementation of chapter
3 197, Laws of 2017 (driver education uniformity).

4 ~~((+10))~~ (9) \$39,000 of the motor vehicle account—state
5 appropriation is provided solely for the implementation of chapter
6 25, Laws of 2017 (Fred Hutch license plate).

7 ~~((+11))~~ (10) \$104,000 of the ignition interlock device revolving
8 account—state appropriation is provided solely for the implementation
9 of chapter 336, Laws of 2017 (impaired driving).

10 ~~((+12))~~ (11) \$500,000 of the highway safety account—state
11 appropriation is provided solely for the implementation of chapter
12 206, Laws of 2017 (foster youth/driving).

13 ~~((+13))~~ (12) \$61,000 of the highway safety account—state
14 appropriation is provided solely for the implementation of chapter
15 310, Laws of 2017 (REAL ID compliance).

16 ~~((+14))~~ (13)(a) Within existing funds, the department, in
17 consultation with the department of ecology, shall convene a work
18 group comprised of registered tow truck operators, hulk haulers,
19 representatives from county solid waste facilities, and the recycling
20 community to develop a sustainable plan for the collection and
21 disposal of abandoned recreational vehicles.

22 (b) The work group shall report on the current problems relating
23 to abandoned recreational vehicles and develop policy options for
24 procedures relating to the transportation, recycling, and disposal of
25 abandoned recreational vehicles, as well as other potentially related
26 issues. As a result of its discussions, the work group shall also
27 produce draft legislation. The final report and draft legislation are
28 due to the standing transportation committees of the legislature on
29 December 1, 2017.

30 ~~((+15))~~ (14) \$30,000 of the highway safety account—state
31 appropriation is provided solely for the implementation of chapter
32 122, Laws of 2017 (reduced-cost identicards).

33 ~~((+16))~~ (15) \$112,000 of the motor vehicle account—state
34 appropriation is provided solely for the implementation of chapter
35 218, Laws of 2017 (registration enforcement).

36 ~~((+17))~~ (16) \$30,000 of the highway safety account—state
37 appropriation is provided solely for the implementation of chapter
38 43, Laws of 2017 (tow truck notices).

1 (~~(18)~~) (17) \$230,000 of the highway safety account—state
2 appropriation is provided solely for developing an application
3 program interface service. This work must result in a mobile browser
4 based application for use on tablet devices at licensing services
5 offices.

6 (a) The application must be able to be used by licensing services
7 offices staff for:

8 (i) Prescreening customers and directing them to the most
9 efficient service line;

10 (ii) Performing any transaction within the department's online
11 services;

12 (iii) Answering customer questions regarding license status and
13 reinstatement; and

14 (iv) Providing a queue ticket to customers waiting for service
15 inside and outside the office.

16 (b) Additionally, the application must be:

17 (i) Able to add a feature allowing customers to get in line via
18 an online application and receive a mobile text message when their
19 turn is approaching; and

20 (ii) Scalable to add other features to mobile devices to expedite
21 customer service.

22 (~~(20)~~—\$27,796,000) (18) \$21,096,000 of the highway safety
23 account—state appropriation is provided solely for costs necessary to
24 accommodate increased demand for enhanced drivers' licenses and
25 enhanced identicards. The department shall report on a quarterly
26 basis on the use of these funds, associated workload, and information
27 with comparative information with recent comparable months in prior
28 years. The report will include detailed statewide and by licensing
29 service office information on staffing levels, average monthly wait
30 times, the number of enhanced drivers' licenses and enhanced
31 identicards issued/renewed, and the number of primary drivers'
32 licenses and identicards issued/renewed. Within the amounts provided
33 in this subsection, the department shall implement efficiency
34 measures to reduce the time for licensing transactions and wait
35 times, including, but not limited to, the installation of additional
36 cameras at licensing service offices that reduce bottlenecks and
37 align with the keep your customer initiative.

38 (~~(21)~~) (19) \$45,000 of the highway safety account—state
39 appropriation is provided solely for the implementation of chapter

1 (~~(. . . (Second Substitute House Bill No. 1513))~~) 109, Laws of 2018
2 (enhancing youth voter registration). If chapter (~~(. . . (Second~~
3 ~~Substitute House Bill No. 1513))~~) 109, Laws of 2018 is not enacted by
4 June 30, 2018, the amount provided in this subsection lapses.

5 (~~(+23)~~) (20) \$70,000 of the highway safety account—state
6 appropriation is provided solely for the implementation of chapter
7 (~~(. . . (Engrossed Second Substitute House Bill No. 2595))~~) 110, Laws
8 of 2018 (procedures in order to automatically register citizens to
9 vote). If chapter (~~(. . . (Engrossed Second Substitute House Bill No.~~
10 ~~2595))~~) 110, Laws of 2018 is not enacted by June 30, 2018, the amount
11 provided in this subsection lapses.

12 (~~(+24)~~) (21) \$26,000 of the highway safety account—state
13 appropriation is provided solely for the implementation of chapter
14 (~~(. . . (Substitute House Bill No. 2612))~~) 135, Laws of 2018 (tow
15 truck operators). If chapter (~~(. . . (Substitute House Bill No.~~
16 ~~2612))~~) 135, Laws of 2018 is not enacted by June 30, 2018, the amount
17 provided in this subsection lapses.

18 (~~(+27)~~) (22) \$34,000 of the motor vehicle account—state
19 appropriation is provided solely for the implementation of chapter
20 (~~(. . . (Substitute Senate Bill No. 5746))~~) 67, Laws of 2018
21 (concerning the association of Washington generals). If chapter
22 (~~(. . . (Substitute Senate Bill No. 5746))~~) 67, Laws of 2018 is not
23 enacted by June 30, 2018, the amount provided in this subsection
24 lapses.

25 (~~(+31)~~) (23) \$17,000 of the highway safety account—state
26 appropriation is provided solely for the implementation of chapter
27 (~~(. . . (Substitute Senate Bill No. 6155))~~) 192, Laws of 2018 (bone
28 marrow donation information). If chapter (~~(. . . (Substitute Senate~~
29 ~~Bill No. 6155))~~) 192, Laws of 2018 is not enacted by June 30, 2018,
30 the amount provided in this subsection lapses.

31 (~~(+32)~~) (24) \$172,000 of the abandoned recreational vehicle
32 disposal account—state appropriation is provided solely for the
33 implementation of chapter (~~(. . . (Substitute Senate Bill No. 6437))~~)
34 287, Laws of 2018 (disposal of recreational vehicles abandoned on
35 public property). If chapter (~~(. . . (Substitute Senate Bill No.~~
36 ~~6437))~~) 287, Laws of 2018 is not enacted by June 30, 2018, the amount
37 provided in this subsection lapses.

38 (~~(+33)~~) (25) \$13,000 of the motor vehicle account—state
39 appropriation is provided solely for the implementation of chapter

1 (~~(. . . (Substitute Senate Bill No. 6438))~~) 79, Laws of 2018
2 (clarifying the collection process for existing vehicle service
3 transactions). If chapter (~~(. . . (Substitute Senate Bill No. 6438))~~)
4 79, Laws of 2018 is not enacted by June 30, 2018, the amount provided
5 in this subsection lapses.

6 (~~((34))~~) (26) The department shall within the department's
7 appropriations, conduct a study to evaluate options and potential
8 methods for allowing digital license plates. The report must include
9 information on the durability and legibility of digital license
10 plates in different weather conditions, costs, data security, tolling
11 and vehicle fees, protection of personal and vehicle information, and
12 other implementation issues. This will include an evaluation of how
13 the digital license plates can contain tamper-resistant and antitheft
14 features, but can continue to display the unique license plate number
15 assigned to the vehicle at all times. The department of licensing
16 must consult with the Washington state patrol, the department of
17 transportation, and other appropriate entities in conducting the
18 study. The department of licensing must present a report to the
19 standing transportation committees of the legislature by January 1,
20 2019.

21 (~~((35))~~) (27) \$200,000 of the highway safety account—state
22 appropriation is provided solely for the department to implement
23 employee training and other activities related to improving the
24 protection of private information and increasing racial and cultural
25 awareness by employees in administering licensing responsibilities.

26 (28) \$140,000 of the abandoned recreational vehicle disposal
27 account—state appropriation is provided solely for providing
28 reimbursements in accordance with the department's abandoned
29 recreational vehicle disposal reimbursement program. It is the intent
30 of the legislature that the department prioritize this funding for
31 allowable and approved reimbursements and not to build a reserve of
32 funds within the account.

33 **Sec. 806.** 2018 c 297 s 209 (uncodified) is amended to read as
34 follows:

35 **FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE**
36 **—PROGRAM B**

37 High Occupancy Toll Lanes Operations Account—State
38 Appropriation (~~(\$4,462,000)~~)

1		<u>\$4,391,000</u>
2	Motor Vehicle Account—State Appropriation	\$513,000
3	State Route Number 520 Corridor Account—State	
4	Appropriation	((\$57,123,000))
5		<u>\$55,885,000</u>
6	State Route Number 520 Civil Penalties Account—State	
7	Appropriation	\$4,129,000
8	Tacoma Narrows Toll Bridge Account—State	
9	Appropriation	((\$33,618,000))
10		<u>\$33,086,000</u>
11	Interstate 405 Express Toll Lanes Operations	
12	Account—State Appropriation	((\$21,757,000))
13		<u>\$21,297,000</u>
14	Alaskan Way Viaduct Replacement Project Account—State	
15	Appropriation.	((\$13,938,000))
16		<u>\$6,656,000</u>
17	TOTAL APPROPRIATION.	((\$135,540,000))
18		<u>\$125,957,000</u>

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

21 (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state
22 appropriation and \$9,048,000 of the state route number 520 corridor
23 account—state appropriation are provided solely for the purposes of
24 addressing unforeseen operations and maintenance costs on the Tacoma
25 Narrows bridge and the state route number 520 bridge, respectively.
26 The office of financial management shall place the amounts provided
27 in this subsection, which represent a portion of the required minimum
28 fund balance under the policy of the state treasurer, in unallotted
29 status. The office may release the funds only when it determines that
30 all other funds designated for operations and maintenance purposes
31 have been exhausted.

32 (2) \$3,100,000 of the Interstate 405 express toll lanes
33 operations account—state appropriation, \$1,498,000 of the state route
34 number 520 corridor account—state appropriation, and \$1,802,000 of
35 the high occupancy toll lanes operations account—state appropriation
36 are provided solely for the operation and maintenance of roadside
37 toll collection systems.

38 (3) ((~~\$4,131,000~~)) \$4,129,000 of the state route number 520 civil
39 penalties account—state appropriation, \$2,192,000 of the Tacoma

1 Narrows toll bridge account—state appropriation, and \$1,191,000 of
2 the Interstate 405 express toll lanes operations account—state
3 appropriation are provided solely for expenditures related to the
4 toll adjudication process.

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

11 (5) As long as the facility is tolled, the department must
12 provide quarterly reports to the transportation committees of the
13 legislature on the Interstate 405 express toll lane project
14 performance measures listed in RCW 47.56.880(4). These reports must
15 include:

16 (a) Information on the travel times and travel time reliability
17 (at a minimum, average and 90th percentile travel times) maintained
18 during peak and nonpeak periods in the express toll lanes and general
19 purpose lanes for both the entire corridor and commonly made trips in
20 the corridor including, but not limited to, northbound from Bellevue
21 to Rose Hill, state route number 520 at NE 148th to Interstate 405 at
22 state route number 522, Bellevue to Bothell (both NE 8th to state
23 route number 522 and NE 8th to state route number 527), and a trip
24 internal to the corridor (such as NE 85th to NE 160th) and similar
25 southbound trips;

26 (b) A month-to-month comparison of travel times and travel time
27 reliability for the entire corridor and commonly made trips in the
28 corridor as specified in (a) of this subsection since implementation
29 of the express toll lanes and, to the extent available, a comparison
30 to the travel times and travel time reliability prior to
31 implementation of the express toll lanes;

32 (c) Total express toll lane and total general purpose lane
33 traffic volumes, as well as per lane traffic volumes for each type of
34 lane (i) compared to total express toll lane and total general
35 purpose lane traffic volumes, as well as per lane traffic volumes for
36 each type of lane, on this segment of Interstate 405 prior to
37 implementation of the express toll lanes and (ii) compared to total
38 express toll lane and total general purpose lane traffic volumes, as
39 well as per lane traffic volumes for each type of lane, from month to
40 month since implementation of the express toll lanes; and

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

4 (6) (~~(\$666,000)~~) \$595,000 of the high occupancy toll lanes
5 operations account—state appropriation, (~~(\$11,527,000)~~) \$10,289,000
6 of the state route number 520 corridor account—state appropriation,
7 (~~(\$4,955,000)~~) \$4,423,000 of the Tacoma Narrows toll bridge account—
8 state appropriation, (~~(\$4,286,000)~~) \$3,826,000 of the Interstate 405
9 express toll lanes operations account—state appropriation, and
10 (~~(\$6,506,000)~~) \$5,807,000 of the Alaskan Way viaduct replacement
11 project account—state appropriation are provided solely for the
12 department to implement a new tolling customer service toll
13 collection system, and are subject to the conditions, limitations,
14 and review provided in section 701, chapter 313, Laws of 2017.

15 (a) The office of financial management shall place \$2,000,000 of
16 the amounts provided in this subsection in unallotted status, to be
17 distributed between the facilities using the account proportions in
18 this subsection. If the vendors selected as the successful bidders
19 for the new tolling customer service toll collection system or the
20 operator of the new system are different than the vendor as of
21 January 1, 2017, the office of financial management may release
22 portions of this amount as transition costs.

23 (b) The funds provided in this subsection from the Alaskan Way
24 viaduct replacement project account—state appropriation are provided
25 through a transfer from the motor vehicle account—state in section
26 408(26), chapter 313, Laws of 2017. These funds are a loan to the
27 Alaskan Way viaduct replacement project account—state, and the
28 legislature assumes that these funds will be reimbursed to the motor
29 vehicle account—state at a later date when the portion of state route
30 number 99 that is the deep bore tunnel is operational.

31 (c) The department must provide a project status report to the
32 office of financial management and the transportation committees of
33 the legislature on at least a calendar quarterly basis. The report
34 must include, but is not limited to:

35 (i) Detailed information about the planned and actual scope,
36 schedule, and budget;

37 (ii) Status of key vendor and other project deliverables; and

38 (iii) A description of significant changes to planned
39 deliverables or system functions over the life of the project.

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

9 (7) The department shall make detailed quarterly reports to the
10 governor and the transportation committees of the legislature on the
11 following:

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

16 (b) The nonvendor costs of administering toll operations,
17 including the costs of staffing the division, consultants and other
18 personal service contracts required for technical oversight and
19 management assistance, insurance, payments related to credit card
20 processing, transponder purchases and inventory management, facility
21 operations and maintenance, and other miscellaneous nonvendor costs;
22 and

23 (c) The vendor-related costs of operating tolled facilities,
24 including the costs of the customer service center, cash collections
25 on the Tacoma Narrows bridge, electronic payment processing, and toll
26 collection equipment maintenance, renewal, and replacement.

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

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

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

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

34 (iv) Workload costs related to hearings;

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

36 (vi) Revenues generated from notices of civil penalty.

37 (8) (~~(\$13,179,000)~~) \$13,180,000 of the Interstate 405 express
38 toll lanes operations account—state appropriation is provided solely
39 for operational costs related to the express toll lane facility. The
40 office of financial management shall place \$6,808,000 of the amount

1 provided in this subsection in unallotted status. The office of
2 financial management may only release the funds to the department
3 upon the passage of a 2018 supplemental transportation budget.

4 (9) In 2021, toll equipment on the Tacoma Narrows Bridge will
5 have reached the end of its operational life. During the 2017-2019
6 fiscal biennium, the department plans to issue a request for
7 proposals as the first stage of a competitive procurement process
8 that will replace the toll equipment and select a new tolling
9 operator for the Tacoma Narrows Bridge. The request for proposals and
10 subsequent competitive procurement must incorporate elements that
11 prioritize the overall goal of lowering costs per transaction for the
12 facility, such as incentives for innovative approaches which result
13 in lower transactional costs, requests for efficiencies on the part
14 of the bidder that lower operational costs, and incorporation of
15 technologies such as self-serve credit card machines or other point-
16 of-payment technologies that lower costs or improve operational
17 efficiencies.

18 ~~(10) ((\$5,583,000 of the Alaskan Way viaduct replacement project~~
19 ~~account state appropriation is provided solely for the new state~~
20 ~~route number 99 tunnel toll facility's expected proportional share of~~
21 ~~collecting toll revenues, operating customer services, and~~
22 ~~maintaining toll collection systems for the last seven months of the~~
23 ~~biennium. Due to the uncertainty of the new state route number 99~~
24 ~~tunnel toll facility timeline, the legislature is holding the other~~
25 ~~tolled facilities' administrative cost shares constant for this~~
26 ~~biennium. The legislature expects to see appropriate reductions to~~
27 ~~the other toll facility accounts once tolling on the new state route~~
28 ~~number 99 tunnel toll facility commences and any previously incurred~~
29 ~~costs for start-up of the new facility are charged back to the~~
30 ~~Alaskan Way viaduct replacement project account. The office of~~
31 ~~financial management shall closely monitor the application of the~~
32 ~~cost allocation model and ensure that the new state route number 99~~
33 ~~tunnel toll facility is adequately sharing costs and the other toll~~
34 ~~facility accounts are not being overspent or subsidizing the new~~
35 ~~state route number 99 tunnel toll facility.~~

36 ~~(11) \$1,849,000))~~ \$849,000 of the Alaskan Way viaduct replacement
37 project account—state appropriation is provided solely for the costs
38 associated with the sale of transponders for the opening of the new
39 state route number 99 tunnel toll facility in Seattle. ~~((The office~~
40 ~~of financial management shall place \$510,000 of the amount provided~~

1 ~~in this subsection in unallotted status. The office of financial~~
2 ~~management may only release the funds to the department if it~~
3 ~~determines the transponder inventory will otherwise not be sufficient~~
4 ~~for facility ramp up.))~~

5 **Sec. 807.** 2018 c 297 s 210 (uncodified) is amended to read as
6 follows:

7 **FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM**
8 **C**

9	Transportation Partnership Account—State Appropriation . . .	\$1,460,000
10	Motor Vehicle Account—State Appropriation	((87,865,000))
11		<u>\$87,880,000</u>
12	Puget Sound Ferry Operations Account—State	
13	Appropriation	\$263,000
14	Multimodal Transportation Account—State	
15	Appropriation	\$2,878,000
16	Transportation 2003 Account (Nickel Account)—State	
17	Appropriation	\$1,460,000
18	TOTAL APPROPRIATION.	((93,926,000))
19		<u>\$93,941,000</u>

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

22 (1) \$9,588,000 of the motor vehicle account—state appropriation
23 is provided solely for the development of the labor system
24 replacement project and is subject to the conditions, limitations,
25 and review provided in section 701, chapter 313, Laws of 2017. It is
26 the intent of the legislature that if any portion of the labor system
27 replacement project is leveraged in the future for the time, leave,
28 and labor distribution of any other agencies, the motor vehicle
29 account will be reimbursed proportionally for the development of the
30 system since amounts expended from the motor vehicle account must be
31 used exclusively for highway purposes in conformance with Article II,
32 section 40 of the state Constitution. This must be accomplished
33 through a loan arrangement with the current interest rate under the
34 terms set by the office of the state treasurer at the time the system
35 is deployed to additional agencies. If the motor vehicle account is
36 not reimbursed for future use of the system, it is further the intent
37 of the legislature that reductions will be made to central service
38 agency charges accordingly.

1 (2) \$2,296,000 of the motor vehicle account—state appropriation
2 is provided solely for the development of ferries network systems
3 support.

4 (3) \$365,000 of the motor vehicle account—state appropriation is
5 provided solely for the department to contract with a consultant to
6 develop a plan, in consultation with the office of financial
7 management, and cost estimate to modernize and migrate the
8 department's business applications from an agency-based data center
9 to the state data center or a cloud-based environment.

10 **Sec. 808.** 2018 c 297 s 211 (uncodified) is amended to read as
11 follows:

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

14 Motor Vehicle Account—State Appropriation	((\$29,368,000))
	<u>\$29,325,000</u>
16 State Route Number 520 Corridor Account—State	
17 Appropriation	\$34,000
18 TOTAL APPROPRIATION.	((\$29,402,000))
	<u>\$29,359,000</u>

20 **Sec. 809.** 2018 c 297 s 212 (uncodified) is amended to read as
21 follows:

22 **FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F**

23 Aeronautics Account—State Appropriation	((\$7,326,000))
	<u>\$7,247,000</u>
25 Aeronautics Account—Federal Appropriation	((\$6,855,000))
	<u>\$7,722,000</u>
27 Aeronautics Account—Private/Local Appropriation	\$171,000
28 Public Use General Aviation Airport Loan Revolving	
29 Account—State Appropriation.	\$35,000
30 TOTAL APPROPRIATION.	((\$14,387,000))
	<u>\$15,175,000</u>

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

34 (1) \$3,122,000 of the aeronautics account—state appropriation is
35 provided solely for the airport aid grant program, which provides
36 competitive grants to public airports for pavement, safety, planning,
37 and security.

1 (2) The entire public use general aviation airport loan revolving
2 account—state appropriation is provided solely for the department to
3 support and implement the public use general aviation airport loan
4 program prior to the creation of the community aviation
5 revitalization board.

6 ~~((4))~~ (3) Within amounts appropriated in this section, the
7 department shall convene an electric aircraft work group to analyze
8 the state of the electrically powered aircraft industry and assess
9 infrastructure needs related to the deployment of electric or hybrid-
10 electric aircraft for commercial air travel in Washington state.

11 (a) The work group must include, but is not limited to,
12 representation from the electric aircraft industry, the aircraft
13 manufacturing industry, electric utility districts, the battery
14 industry, the department of commerce, the department of
15 transportation aviation division, the airline pilots association, a
16 primary airport representing an airport association, and the airline
17 industry.

18 (b) The work group must consider, at a minimum, and make
19 recommendations on the feasibility of electric or hybrid-electric
20 flight given: Federal certification requirements; current and
21 anticipated advancements to battery technology; infrastructure
22 requirements and capacity impacts at primary airports; the need for
23 and feasibility of industry incentives; the potential for public-
24 private partnerships; impacts to revenues generated from aviation
25 fuel sales; educational requirements for maintaining electric or
26 hybrid-electric powered aircraft; homeland security checkpoint
27 requirements; public acceptance of the technology; a cost comparison
28 of fossil fuel and electric or hybrid-electric aircraft engines;
29 emission reduction potential; and policy changes needed to facilitate
30 electric or hybrid-electric powered aircraft use for commercial air
31 travel in Washington state.

32 (c) The work group must report its findings and recommendations
33 to the transportation committees of the legislature by June 30, 2019.

34 **Sec. 810.** 2018 c 297 s 213 (uncodified) is amended to read as
35 follows:

36 **FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND**
37 **SUPPORT—PROGRAM H**

38 Motor Vehicle Account—State Appropriation (~~(\$56,408,000)~~)

1		<u>\$56,407,000</u>
2	Motor Vehicle Account—Federal Appropriation	\$500,000
3	Multimodal Transportation Account—State Appropriation . . .	\$256,000
4	TOTAL APPROPRIATION.	((\$57,164,000))
5		<u>\$57,163,000</u>

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

8 (1) \$300,000 of the motor vehicle account—state appropriation is
9 provided solely for the completion of property value determinations
10 for surplus properties to be sold. The value determinations must be
11 completed by agency staff if available; otherwise, the agency may
12 contract out for these services. The real estate services division of
13 the department must recover the cost of its efforts from the sale of
14 surplus property. Proceeds for surplus property sales must fund
15 additional future sales, and the real estate services division shall
16 prioritize staff resources to meet revenue assumptions for surplus
17 property sales.

18 (2) The legislature recognizes that the trail known as the Rocky
19 Reach Trail, and its extensions, serve to separate motor vehicle
20 traffic from pedestrians and bicyclists, increasing motor vehicle
21 safety on state route number 2 and the coincident section of state
22 route number 97. Consistent with chapter 47.30 RCW and pursuant to
23 RCW 47.12.080, the legislature declares that transferring portions of
24 WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and
25 associated buffer areas to the Washington state parks and recreation
26 commission is consistent with the public interest. The legislature
27 directs the department to transfer the property to the Washington
28 state parks and recreation commission.

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

32 (b) Prior to completing the transfer in this subsection (2), the
33 department must ensure that provisions are made to accommodate
34 private and public utilities and any facilities that predate the
35 department's acquisition of the property, at no cost to those
36 entities. Prior to completing the transfer, the department shall also
37 ensure that provisions, by fair market assessment, are made to
38 accommodate other private and public utilities and any facilities
39 that have been legally allowed by permit or other instrument.

1 (c) The department may sell any adjoining property that is not
2 necessary to support the Rocky Reach Trail and adjacent buffer areas
3 only after the transfer of trail-related property to the Washington
4 state parks and recreation commission is complete. Adjoining property
5 owners must be given the first opportunity to acquire such property
6 that abuts their property, and applicable boundary line or other
7 adjustments must be made to the legal descriptions for recording
8 purposes.

9 (3) With respect to Parcel 12 of the real property conveyed by
10 the state of Washington to the city of Mercer Island under that
11 certain quitclaim deed, dated April 19, 2000, recorded in King county
12 under recording no. 20000425001234, the requirement in the deed that
13 the property be used for road/street purposes only will be deemed
14 satisfied by the department of transportation so long as commuter
15 parking, as part of the vertical development of the property, is one
16 of the significant uses of the property.

17 **Sec. 811.** 2018 c 297 s 214 (uncodified) is amended to read as
18 follows:

19 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—**
20 **PROGRAM K**

21	Motor Vehicle Account—State Appropriation	((\$639,000))
22		<u>\$636,000</u>
23	Electric Vehicle Charging Infrastructure	
24	Account—State Appropriation.	\$1,000,000
25	Multimodal Transportation Account—State	
26	Appropriation.	\$610,000
27	TOTAL APPROPRIATION.	((\$2,249,000))
28		<u>\$2,246,000</u>

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

31 (1) \$35,000 of the multimodal transportation account—state
32 appropriation is provided solely for the public-private partnerships
33 program to conduct an outreach effort to assess interest in a public-
34 private partnership to rebuild the Anacortes ferry terminal. The
35 public-private partnerships program shall issue a request for letters
36 of interest, similar to the request issued in 2009, in a public-
37 private partnership to rebuild the Anacortes ferry terminal by
38 combining the ferry terminal functions and structure with one or more

1 commercial ventures, including, but not limited to, ventures to
2 provide lodging, conference and meeting facilities, food service,
3 shopping, or other retail operations. The public-private partnerships
4 program shall notify the transportation committees of the legislature
5 upon release of the request for letters of interest and shall provide
6 the transportation committees of the legislature with a summary of
7 the information collected once the letters of interest have been
8 received.

9 (2) \$1,000,000 of the electric vehicle charging infrastructure
10 account—state appropriation is provided solely for the purpose of
11 capitalizing the Washington electric vehicle infrastructure bank as
12 provided in chapter 44, Laws of 2015 3rd sp. sess. (transportation
13 revenue). The department may spend no more than one million dollars
14 from the electric vehicle charging infrastructure account during the
15 four-year period of the 2015-2017 and 2017-2019 fiscal biennia.

16 (3) The economic partnerships program must continue to explore
17 retail partnerships at state-owned park and ride facilities, as
18 authorized in RCW 47.04.295.

19 (4) \$500,000 of the multimodal transportation account—state
20 appropriation is provided solely to study public-private partnership
21 alternatives for the financing and construction of an entry building
22 located at Colman Dock.

23 (a) As part of the study, the public-private partnerships program
24 must work with the city of Seattle, Native American tribes, and local
25 community groups to evaluate the efficacy of contracting with a
26 private entity to participate in the construction of the Colman Dock
27 entry building. The study must:

28 (i) Identify and discuss options to construct the facility as
29 currently scoped;

30 (ii) Identify and discuss options, including rescoping the
31 current design of the facility for purposes of providing a project
32 that has the potential to increase economic development activities
33 along the Seattle waterfront area, such as through the inclusion of
34 office space and restaurants;

35 (iii) Consider concepts and options found in the design
36 development described in the 2013-2015 capital budget (chapter 19,
37 Laws of 2013 2nd sp. sess.), including connections to Pier 48 as a
38 future public park;

39 (iv) Consider rooftop public access for panoramic views of the
40 Puget Sound and Olympic mountains; and

1 (v) Consider exhibits of the history and heritage of the
2 vicinity.

3 (b) By November 15, 2017, the public-private partnerships program
4 must provide a report to the governor and the transportation
5 committees of the legislature on the program's findings and
6 recommendations.

7 (5) \$75,000 of the multimodal transportation account—state
8 appropriation is provided solely for the department to contract with
9 the Puget Sound Clean Air Agency to conduct a study that identifies
10 and evaluates opportunities to facilitate low-income utilization of
11 electric vehicles. The study must include, but is not limited to,
12 development and evaluation of an electric vehicle car-sharing program
13 for low-income housing sites that is designed to maximize the use of
14 electric vehicles by residents of these sites, and that must consider
15 any infrastructure needs that will need to be met to support the use
16 of electric vehicles at these sites. The department must provide a
17 report detailing the findings of this study to the transportation
18 committees of the legislature by December 1, 2018.

19 **Sec. 812.** 2018 c 297 s 215 (uncodified) is amended to read as
20 follows:

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

22 Motor Vehicle Account—State Appropriation	((\$451,660,000))
	<u>\$469,820,000</u>
24 Motor Vehicle Account—Federal Appropriation	\$7,000,000
25 State Route Number 520 Corridor Account—State	
26 Appropriation	\$4,447,000
27 Tacoma Narrows Toll Bridge Account—State	
28 Appropriation	\$1,233,000
29 Alaskan Way Viaduct Replacement Project	
30 Account—State Appropriation	((\$2,982,000))
	<u>\$1,865,000</u>
32 TOTAL APPROPRIATION.	((\$467,322,000))
	<u>\$484,365,000</u>

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

36 (1) ((~~\$8,000,000~~)) \$8,242,000 of the motor vehicle account—state
37 appropriation is provided solely for utility fees assessed by local

1 governments as authorized under RCW 90.03.525 for the mitigation of
2 stormwater runoff from state highways.

3 (2) \$4,447,000 of the state route number 520 corridor account—
4 state appropriation is provided solely to maintain the state route
5 number 520 floating bridge. These funds must be used in accordance
6 with RCW 47.56.830(3).

7 (3) \$1,233,000 of the Tacoma Narrows toll bridge account—state
8 appropriation is provided solely to maintain the new Tacoma Narrows
9 bridge. These funds must be used in accordance with RCW 47.56.830(3).

10 (4) \$35,000 of the motor vehicle account—state appropriation is
11 provided solely for the department to submit a request for proposals
12 as part of a pilot project that explores the use of rotary auger
13 ditch cleaning and reshaping service technology in maintaining
14 roadside ditches for state highways. The pilot project must consist
15 of at least one technology test on each side of the Cascade mountain
16 range.

17 (5) \$631,000 of the motor vehicle account—state appropriation is
18 provided solely for the department to implement safety improvements
19 and debris clean up on department-owned rights-of-way in the city of
20 Seattle. Direct or contracted activities must include collecting and
21 disposing of garbage, clearing debris or hazardous material, and
22 implementing safety improvements. Funds may also be used to contract
23 with the city of Seattle to provide mutual services in rights-of-way
24 similar to contract agreements in the 2015-2017 fiscal biennium.
25 \$381,000 of the amount provided in this subsection is provided solely
26 for one-time equipment procurement needed to implement this
27 subsection.

28 (6) \$15,000,000 of the motor vehicle account—state appropriation
29 is provided solely for extraordinary snow and ice removal expenses
30 and related road repair expenses incurred during the winter of
31 2018-2019.

32 **Sec. 813.** 2018 c 297 s 216 (uncodified) is amended to read as
33 follows:

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

36 Motor Vehicle Account—State Appropriation	(\$65,743,000)
37	<u>\$65,711,000</u>
38 Motor Vehicle Account—Federal Appropriation	\$2,050,000

1	Motor Vehicle Account—Private/Local Appropriation . . .	((\$250,000))
2		<u>\$350,000</u>
3	TOTAL APPROPRIATION.	((\$68,043,000))
4		<u>\$68,111,000</u>

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

7 (1) \$6,000,000 of the motor vehicle account—state appropriation
8 is provided solely for low-cost enhancements. The department shall
9 give priority to low-cost enhancement projects that improve safety or
10 provide congestion relief. By December 15th of each odd-numbered
11 year, the department shall provide a report to the legislature
12 listing all low-cost enhancement projects completed in the prior
13 fiscal biennium.

14 (2) When regional transit authority construction activities are
15 visible from a state highway, the department shall allow the regional
16 transit authority to place safe and appropriate signage informing the
17 public of the purpose of the construction activity.

18 (3) The department must make signage for low-height bridges a
19 high priority.

20 (4) \$50,000 of the motor vehicle account—state appropriation is
21 provided solely for the department to coordinate with the appropriate
22 local jurisdictions for development and implementation of a historic
23 route 10 signage program on Interstate 90 from the Columbia River to
24 the Idaho state border.

25 (5) (a) During the 2017-2019 fiscal biennium, the department shall
26 continue a pilot program that expands private transportation
27 providers' access to high occupancy vehicle lanes. Under the pilot
28 program, when the department reserves a portion of a highway based on
29 the number of passengers in a vehicle, the following vehicles must be
30 authorized to use the reserved portion of the highway if the vehicle
31 has the capacity to carry eight or more passengers, regardless of the
32 number of passengers in the vehicle: (i) Auto transportation company
33 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter
34 carrier vehicles regulated under chapter 81.70 RCW, except marked or
35 unmarked stretch limousines and stretch sport utility vehicles as
36 defined under department of licensing rules; (iii) private nonprofit
37 transportation provider vehicles regulated under chapter 81.66 RCW;
38 and (iv) private employer transportation service vehicles. For
39 purposes of this subsection, "private employer transportation

1 service" means regularly scheduled, fixed-route transportation
2 service that is offered by an employer for the benefit of its
3 employees. Nothing in this subsection is intended to authorize the
4 conversion of public infrastructure to private, for-profit purposes
5 or to otherwise create an entitlement or other claim by private users
6 to public infrastructure.

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

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

27 (d) Nothing in this subsection (5) is intended to exempt these
28 vehicles from paying tolls when they do not meet the occupancy
29 requirements established by the department for high occupancy toll
30 lanes.

31 **Sec. 814.** 2018 c 297 s 217 (uncodified) is amended to read as
32 follows:

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

35 Motor Vehicle Account—State Appropriation	(\$34,198,000)
36	<u>\$34,207,000</u>
37 Motor Vehicle Account—Federal Appropriation	\$1,656,000
38 Multimodal Transportation Account—State	

1	Appropriation	\$1,129,000
2	TOTAL APPROPRIATION.	((36,983,000))
3		<u>\$36,992,000</u>

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

6 (1) \$1,500,000 of the motor vehicle account—state appropriation
7 is provided solely for a grant program that makes awards for the
8 following: (a) Support for nonprofit agencies, churches, and other
9 entities to help provide outreach to populations underrepresented in
10 the current apprenticeship programs; (b) preapprenticeship training;
11 and (c) child care, transportation, and other supports that are
12 needed to help women, veterans, and minorities enter and succeed in
13 apprenticeship. The department must report on grants that have been
14 awarded and the amount of funds disbursed by December 1, 2017, and
15 annually thereafter.

16 (2) \$300,000 of the motor vehicle account—state appropriation is
17 provided solely for succession planning and leadership training. The
18 department shall report on the implementation of these activities to
19 the transportation committees of the legislature by December 31,
20 2018.

21 (3) From the revenues generated by the five dollar per studded
22 tire fee under RCW 46.37.427, \$150,000 of the motor vehicle account—
23 state appropriation is provided solely for the department, in
24 consultation with the appropriate local jurisdictions and relevant
25 stakeholder groups, to establish a pilot media-based public
26 information campaign regarding the damage of studded tire use on
27 state and local roadways in Spokane county. The reason for the
28 geographic selection of Spokane county for the pilot is based on the
29 high utilization of studded tires in this jurisdiction. The public
30 information campaign must primarily focus on making the consumer
31 aware of the road deterioration, financial impact for taxpayers, the
32 safety implications for other drivers, and, secondarily, the
33 alternatives to studded tires. The pilot must begin by September 1,
34 2018. By January 14, 2019, the department shall provide the
35 transportation committees of the legislature an update on the pilot
36 public information program. It is the intent of the legislature that
37 the public information campaign will be a two-year pilot program with
38 a report to the legislature upon completion of the pilot program.

1 **Sec. 815.** 2018 c 297 s 218 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA,**
4 **AND RESEARCH—PROGRAM T**

5 Motor Vehicle Account—State Appropriation	(\$28,073,000)
	<u>\$27,604,000</u>
7 Motor Vehicle Account—Federal Appropriation	\$39,782,000
8 Motor Vehicle Account—Local Appropriation.	\$100,000
9 Multimodal Transportation Account—State Appropriation . . .	\$711,000
10 Multimodal Transportation Account—Federal	
11 Appropriation	\$2,809,000
12 Multimodal Transportation Account—Private/Local	
13 Appropriation	\$100,000
14 TOTAL APPROPRIATION.	(\$71,575,000)
	<u>\$71,106,000</u>

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

18 (1) The department shall investigate opportunities for a transit-
19 oriented development pilot project at the existing Kingsgate park and
20 ride at Interstate 405 and 132nd. The department must coordinate with
21 the city of Kirkland and other key stakeholders to determine the
22 feasibility and cost of transit-oriented development at Kingsgate. A
23 report on the process and outcomes is due to the transportation
24 committees of the legislature no later than December 1, 2017.

25 (2) \$100,000 of the motor vehicle account—state appropriation and
26 \$250,000 of the motor vehicle account—federal appropriation are
27 provided solely for a study that details a cost estimate for
28 replacing the westbound U.S. 2 trestle and recommends a series of
29 financing options to address that cost and to satisfy debt service
30 requirements.

31 In conducting the study, the department shall work in close
32 collaboration with a stakeholder group that includes, but is not
33 limited to, Snohomish county, the port of Everett, economic alliance
34 Snohomish county, the cities of Everett, Lake Stevens, Marysville,
35 Snohomish, and Monroe, and affected transit agencies.

36 The department shall quantify both the cost of replacing the
37 westbound trestle structure and making mobility and capacity
38 improvements to maximize the use of the structure in the years
39 leading up to full replacement. Financing options that should be

1 examined and quantified include public-private partnerships, public-
2 public partnerships, a transportation benefit district tailored to
3 the specific incorporated and unincorporated area, loans and grants,
4 and other alternative financing measures available at the state or
5 federal level.

6 The department shall also evaluate ways in which the costs of
7 alternative financing can be debt financed.

8 The department shall complete the study and submit a final report
9 and recommendations to the transportation committees of the
10 legislature, including recommendations on statutory changes needed to
11 implement available financing options, by January 8, 2018.

12 (3) \$181,000 of the motor vehicle account—state appropriation is
13 provided solely for the department, in coordination with the
14 University of Washington department of mechanical engineering, to
15 study measures to reduce noise impacts from bridge expansion joints.
16 The study must examine testing methodologies and project timelines
17 and costs. A final report must be submitted to the transportation
18 committees of the legislature by October 15, 2018.

19 (4) \$200,000 of the motor vehicle account—state appropriation is
20 provided solely for implementation of a practical solutions study for
21 the state route number 162 and state route number 410 interchange,
22 based on the recommendations of the SR-162 Study/Design project
23 (L2000107). The study must include short, medium, and long-term phase
24 recommendations and must be submitted to the transportation
25 committees of the legislature by January 1, 2019.

26 (5) \$500,000 of the motor vehicle account—state appropriation is
27 provided solely for implementation of a state route number 518
28 corridor study to be conducted in partnership with the Port of
29 Seattle, Sound Transit and other regional entities. The department
30 must study practical solutions to address high vehicle volumes and
31 delays in the corridor including evaluation of solutions to the rapid
32 growth of traffic in the corridor and how that growth impacts access
33 to the Seattle-Tacoma international airport and the surrounding
34 communities. (~~The study must be submitted to the transportation~~
35 ~~committees of the legislature by June 30, 2019.~~)

36 (6) (~~(\$500,000)~~) \$370,000 of the motor vehicle account—state
37 appropriation and \$50,000 of the motor vehicle account—local
38 appropriation are provided solely for implementation of a corridor
39 study to identify potential improvements between exit 116 and exit 99

1 of Interstate 5. The study should further develop mid- and long-term
2 strategies from the corridor sketch, and identify potential US
3 101/I-5 interchange improvements, a strategic plan for the Nisqually
4 River bridges, regional congestion relief options, and ecosystem
5 benefits to the Nisqually River estuary for salmon productivity and
6 flood control.

7 (7) Among the options studied as part of the SR 410 Corridor
8 Study, the department shall examine the mobility and safety benefits
9 of replacing or expanding the White River bridge between Enumclaw and
10 Buckley to four lanes and removing the trestle.

11 (8) Within existing resources, the department shall meet with
12 local stakeholders in south Pierce county and North Thurston county
13 to discuss potential solutions to traffic congestion; emergency
14 management concerns regarding routes away from natural disasters and
15 around incidents similar to the train derailment that occurred on
16 December 18, 2017; and what state transportation investments would
17 benefit the economic development of the area. The department shall
18 provide regular updates on its progress to the joint transportation
19 committee.

20 **Sec. 816.** 2018 c 297 s 219 (uncodified) is amended to read as
21 follows:

22 **FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—**
23 **PROGRAM U**

24 Motor Vehicle Account—State Appropriation	((\$75,058,000))
	<u>\$81,004,000</u>
26 Multimodal Transportation Account—State	
27 Appropriation	\$1,982,000
28 TOTAL APPROPRIATION.	((\$77,040,000))
	<u>\$82,986,000</u>

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

32 (1) \$2,500,000 of the motor vehicle account—state appropriation
33 is provided solely for the difference between the state liability
34 coverage amounts and actual lawsuit award for recently settled
35 traffic accident claims.

36 (2) \$3,200,000 of the motor vehicle account—state appropriation
37 is provided solely for increased legal and lawsuit claims for the
38 Washington state ferry system.

1 based on the amount expended for demand response service and route
2 deviated service in calendar year 2015 as reported in the "Summary of
3 Public Transportation - 2015" published by the department of
4 transportation. No transit agency may receive more than thirty
5 percent of these distributions.

6 (2) \$32,223,000 of the rural mobility grant program account—state
7 appropriation is provided solely for grants to aid small cities in
8 rural areas as prescribed in RCW 47.66.100.

9 (3) (a) \$10,702,000 of the multimodal transportation account—state
10 appropriation is provided solely for a vanpool grant program for: (i)
11 Public transit agencies to add vanpools or replace vans; and (ii)
12 incentives for employers to increase employee vanpool use. The grant
13 program for public transit agencies will cover capital costs only;
14 operating costs for public transit agencies are not eligible for
15 funding under this grant program. Additional employees may not be
16 hired from the funds provided in this section for the vanpool grant
17 program, and supplanting of transit funds currently funding vanpools
18 is not allowed. The department shall encourage grant applicants and
19 recipients to leverage funds other than state funds.

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

22 (4) \$24,107,000 of the regional mobility grant program account—
23 state appropriation is reappropriated and provided solely for the
24 regional mobility grant projects identified in LEAP Transportation
25 Document ((2018)) 2019-2 ALL PROJECTS as developed ((~~March 5~~)) April
26 27, ((2018)) 2019, Program - Public Transportation Program (V). Of
27 the amounts provided in this subsection, \$757,000 of the regional
28 mobility grant program account—state appropriation is reappropriated
29 for the Kitsap Transit, SR 305 Interchange Improvements at Suquamish
30 Way Park and Ride (Project 20130101).

31 (5) (a) ((~~\$77,679,000~~)) \$57,762,000 of the regional mobility grant
32 program account—state appropriation is provided solely for the
33 regional mobility grant projects identified in LEAP Transportation
34 Document ((2018)) 2019-2 ALL PROJECTS as developed ((~~March 5~~)) April
35 27, ((2018)) 2019, Program - Public Transportation Program (V). The
36 department shall review all projects receiving grant awards under
37 this program at least semiannually to determine whether the projects
38 are making satisfactory progress. Any project that has been awarded
39 funds, but does not report activity on the project within one year of

1 the grant award, must be reviewed by the department to determine
2 whether the grant should be terminated. The department shall promptly
3 close out grants when projects have been completed, and any remaining
4 funds must be used only to fund projects identified in the LEAP
5 transportation document referenced in this subsection. The department
6 shall provide annual status reports on December 15, 2017, and
7 December 15, 2018, to the office of financial management and the
8 transportation committees of the legislature regarding the projects
9 receiving the grants. It is the intent of the legislature to
10 appropriate funds through the regional mobility grant program only
11 for projects that will be completed on schedule. A grantee may not
12 receive more than twenty-five percent of the amount appropriated in
13 this subsection. The department shall not approve any increases or
14 changes to the scope of a project for the purpose of a grantee
15 expending remaining funds on an awarded grant.

16 (b) In order to be eligible to receive a grant under (a) of this
17 subsection during the 2017-2019 fiscal biennium, a transit agency
18 must establish a process for private transportation providers to
19 apply for the use of park and ride facilities. For purposes of this
20 subsection, (i) "private transportation provider" means: An auto
21 transportation company regulated under chapter 81.68 RCW; a passenger
22 charter carrier regulated under chapter 81.70 RCW, except marked or
23 unmarked stretch limousines and stretch sport utility vehicles as
24 defined under department of licensing rules; a private nonprofit
25 transportation provider regulated under chapter 81.66 RCW; or a
26 private employer transportation service provider; and (ii) "private
27 employer transportation service" means regularly scheduled, fixed-
28 route transportation service that is offered by an employer for the
29 benefit of its employees.

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

33 (7) \$7,170,000 of the multimodal transportation account—state
34 appropriation and \$784,000 of the state vehicle parking account—state
35 appropriation are provided solely for CTR grants and activities. Of
36 this amount:

37 (a) \$500,000 of the multimodal transportation account—state
38 appropriation is provided solely for a voluntary pilot program to
39 expand public-private partnership CTR incentives to make measurable

1 reductions in off-peak, weekend, and nonwork trips. Ridesharing may
2 be integrated into grant proposals. The department shall prioritize
3 grant proposals that focus on the Interstate 90, Interstate 5, state
4 route number 167, or Interstate 405 corridor. The department shall
5 offer competitive trip-reduction grants. The department shall report
6 to the transportation committees of the legislature by December 1,
7 2018, on the pilot program's impacts to the transportation system and
8 potential improvements to the CTR grant program.

9 (b) \$1,000,000 of the multimodal transportation account—state
10 appropriation is provided solely for the department to direct a pilot
11 transit pass incentive program. Businesses and nonprofit
12 organizations located in a county adjacent to Puget Sound with a
13 population of more than seven hundred thousand that have never
14 offered transit subsidies to employees are eligible to apply to the
15 program for a fifty percent rebate on the cost of employee transit
16 subsidies provided through the regional ORCA fare collection system.
17 No single business or nonprofit organization may receive more than
18 ten thousand dollars from the program.

19 (i) Businesses and nonprofit organizations may apply and be
20 awarded funds prior to purchasing a transit subsidy, but the
21 department may not provide reimbursement until proof of purchase or a
22 contract has been provided to the department.

23 (ii) The department shall report to the transportation committees
24 of the legislature on the impact of the program by June 30, 2019, and
25 may adopt rules to administer the program; and

26 (c) \$30,000 of the state vehicle parking account—state
27 appropriation is provided solely for the STAR pass program for state
28 employees residing in Mason and Grays Harbor Counties. Use of the
29 pass is for public transportation between Mason County and Thurston
30 County, and Grays Harbor and Thurston County. The pass may also be
31 used within Grays Harbor County.

32 (8) (~~(\$20,891,000)~~) \$13,233,000 of the multimodal transportation
33 account—state appropriation is provided solely for connecting
34 Washington transit projects identified in LEAP Transportation
35 Document (~~(2018)~~) 2019-2 ALL PROJECTS as developed (~~(March 5)~~) April
36 27, (~~(2018)~~) 2019. It is the intent of the legislature that entities
37 identified to receive funding in the LEAP document referenced in this
38 subsection receive the amounts specified in the time frame specified
39 in that LEAP document. If an entity has already completed a project

1 in the LEAP document referenced in this subsection before the time
2 frame identified, the entity may substitute another transit project
3 or projects that cost a similar or lesser amount.

4 (9) \$2,000,000 of the multimodal transportation account—state
5 appropriation is provided solely for transit coordination grants.

6 (10) \$250,000 of the multimodal transportation account—state
7 appropriation is provided solely for King county for a pilot program
8 to provide certain students in the Highline and Lake Washington
9 school districts with an ORCA card during the summer. To be eligible
10 for an ORCA card under this program, a student must also be in high
11 school, be eligible for free and reduced-price lunches, and have a
12 job or other responsibility during the summer. King county must
13 provide a report to the department and the transportation committees
14 of legislature by December 15, 2018, regarding: The annual student
15 usage of the pilot program, available ridership data, the cost to
16 expand the program to other King county school districts, the cost to
17 expand the program to student populations other than high school or
18 eligible for free and reduced-price lunches, opportunities for
19 subsidized ORCA cards or local grant or matching funds, and any
20 additional information that would help determine if the pilot program
21 should be extended or expanded.

22 (11) The department shall not require more than a ten percent
23 match from nonprofit transportation providers for state grants.

24 (12)(a) For projects funded as part of the 2015 connecting
25 Washington transportation package listed on the LEAP transportation
26 document identified in subsection (4) of this section, if the
27 department expects to have substantial reappropriations for the
28 2019-2021 fiscal biennium, the department may, on a pilot basis,
29 apply funding from a project with an appropriation that cannot be
30 used for the current fiscal biennium to advance one or more of the
31 following projects:

32 (i) King County Metro - RapidRide Expansion, Burien-Delridge
33 (G2000031);

34 (ii) King County Metro - Route 40 Northgate to Downtown
35 (G2000032);

36 (iii) Spokane Transit - Spokane Central City Line (G2000034);

37 (iv) Kitsap Transit - East Bremerton Transfer Center (G2000039);

38 or

39 (v) City of Seattle - Northgate Transit Center Pedestrian Bridge
40 (G2000041).

1 (b) At least ten business days before advancing a project
2 pursuant to this subsection, the department must notify the office of
3 financial management and the transportation committees of the
4 legislature. The advancement of a project may not hinder the delivery
5 of the projects for which the reappropriations are necessary for the
6 2019-2021 fiscal biennium.

7 (13) \$300,000 of the multimodal transportation account—state
8 appropriation is provided solely for Pierce Transit to procure and
9 install digital transit information technology at various transit
10 centers, in order to provide transit riders with real-time arrival
11 and departure information.

12 (14) \$750,000 of the multimodal transportation account—state
13 appropriation is provided solely for the Intercity Transit Dash
14 shuttle program.

15 **Sec. 818.** 2018 c 297 s 221 (uncodified) is amended to read as
16 follows:

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

18 Puget Sound Ferry Operations Account—State	
19 Appropriation	((\$509,954,000))
20	<u>\$516,229,000</u>
21 Puget Sound Ferry Operations Account—Federal	
22 Appropriation	\$8,743,000
23 Puget Sound Ferry Operations Account—Private/Local	
24 Appropriation	\$121,000
25 TOTAL APPROPRIATION.	((\$518,818,000))
26	<u>\$525,093,000</u>

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

29 (1) The office of financial management budget instructions
30 require agencies to recast enacted budgets into activities. The
31 Washington state ferries shall include a greater level of detail in
32 its 2017-2019 supplemental and 2019-2021 omnibus transportation
33 appropriations act requests, as determined jointly by the office of
34 financial management, the Washington state ferries, and the
35 transportation committees of the legislature. This level of detail
36 must include the administrative functions in the operating as well as
37 capital programs.

1 (2) For the 2017-2019 fiscal biennium, the department may enter
2 into a distributor controlled fuel hedging program and other methods
3 of hedging approved by the fuel hedging committee.

4 (3) (~~(\$71,004,000)~~) \$73,587,000 of the Puget Sound ferry
5 operations account—state appropriation is provided solely for auto
6 ferry vessel operating fuel in the 2017-2019 fiscal biennium, which
7 reflect cost savings from a reduced biodiesel fuel requirement and,
8 therefore, is contingent upon the enactment of section 703 chapter
9 313, Laws of 2017. The amount provided in this subsection represents
10 the fuel budget for the purposes of calculating any ferry fare fuel
11 surcharge.

12 (4) \$30,000 of the Puget Sound ferry operations account—state
13 appropriation is provided solely for the marine division assistant
14 secretary's designee to the board of pilotage commissioners, who
15 serves as the board chair. As the agency chairing the board, the
16 department shall direct the board chair, in his or her capacity as
17 chair, to require that the report to the governor and chairs of the
18 transportation committees required under RCW 88.16.035(1)(f) be filed
19 by September 1, 2017, and annually thereafter, and that the report
20 include the continuation of policies and procedures necessary to
21 increase the diversity of pilots, trainees, and applicants, including
22 a diversity action plan. The diversity action plan must articulate a
23 comprehensive vision of the board's diversity goals and the steps it
24 will take to reach those goals.

25 (5) (~~(\$500,000)~~) \$750,000 of the Puget Sound ferry operations
26 account—state appropriation is provided solely for operating costs
27 related to moving vessels for emergency capital repairs. Funds may
28 only be spent after approval by the office of financial management.

29 (6) \$25,000 of the Puget Sound ferry operations account—state
30 appropriation is provided solely for additional hours of traffic
31 control assistance by a uniformed officer at the Fauntleroy ferry
32 terminal.

33 (7) \$75,000 of the Puget Sound ferry operations account—state
34 appropriation is provided solely for the department to contract with
35 the University of Washington to conduct an analysis of loading
36 procedures at the Fauntleroy ferry terminal. The department must
37 share the results of the analysis with the governor's office and the
38 transportation committees of the legislature by December 31, 2018.

1 alignment in Washington state and with a similar system in the state
2 of California; and

3 (c) An analysis of the following key elements:

4 (i) Economic feasibility;

5 (ii) Forecasted demand;

6 (iii) Corridor identification;

7 (iv) Land use and economic development and environmental
8 implications;

9 (v) Compatibility with other regional transportation plans,
10 including interfaces and impacts on other travel modes such as air
11 transportation;

12 (vi) Technological options for ultra high-speed ground
13 transportation, both foreign and domestic;

14 (vii) Required specifications for speed, safety, access, and
15 frequency;

16 (viii) Identification of existing highway or railroad rights-of-
17 way that are suitable for ultra high-speed travel, including
18 identification of additional rights-of-way that may be needed and the
19 process for acquiring those rights-of-way;

20 (ix) Institutional arrangements for carrying out detailed system
21 planning, construction, and operations; and

22 (x) An analysis of potential financing mechanisms for an ultra
23 high-speed travel system.

24 The department shall provide a report of its study findings to
25 the governor and transportation committees of the legislature by
26 December 15, 2017.

27 (2) (a) \$450,000 of the multimodal transportation account—private/
28 local appropriation and \$750,000 of the multimodal transportation
29 account—state appropriation is provided solely for a consultant
30 business case analysis of ultra high-speed ground transportation. The
31 business case analysis must build on the results of the 2017
32 Washington state ultra high-speed ground transportation feasibility
33 study.

34 (b) The business case analysis must include an advisory group
35 with members as provided in this subsection. The president of the
36 senate shall appoint one member from each of the two largest caucuses
37 of the senate; the speaker of the house of representatives shall
38 appoint one member from each of the two largest caucuses of the house
39 of representatives; the governor or his or her designee; the
40 secretary of transportation or his or her designee; the director of

1 the department of commerce or his or her designee; the rail director
2 of the department of transportation or his or her designee; and
3 representatives from communities and stakeholders from public and
4 private sectors relevant to the analysis, including from the province
5 of British Columbia and the state of Oregon.

6 (c) The department shall provide a report of its findings to the
7 governor and transportation committees of the legislature by June 30,
8 2019.

9 **Sec. 820.** 2018 c 297 s 223 (uncodified) is amended to read as
10 follows:

11 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**
12 **OPERATING**

13 Motor Vehicle Account—State Appropriation	((\$11,347,000))
14	<u>\$11,346,000</u>
15 Motor Vehicle Account—Federal Appropriation	\$2,567,000
16 Multiuse Roadway Safety Account—State Appropriation	\$132,000
17 TOTAL APPROPRIATION.	((\$14,046,000))
18	<u>\$14,045,000</u>

19 The appropriations in this section are subject to the following
20 conditions and limitations: \$1,100,000 of the motor vehicle account—
21 state appropriation is provided solely for the department, from
22 amounts set aside out of statewide fuel taxes distributed to counties
23 according to RCW 46.68.120(3), to contract with the Washington state
24 association of counties to: Provide statewide updates to
25 transportation metrics and financial reporting; develop and implement
26 an inventory of county culvert and short-span bridge infrastructure;
27 and develop and implement enhanced road safety data in support of
28 county road systemic safety programs. The Washington state
29 association of counties must develop and implement data collection,
30 management, and reporting in cooperation with state agencies involved
31 with the collection and maintenance of related inventory systems.

32 **TRANSPORTATION AGENCIES—CAPITAL**

33 **Sec. 901.** 2018 c 297 s 301 (uncodified) is amended to read as
34 follows:

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

36 Freight Mobility Investment Account—State

1	Appropriation	((\$22,507,000))
2		<u>\$17,321,000</u>
3	Highway Safety Account—State Appropriation	\$2,000,000
4	Motor Vehicle Account—Federal Appropriation	((\$3,250,000))
5		<u>\$1,000,000</u>
6	Freight Mobility Multimodal Account—State	
7	Appropriation	((\$22,283,000))
8		<u>\$11,680,000</u>
9	((Freight Mobility Multimodal Account—Private/Local	
10	Appropriation	\$1,320,000))
11	TOTAL APPROPRIATION.	((\$51,360,000))
12		<u>\$32,001,000</u>

13 **Sec. 902.** 2018 c 297 s 303 (uncodified) is amended to read as
14 follows:

15 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

16	Rural Arterial Trust Account—State Appropriation	((\$63,186,000))
17		<u>\$45,186,000</u>
18	Motor Vehicle Account—State Appropriation	\$706,000
19	County Arterial Preservation Account—State	
20	Appropriation	\$38,434,000
21	TOTAL APPROPRIATION.	((\$102,326,000))
22		<u>\$84,326,000</u>

23 **Sec. 903.** 2018 c 297 s 304 (uncodified) is amended to read as
24 follows:

25 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

26	Small City Pavement and Sidewalk Account—State	
27	Appropriation	((\$5,780,000))
28		<u>\$3,880,000</u>
29	Transportation Improvement Account—State	
30	Appropriation	((\$279,300,000))
31		<u>\$268,100,000</u>
32	Multimodal Transportation Account—State	
33	Appropriation	\$14,670,000
34	TOTAL APPROPRIATION.	((\$299,750,000))
35		<u>\$286,650,000</u>

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

1 (1) The entire multimodal transportation account—state
2 appropriation is provided solely for the complete streets program.

3 (2) \$9,687,000 of the transportation improvement account—state
4 appropriation is provided solely for:

5 (a) The arterial preservation program to help low tax-based,
6 medium-sized cities preserve arterial pavements;

7 (b) The small city pavement program to help cities meet urgent
8 preservation needs; and

9 (c) The small city low-energy street light retrofit program.

10 **Sec. 904.** 2018 c 297 s 305 (uncodified) is amended to read as
11 follows:

12 **FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—**
13 **(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL**

14	Motor Vehicle Account—State Appropriation	\$10,070,000
15	Connecting Washington Account—State Appropriation	(\$26,537,000)
16		<u>\$24,466,000</u>
17	Transportation Partnership Account—State	
18	Appropriation	\$17,000
19	TOTAL APPROPRIATION.	(\$36,624,000)
20		<u>\$34,553,000</u>

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

23 (1) ~~(\$17,237,000)~~ \$15,166,000 of the connecting Washington
24 account—state appropriation is provided solely for a new Olympic
25 region maintenance and administration facility to be located on the
26 department-owned site at the intersection of Marvin Road and 32nd
27 Avenue in Lacey, Washington.

28 (2) \$9,300,000 of the connecting Washington account—state
29 appropriation is provided solely for a new administration facility on
30 Euclid Avenue in Wenatchee, Washington.

31 (3) (a) \$3,400,000 of the motor vehicle account—state
32 appropriation is provided solely for the department facility located
33 at 15700 Dayton Ave N in Shoreline. This appropriation is contingent
34 upon the department of ecology ~~((and department of licensing))~~
35 signing a not less than twenty-year agreement to pay ~~((proportional))~~
36 a share~~((s))~~ of ~~((an annual amount equal to))~~ any financing contract
37 issued pursuant to chapter 39.94 RCW.

1 (b) Payments from the ((department of licensing and)) department
2 of ecology as described in this subsection shall be deposited into
3 the motor vehicle account.

4 (c) Total project costs are not to exceed \$46,500,000.

5 *Sec. 905. 2018 c 297 s 306 (uncodified) is amended to read as
6 follows:

7 **FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I**

8 ***Transportation Partnership Account—State***

9 ***Appropriation ((~~\$689,745,000~~)***

10 ***\$617,572,000***

11 Motor Vehicle Account—State Appropriation ((~~\$72,967,000~~))

12 ***\$65,459,000***

13 Motor Vehicle Account—Federal Appropriation ((~~\$253,410,000~~))

14 ***\$226,018,000***

15 Motor Vehicle Account—Private/Local Appropriation ((~~\$49,330,000~~))

16 ***\$48,821,000***

17 Connecting Washington Account—State

18 ***Appropriation ((~~\$1,215,013,000~~)***

19 ***\$1,067,841,000***

20 Special Category C Account—State Appropriation ((~~\$11,000,000~~))

21 ***\$11,100,000***

22 Multimodal Transportation Account—State

23 ***Appropriation ((~~\$16,299,000~~)***

24 ***\$13,562,000***

25 Alaskan Way Viaduct Replacement Project Account—State

26 ***Appropriation ((~~\$122,047,000~~)***

27 ***\$122,044,000***

28 ***Transportation 2003 Account (Nickel Account)—State***

29 ***Appropriation ((~~\$52,457,000~~)***

30 ***\$39,625,000***

31 Interstate 405 Express Toll Lanes Operations Account—State

32 ***Appropriation ((~~\$6,258,000~~)***

33 ***\$6,222,000***

34 ***TOTAL APPROPRIATION. ((~~\$2,488,526,000~~)***

35 ***\$2,218,264,000***

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

1 (1) Except as provided otherwise in this section, the entire
2 connecting Washington account—state appropriation and the entire
3 transportation partnership account—state appropriation are provided
4 solely for the projects and activities as listed by fund, project,
5 and amount in LEAP Transportation Document ((2018)) 2019-1 as
6 developed ((~~March-5~~)) April 27, ((2018)) 2019, Program - Highway
7 Improvements Program (I). However, limited transfers of specific
8 line-item project appropriations may occur between projects for those
9 amounts listed subject to the conditions and limitations in section
10 ((~~601 of this act~~)) 601 of this act, chapter . . ., Laws of 2019
11 (this act).

12 (2) Except as otherwise provided in this section, the entire
13 transportation 2003 account (nickel account)—state appropriation is
14 provided solely for the projects and activities as listed in LEAP
15 Transportation Document ((2018)) 2019-1 as developed ((~~March-5~~))
16 April 27, ((2018)) 2019, Program - Highway Improvements Program (I).

17 (3) Except as provided otherwise in this section, the entire
18 motor vehicle account—state appropriation and motor vehicle account—
19 federal appropriation are provided solely for the projects and
20 activities listed in LEAP Transportation Document ((2018)) 2019-2 ALL
21 PROJECTS as developed ((~~March-5~~)) April 27, ((2018)) 2019, Program -
22 Highway Improvements Program (I). Any federal funds gained through
23 efficiencies, adjustments to the federal funds forecast, additional
24 congressional action not related to a specific project or purpose, or
25 the federal funds redistribution process must then be applied to
26 highway and bridge preservation activities.

27 (4) Within the motor vehicle account—state appropriation and
28 motor vehicle account—federal appropriation, the department may
29 transfer funds between programs I and P, except for funds that are
30 otherwise restricted in this act. The department shall submit a
31 report on fiscal year funds transferred in the prior fiscal year
32 using this subsection as part of the department's annual budget
33 submittal.

34 (5) The connecting Washington account—state appropriation
35 includes up to \$323,175,000 in proceeds from the sale of bonds
36 authorized in RCW 47.10.889.

37 (6) The transportation 2003 account (nickel account)—state
38 appropriation includes up to \$25,000,000 in proceeds from the sale of
39 bonds authorized in RCW 47.10.861.

1 (7) The transportation partnership account—state appropriation
2 includes up to \$367,622,000 in proceeds from the sale of bonds
3 authorized in RCW 47.10.873.

4 (8) The Alaskan Way viaduct replacement project account—state
5 appropriation includes up to (~~(\$122,047,000)~~) \$122,044,000 in
6 proceeds from the sale of bonds authorized in RCW 47.10.873.

7 (9) The motor vehicle account—state appropriation includes up to
8 \$43,448,000 in proceeds from the sale of bonds authorized in RCW
9 47.10.843.

10 (10) (~~(\$194,258,000)~~) \$194,263,000 of the transportation
11 partnership account—state appropriation, \$7,000 of the motor vehicle
12 account—federal appropriation, (~~(\$27,903,000)~~) \$27,904,000 of the
13 motor vehicle account—private/local appropriation, (~~(\$30,097,000)~~)
14 \$30,098,000 of the transportation 2003 account (nickel account)—state
15 appropriation, (~~(\$122,047,000)~~) \$122,044,000 of the Alaskan Way
16 viaduct replacement project account—state appropriation, and
17 (~~(\$2,663,000)~~) \$827,000 of the multimodal transportation account—
18 state appropriation are provided solely for the SR 99/Alaskan Way
19 Viaduct Replacement project (809936Z).

20 (11) \$12,500,000 of the multimodal transportation account—state
21 appropriation is provided solely for transit mitigation for the SR
22 99/Viaduct Project - Construction Mitigation project (809940B).

23 (12) Within existing resources, during the regular sessions of
24 the legislature, the department of transportation shall participate
25 in work sessions, before the transportation committees of the house
26 of representatives and senate, on the Alaskan Way viaduct replacement
27 project. These work sessions must include a report on current
28 progress of the project, timelines for completion, outstanding
29 claims, the financial status of the project, and any other
30 information necessary for the legislature to maintain appropriate
31 oversight of the project. The parties invited to present may include
32 the department of transportation, the Seattle tunnel partners, and
33 other appropriate stakeholders.

34 (13) \$7,769,000 of the transportation partnership account—state
35 appropriation, \$6,744,000 of the transportation 2003 account (nickel
36 account)—state appropriation, \$215,000 of the motor vehicle account—
37 federal appropriation, and \$5,000,000 of the special category C
38 account—state appropriation are provided solely for the US 395/North
39 Spokane Corridor project (600010A). Any future savings on the project

1 must stay on the US 395/Interstate 90 corridor and be made available
2 to the current phase of the North Spokane corridor project or any
3 future phase of the project in 2017-2019.

4 ***(14) (~~(\$27,415,000)~~) \$4,220,000 of the transportation partnership***
5 ***account—state appropriation, \$16,000 of the motor vehicle account—***
6 ***local appropriation, and (~~(\$13,158,000)~~) \$353,000 of the***
7 ***transportation 2003 account (nickel account)—state appropriation are***
8 ***provided solely for the I-405/Kirkland Vicinity Stage 2 - Widening***
9 ***project (8BI1002). This project must be completed as soon as***
10 ***practicable as a design-build project. Any future savings on this***
11 ***project or other Interstate 405 corridor projects must stay on the***
12 ***Interstate 405 corridor and be made available to either the I-405/SR***
13 ***167 Interchange - Direct Connector project (140504C), the I-405***
14 ***Renton to Bellevue project (M00900R), or the I-405/SR 522 to I-5***
15 ***Capacity Improvements project (L2000234) in the 2017-2019 fiscal***
16 ***biennium.***

17 (15) \$4,960,000 of the transportation partnership account—state
18 appropriation and \$3,000,000 of the Interstate 405 express toll lanes
19 operations account—state appropriation are provided solely for the
20 I-405/SR 522 to I-5 Capacity Improvements project (L2000234) for
21 activities related to adding capacity on Interstate 405 between state
22 route number 522 and Interstate 5, with the goals of increasing
23 vehicle throughput and aligning project completion with the
24 implementation of bus rapid transit in the vicinity of the project.
25 The transportation partnership account—state appropriation funding is
26 a transfer or a reappropriation of a transfer from the I-405/Kirkland
27 Vicinity Stage 2 - Widening project due to savings, and will start an
28 additional phase of this I-405 project.

29 (16)(a) The SR 520 Bridge Replacement and HOV project (8BI1003)
30 is supported over time from multiple sources, including a
31 \$300,000,000 TIFIA loan, \$924,615,000 in Garvee bonds, toll revenues,
32 state bonds, interest earnings, and other miscellaneous sources.

33 (b) (~~(\$78,958,000)~~) \$49,353,000 of the transportation partnership
34 account—state appropriation, \$12,296,000 of the motor vehicle account
35 —federal appropriation, and (~~(\$232,000)~~) \$50,000 of the motor vehicle
36 account—local appropriation are provided solely for the SR 520 Bridge
37 Replacement and HOV project (8BI1003).

38 (c) When developing the financial plan for the project, the
39 department shall assume that all maintenance and operation costs for

1 the new facility are to be covered by tolls collected on the toll
2 facility and not by the motor vehicle account.

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

9 (18) Any advisory group that the department convenes during the
10 2017-2019 fiscal biennium must consider the interests of the entire
11 state of Washington.

12 (19) It is the intent of the legislature that for the I-5 JBLM
13 Corridor Improvements project (M00100R), the department shall
14 actively pursue \$50,000,000 in federal funds to pay for this project
15 to supplant state funds in the future. \$50,000,000 in connecting
16 Washington account funding must be held in unallotted status during
17 the 2021-2023 fiscal biennium. These funds may only be used after the
18 department has provided notice to the office of financial management
19 that it has exhausted all efforts to secure federal funds from the
20 federal highway administration and the department of defense.

21 (20) (~~(\$93,651,000)~~) \$133,651,000 of the connecting Washington
22 account—state appropriation is provided solely for the SR 167/SR 509
23 Puget Sound Gateway project (M00600R).

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

26 (b) Proceeds from the sale of any surplus real property acquired
27 for the purpose of building the SR 167/SR 509 Puget Sound Gateway
28 (M00600R) project must be deposited into the motor vehicle account
29 for the purpose of constructing the project.

30 (21)(a) In making budget allocations to the Puget Sound Gateway
31 project, the department shall implement the project's construction as
32 a single corridor investment. The department shall develop a
33 coordinated corridor construction and implementation plan for state
34 route number 167 and state route number 509 in collaboration with
35 affected stakeholders. Specific funding allocations must be based on
36 where and when specific project segments are ready for construction
37 to move forward and investments can be best optimized for timely
38 project completion. Emphasis must be placed on avoiding gaps in fund
39 expenditures for either project.

1 (b) The secretary of transportation must develop a memorandum of
2 understanding with local project stakeholders that identifies a
3 schedule for stakeholders to provide local matching funds for the
4 Puget Sound Gateway project. Criteria for eligibility of local match
5 includes matching funds and equivalent in-kind contributions
6 including, but not limited to, land donations. The memorandum of
7 understanding must be finalized by July 1, 2018. The department must
8 submit a copy of the memorandum of understanding to the
9 transportation committees of the legislature and report regularly on
10 the status of the requirements outlined in this subsection (21)(b)
11 and (c) of this subsection.

12 (c) During the course of developing the memorandum of
13 understanding, the department must evaluate the project schedules to
14 determine if there are any benefits to be gained by moving the
15 project schedule forward. It is the legislature's intent that if the
16 department identifies any savings after the funding gap on the base
17 project is closed as part of the proposal to expedite the project,
18 that these cost savings shall go toward construction of a full
19 single-point urban interchange at the junction of state route number
20 161 (Meridian avenue) and state route number 167 and a full single-
21 point urban interchange at the junction of state route number 509 and
22 188th Street. If the department receives additional funds from an
23 outside source for this project after the funding gap on the base
24 project is closed, the funds must be applied toward the completion of
25 these two full single-point urban interchanges.

26 (d) For the SR 167/SR 509 Puget Sound Gateway project (M00600R)
27 the department is strongly encouraged to work to relocate any
28 significant businesses currently located within the planned path of
29 the state route number 509/Interstate 5 under-crossing to a location
30 within the Kent city limits. The department shall provide regular
31 updates on its progress to the joint transportation committee and
32 affected stakeholders.

33 (e) In designing the state route number 509/state route number
34 516 interchange component of the SR 167/SR 509 Puget Sound Gateway
35 project (M00600R), the department shall make every effort to utilize
36 the preferred "4B" design.

37 (22) It is the intent of the legislature that, for the I-5/North
38 Lewis County Interchange project (L2000204), the department develop
39 and design the project with the objective of significantly improving
40 access to the industrially zoned properties in north Lewis county.

1 The design must consider the county's process of investigating
2 alternatives to improve such access from Interstate 5 that began in
3 March 2015.

4 (23) (a) (~~(\$2,000,000)~~) \$1,050,000 of the transportation
5 partnership account—state appropriation and \$942,000 of the motor
6 vehicle account—state appropriation are provided solely for the U.S.
7 2 Trestle IJR project (L1000158).

8 (b) Of the amounts provided in this subsection, \$942,000 of the
9 motor vehicle account—state appropriation is provided solely for the
10 department to complete an interchange justification report (IJR) for
11 the U.S. 2 trestle, covering the state route number 204 and 20th
12 Street interchanges at the end of the westbound structure.

13 (~~(a)~~) (c) The department shall develop the IJR in close
14 collaboration with affected local jurisdictions, including Snohomish
15 county and the cities of Everett, Lake Stevens, Marysville,
16 Snohomish, and Monroe.

17 (~~(b)~~) (d) Within the amount provided for the IJR, the
18 department must address public outreach and the overall operational
19 approval of the IJR.

20 (~~(e)~~) (e) The department shall complete the IJR and submit the
21 final report to the governor and the transportation committees of the
22 legislature by July 1, 2018.

23 (24) (a) The legislature recognizes that the city of Mercer Island
24 has unique access issues that require the use of Interstate 90 to
25 leave the island and that this access may be affected by the I-90/
26 Two-Way Transit and HOV Improvements project. One of the most heavily
27 traveled on-ramps from Mercer Island to the westbound Interstate 90
28 general purpose lanes is from Island Crest Way. The department must
29 continue to consult with the city of Mercer Island and the other
30 signatories to the 1976 memorandum of agreement to preserve access
31 provided to Mercer Island by the Island Crest Way on-ramp, and thus
32 grandfather in the current use of the on-ramp for both high occupancy
33 vehicles as well as vehicles seeking to access the general purpose
34 lanes of Interstate 90. The department must consider all reasonable
35 access solutions, including allowing all vehicles to use the Island
36 Crest Way on-ramp to access the new high occupancy vehicle lane with
37 a reasonable and safe distance provided for single-occupancy vehicles
38 to merge into the general purpose lanes.

1 (b) A final access solution for Mercer Island must consider the
2 following criteria: Safety; operational effects on all users,
3 including maintaining historic access to Interstate 90 provided from
4 Mercer Island by Island Crest Way; enforcement requirements; and
5 compliance with state and federal law.

6 (c) The department may not restrict by occupancy the westbound
7 on-ramp from Island Crest Way until a final access solution that
8 meets the criteria in (b) of this subsection has been reached.

9 (25) (~~(\$3,258,000)~~) \$3,222,000 of the Interstate 405 express toll
10 lanes operations account—state appropriation is provided solely for
11 the I-405 NB Hard Shoulder Running - SR 527 to I-5 project
12 (L1000163).

13 (26) The legislature finds that there are sixteen companies
14 involved in wood preserving in the state that employ four hundred
15 workers and have an annual payroll of fifteen million dollars. Before
16 the department's switch to steel guardrails, ninety percent of the
17 twenty-five hundred mile guardrail system was constructed of
18 preserved wood and one hundred ten thousand wood guardrail posts were
19 produced annually for state use. Moreover, the policy of using steel
20 posts requires the state to use imported steel. Given these findings,
21 where practicable, and until June 30, 2019, the department shall
22 include the design option to use wood guardrail posts, in addition to
23 steel posts, in new guardrail installations. The selection of posts
24 must be consistent with the agency design manual policy that existed
25 before December 2009.

26 (27) For the SR 526 Corridor Improvements project (N52600R), the
27 department shall look holistically at the state route number 526
28 corridor from the state route number 526/Interstate 5 interchange at
29 the east end to the southwest Everett industrial area and Boeing's
30 west access road on the west end. The department, working with
31 affected jurisdictions and stakeholders, shall select project
32 elements that best maximize mobility and congestion relief in the
33 corridor and draw from project elements identified in a practical
34 solutions process.

35 (28)(a) For projects funded as part of the 2015 connecting
36 Washington transportation package listed on the LEAP transportation
37 document identified in subsection (1) of this section, if the
38 department expects to have substantial reappropriations for the
39 2019-2021 fiscal biennium, the department may, on a pilot basis,
40 apply funding from a project with an appropriation that cannot be

1 used for the current fiscal biennium to advance one or more of the
2 following projects:

- 3 (i) SR 20/Sharpes Corner Vicinity Intersection (L1000112);
- 4 (ii) I-5/Marvin Road/SR 510 Interchange (L1100110);
- 5 (iii) I-5/Northbound On-ramp at Bakerview (L2000119);
- 6 (iv) US 395/Ridgeline Intersection (L2000127);
- 7 (v) I-90/Eastside Restripe Shoulders (L2000201);
- 8 (vi) SR 240/Richland Corridor Improvements (L2000202);
- 9 (vii) SR 14/Bingen (~~(Overpass)~~) Underpass (L2220062);
- 10 (viii) US Hwy 2 Safety (N00200R);
- 11 (ix) SR 520/148th Ave NE Overlake Access Ramp (L1100101);
- 12 (x) SR 28/SR 285 North Wenatchee Area Improvements (L2000061);
- 13 (xi) I-5/Rebuild Chamber Way Interchange Improvements (L2000223);
- 14 (xii) SR 28 East Wenatchee Corridor Improvements (T10300R);
- 15 (xiii) SR 3 Freight Corridor (T30400R); or
- 16 (xiv) SR 510/Yelm Loop Phase 2 (T32700R).

17 (b) At least ten business days before advancing a project
18 pursuant to this subsection, the department must notify the office of
19 financial management and the transportation committees of the
20 legislature. The advancement of a project may not hinder the delivery
21 of the projects for which the reappropriations are necessary for the
22 2019-2021 fiscal biennium.

23 (29) Within existing resources and in consultation with local
24 communities, the department shall begin planning efforts, including
25 traffic data collection, analysis and evaluation, scoping, and
26 environmental review, for roundabouts at the intersection of state
27 route number 900 and SE May Valley Road and at the intersection of
28 state route number 169 and Cedar Grove Road SE.

29 (30) The legislature continues to prioritize the replacement of
30 the state's aging infrastructure and recognizes the importance of
31 reusing and recycling construction aggregate and recycled concrete
32 materials in our transportation system.

33 To accomplish Washington state's sustainability goals in
34 transportation and in accordance with RCW 70.95.805, the legislature
35 reaffirms its direction to the department to lead the way in
36 advancing the reuse and recycling of construction aggregate and
37 recycled concrete materials whenever readily available, to use these
38 recycled products when cost competitive, and to work with industry
39 implementation partners to remove obstacles that unnecessarily
40 preclude or inhibit their use and implement strategies for the reuse

1 and recycling of construction aggregate and recycled concrete
2 materials.

3 Specific steps and efforts made to achieve these objectives and
4 accomplishments shall be included in the annual report to the
5 legislature as required by RCW 70.95.807.

6 (31) Within existing resources, the department shall implement a
7 safety solution after evaluating barrier and mitigation options on
8 state route number 167 between the intersections with 50th Ave E and
9 E 40th Street in Pierce county to prevent vehicles from leaving the
10 roadway and entering private property below the grade of the highway.

11 (32) \$350,000 of the motor vehicle account—state appropriation is
12 provided solely for implementation of chapter 288 (Substitute Senate
13 Bill No. 5806), Laws of 2017 (I-5 Columbia river bridge), listed as
14 Replacement Bridge on Interstate 5 across the Columbia River project
15 number (L2000259).

16 (33) For the SR 520 Seattle Corridor Improvements - West End
17 project (M00400R), the legislature recognizes the department must
18 acquire the entirety of parcel number 1-23190 for construction of the
19 project. The department shall work with its design-build contractor
20 to ensure to the maximum extent practicable that the building housing
21 any grocery store or market currently located on parcel number
22 1-23190 will be preserved. The legislature recognizes the city of
23 Seattle has requirements in the project area that the department must
24 address and that those requirements may affect the use of parcel
25 number 1-23190 and may affect the ability of the department to
26 preserve any grocery store or market currently located on the
27 property. The department shall meet and confer regularly with
28 residents in the vicinity of the parcel regarding the status of the
29 project and its effects on any grocery store or market currently
30 located on the property. The legislature strongly encourages the city
31 to utilize maximum flexibility in how the department meets the city's
32 requirements and to be an equal partner in efforts to preserve any
33 grocery store or market on parcel number 1-23190.

**Sec. 905 is partially vetoed. See message at end of chapter.*

34 **Sec. 906.** 2018 c 297 s 307 (uncodified) is amended to read as
35 follows:

36 **FOR THE DEPARTMENT OF TRANSPORTATION—PRESERVATION—PROGRAM P**
37 Recreational Vehicle Account—State Appropriation \$3,584,000

1 (3) Except as provided otherwise in this section, the entire
2 motor vehicle account—state appropriation and motor vehicle account—
3 federal appropriation are provided solely for the projects and
4 activities listed in LEAP Transportation Document ((2018-2)) 2019-2
5 ALL PROJECTS as developed ((March-5)) April 27, ((2018)) 2019,
6 Program - Highway Preservation Program (P). Any federal funds gained
7 through efficiencies, adjustments to the federal funds forecast,
8 additional congressional action not related to a specific project or
9 purpose, or the federal funds redistribution process must then be
10 applied to highway and bridge preservation activities.

11 (4) Within the motor vehicle account—state appropriation and
12 motor vehicle account—federal appropriation, the department may
13 transfer funds between programs I and P, except for funds that are
14 otherwise restricted in this act. The department shall submit a
15 report on fiscal year funds transferred in the prior fiscal year
16 using this subsection as part of the department's annual budget
17 submittal.

18 (5) The transportation 2003 account (nickel account)—state
19 appropriation includes up to \$29,553,000 in proceeds from the sale of
20 bonds authorized in RCW 47.10.861.

21 (6) The motor vehicle account—state appropriation includes up to
22 \$29,985,000 in proceeds from the sale of bonds authorized in RCW
23 47.10.843.

24 (7) \$11,553,000 of the connecting Washington account—state
25 appropriation is provided solely for the land mobile radio upgrade
26 (G2000055) and is subject to the conditions, limitations, and review
27 provided in section 701, chapter 313, Laws of 2017. The land mobile
28 radio project is subject to technical oversight by the office of the
29 chief information officer. The department, in collaboration with the
30 office of the chief information officer, shall identify where
31 existing or proposed mobile radio technology investments should be
32 consolidated, identify when existing or proposed mobile radio
33 technology investments can be reused or leveraged to meet multiagency
34 needs, increase mobile radio interoperability between agencies, and
35 identify how redundant investments can be reduced over time. The
36 department shall also provide quarterly reports to the technology
37 services board on project progress.

38 (8) ((~~\$3,000,000~~)) \$5,000,000 of the motor vehicle account—state
39 appropriation is provided solely for extraordinary costs incurred

1 from litigation awards, settlements, or dispute mitigation activities
2 not eligible for funding from the self-insurance fund. The amount
3 provided in this subsection must be held in unallotted status until
4 the department submits a request to the office of financial
5 management that includes documentation detailing litigation-related
6 expenses. The office of financial management may release the funds
7 only when it determines that all other funds designated for
8 litigation awards, settlements, and dispute mitigation activities
9 have been exhausted. No funds provided in this subsection may be
10 expended on any legal fees related to the SR 99/Alaskan Way viaduct
11 replacement project.

12 (9) \$20,755,000 of the motor vehicle account—federal
13 appropriation and \$844,000 of the motor vehicle account—state
14 appropriation are provided solely for the preservation of
15 structurally deficient bridges or bridges that are at risk of
16 becoming structurally deficient. These funds must be used widely
17 around the state of Washington. When practicable, the department
18 shall pursue design-build contracts for these bridge projects to
19 expedite delivery. The department shall provide a report that
20 identifies the progress of each project funded in this subsection as
21 part of its annual agency budget request.

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

26 (11)(a) \$9,014,000 of the motor vehicle account—federal
27 appropriation and \$217,000 of the motor vehicle account—state
28 appropriation are provided solely for weigh station preservation
29 (OBP3006). These amounts must be held in unallotted status, except
30 that the director of the office of financial management may approve
31 allotment of the funds upon fulfillment of the conditions of (b) of
32 this subsection.

33 (b) The department and the Washington state patrol shall jointly
34 submit a prioritized list of weigh station projects to the office of
35 financial management by October 1, 2017. Projects submitted must
36 include estimated costs for preliminary engineering, rights-of-way,
37 and construction and must also consider the timing of any available
38 funding for weigh station projects.

1 (12) The department must consult with the Washington state patrol
2 and the office of financial management during the design phase of any
3 improvement or preservation project that could impact Washington
4 state patrol weigh station operations. During the design phase of any
5 such project, the department must estimate the cost of designing
6 around the affected weigh station's current operations, as well as
7 the cost of moving the affected weigh station.

8 (13) During the course of any planned resurfacing or other
9 preservation activity on state route number 26 between Colfax and
10 Othello in the 2017-2019 fiscal biennium, the department must add
11 dug-in reflectors.

12 (14) The department shall continue to monitor the test patch of
13 pavement that used electric arc furnace slag as an aggregate and
14 report back to the legislature by December 1, 2018, on its
15 comparative wear resistance, skid resistance, and feasibility for use
16 throughout the state in new pavement construction.

17 (15) For projects funded as part of the 2015 connecting
18 Washington transportation package listed on the LEAP transportation
19 document identified in subsection (1) of this section, if the
20 department expects to have substantial reappropriations for the
21 2019-2021 fiscal biennium, the department may, on a pilot basis,
22 apply funding from a project with an appropriation that cannot be
23 used for the current fiscal biennium to advance the US 12/Wildcat
24 Bridge Replacement project (L2000075). At least ten business days
25 before advancing the project pursuant to this subsection, the
26 department must notify the office of financial management and the
27 transportation committees of the legislature. The advancement of the
28 project may not hinder the delivery of the projects for which the
29 reappropriations are necessary for the 2019-2021 fiscal biennium.

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

38 **Sec. 907.** 2018 c 297 s 308 (uncodified) is amended to read as
39 follows:

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

3	Motor Vehicle Account—State Appropriation	((\$6,636,000))
4		<u>\$5,753,000</u>
5	Motor Vehicle Account—Federal Appropriation	((\$5,566,000))
6		<u>\$5,578,000</u>
7	Motor Vehicle Account—Private/Local Appropriation	((\$649,000))
8		<u>\$650,000</u>
9	TOTAL APPROPRIATION.	((\$12,851,000))
10		<u>\$11,981,000</u>

11 The appropriations in this section are subject to the following
12 conditions and limitations: The department shall set aside a
13 sufficient portion of the motor vehicle account—state appropriation
14 for federally selected competitive grants or congressional earmark
15 projects that require matching state funds. State funds set aside as
16 matching funds for federal projects must be accounted for in project
17 000005Q and remain in unallotted status until needed for those
18 federal projects.

19 *Sec. 908. 2018 c 297 s 309 (uncodified) is amended to read as
20 follows:

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

23	<i>Puget Sound Capital Construction Account—State</i>	
24	<i>Appropriation</i>	<i>((\$72,024,000))</i>
25		<u><i>\$65,777,000</i></u>
26	Puget Sound Capital Construction Account—Federal	
27	Appropriation	((\$205,032,000))
28		<u>\$199,623,000</u>
29	Puget Sound Capital Construction Account—Private/Local	
30	Appropriation	((\$27,196,000))
31		<u>\$27,197,000</u>
32	Transportation Partnership Account—State	
33	Appropriation	((\$2,923,000))
34		<u>\$1,892,000</u>
35	Connecting Washington Account—State Appropriation	((\$136,918,000))
36		<u>\$121,996,000</u>
37	Multimodal Transportation Account—State Appropriation.	\$2,734,000
38	Transportation 2003 Account (Nickel Account)—State	

1	Appropriation.	\$4,169,000
2	TOTAL APPROPRIATION.	((\$450,996,000))
3		<u>\$423,388,000</u>

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***
8 ***and activities as listed in LEAP Transportation Document ((2018))***
9 ***2019-2 ALL PROJECTS as developed ((March-5)) April 27, ((2018)) 2019,***
10 ***Program - Washington State Ferries Capital Program (W) and is***
11 ***contingent upon the enactment of subsection (6) of this section.***

12 (2) \$27,825,000 of the Puget Sound capital construction account—
13 federal appropriation, ((~~\$44,485,000~~)) \$29,485,000 of the connecting
14 Washington account—state appropriation, and \$1,483,000 of the Puget
15 Sound capital construction account—state appropriation are provided
16 solely for the Mukilteo ferry terminal (952515P). To the greatest
17 extent practicable and within available resources, the department
18 shall design the new terminal to be a net-zero energy building. To
19 achieve this goal, the department shall evaluate using highly energy
20 efficient equipment and systems, and the most appropriate renewable
21 energy systems for the needs and location of the terminal. To the
22 extent practicable, the department shall avoid the closure of, or
23 disruption to, any existing public access walkways in the vicinity of
24 the terminal project during construction. Of the amounts provided in
25 this subsection, \$750,000 of the Puget Sound capital construction
26 account—state appropriation is provided solely for additional
27 photovoltaic panels for this project.

28 (3) \$94,671,000 of the Puget Sound capital construction account—
29 federal appropriation, \$46,919,000 of the connecting Washington
30 account—state appropriation, \$26,949,000 of the Puget Sound capital
31 construction account—private/local appropriation, \$2,734,000 of the
32 multimodal transportation account—state appropriation, \$511,000 of
33 the Puget Sound capital construction account—state appropriation, and
34 \$679,000 of the transportation 2003 (nickel account)—state
35 appropriation are provided solely for the Seattle Terminal
36 Replacement project (900010L).

37 (4) ((~~\$5,000,000~~)) \$7,100,000 of the Puget Sound capital
38 construction account—state appropriation is provided solely for

1 emergency capital repair costs (999910K). Funds may only be spent
2 after approval by the office of financial management.

3 (5) \$950,000 of the Puget Sound capital construction account—
4 state appropriation is provided solely for life extension of the
5 existing ticketing system and ORCA acceptance (998521A and 998521B).
6 The ferry system shall work with Washington technology solutions and
7 the tolling division on the development of a new, interoperable
8 ticketing system.

9 (6) (a) The department shall, in consultation with the office of
10 financial management, hire an independent planning consultant to
11 assist with overall scope development of a new ferry system long-
12 range plan, including incorporating the items listed in (b) of this
13 subsection. The independent planning consultant must have experience
14 in planning for other ferry systems.

15 (b) The department shall update the ferries division long-range
16 plan by January 1, 2019. In reviewing the changing needs of the users
17 of the ferry system and the associated funding opportunities and
18 challenges, the department must include, but is not limited to, the
19 following elements in the new long-range plan:

20 (i) Identify changes in the demographics of users of the system;

21 (ii) Review route timetables and propose adjustments that take
22 into consideration ridership volume, vessel load times, proposed and
23 current passenger-only ferry system ridership, and other operational
24 needs;

25 (iii) Review vessel needs by route and propose a vessel
26 replacement schedule, vessel retirement schedule, and estimated
27 number of vessels needed. This analysis should also articulate a
28 reserve vessel strategy;

29 (iv) Identify the characteristics most appropriate for
30 replacement vessels, such as passenger and car-carrying capacity,
31 while taking into consideration other cost-driving factors. These
32 factors should include:

33 (A) Anticipated crewing requirements;

34 (B) Fuel type;

35 (C) Other operating and maintenance costs;

36 (v) Review vessel dry dock needs, consider potential impacts of
37 the United States navy, and propose strategies to meet these needs;

38 (vi) Address the seismic vulnerability of the system and
39 articulate emergency preparedness plans;

1 (vii) Evaluate leased and state-owned property locations for the
2 ferry headquarters, to include an analysis of properties outside the
3 downtown area of Seattle;

4 (viii) Evaluate strategies that may help spread peak ridership,
5 such as time-of-day ticket pricing and expanding the reservation
6 system; and

7 (ix) Identify operational changes that may reduce costs, such as
8 nighttime tie-up locations.

9 (c) The department shall submit a status report on the long-range
10 plan update to the governor and the transportation committees of the
11 legislature by June 30, 2018, and a final report by January 1, 2019.

12 (7) \$600,000 of the Puget Sound capital construction account—
13 state appropriation is provided solely for development of a request
14 for proposal to convert the three ferry vessels in the Jumbo Mark II
15 class to hybrid electric propulsion and make associated necessary
16 modifications to the Seattle, Bainbridge, Edmonds, and Kingston
17 terminals. The department is directed to explore capital project
18 financing options to include, but not be limited to, federal funding
19 opportunities, private or local contributions, application for
20 Volkswagen settlement funds, and energy-savings performance
21 contracting to be repaid in whole or in part by fuel-cost savings.
22 The department will report total capital cost estimates, optimal
23 construction schedule, annual capital and operating savings or costs,
24 and a recommended funding option to the governor and to the
25 transportation committees of the legislature by June 30, 2019.

**Sec. 908 is partially vetoed. See message at end of chapter.*

26 **Sec. 909.** 2018 c 297 s 310 (uncodified) is amended to read as
27 follows:

28 **FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL**

29 Essential Rail Assistance Account—State Appropriation	((\$845,000))
	<u>\$710,000</u>
31 Transportation Infrastructure Account—State	
32 Appropriation	((\$7,575,000))
	<u>\$5,388,000</u>
34 Multimodal Transportation Account—State	
35 Appropriation	((\$79,357,000))
	<u>\$74,965,000</u>
37 Multimodal Transportation Account—Federal	

1	Appropriation	((\$59,814,000))
2		<u>\$43,175,000</u>
3	TOTAL APPROPRIATION.	((\$147,591,000))
4		<u>\$124,238,000</u>

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

7 (1) Except as provided otherwise in this section, the entire
8 appropriations in this section are provided solely for the projects
9 and activities as listed by project and amount in LEAP Transportation
10 Document ((~~2018~~)) 2019-2 ALL PROJECTS as developed ((~~March 5~~)) April
11 27, ((2018)) 2019, Program - Rail Program (Y).

12 (2) ((~~\$7,009,000~~)) \$5,000,000 of the transportation
13 infrastructure account—state appropriation is provided solely for new
14 low-interest loans approved by the department through the freight
15 rail investment bank (FRIB) program. The department shall issue FRIB
16 program loans with a repayment period of no more than ten years, and
17 charge only so much interest as is necessary to recoup the
18 department's costs to administer the loans. The department shall
19 report annually to the transportation committees of the legislature
20 and the office of financial management on all FRIB loans issued.

21 (3) \$7,017,000 of the multimodal transportation account—state
22 appropriation and \$24,000 of the essential rail assistance account—
23 state appropriation are provided solely for new statewide emergent
24 freight rail assistance projects identified in the LEAP
25 transportation document referenced in subsection (1) of this section.

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

1 intent that future legislatures will work to approve biennial
2 appropriations until the full \$7,337,000 cost of this project is
3 reimbursed.

4 (5) (a) \$686,000 of the essential rail assistance account—state
5 appropriation, \$422,000 of the multimodal transportation account—
6 state appropriation, and \$21,000 of the transportation infrastructure
7 account—state appropriation are provided solely for the purpose of
8 the rehabilitation and maintenance of the Palouse river and Coulee
9 City railroad line (F01111B).

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

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

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

19 (6) The department shall issue a call for projects for the
20 freight rail assistance program, and shall evaluate the applications
21 in a manner consistent with past practices as specified in section
22 309, chapter 367, Laws of 2011. By November 15, 2018, the department
23 shall submit a prioritized list of recommended projects to the office
24 of financial management and the transportation committees of the
25 legislature.

26 (7) For projects funded as part of the 2015 connecting Washington
27 transportation package identified on the LEAP transportation document
28 identified in subsection (1) of this section, if the department
29 expects to have substantial reappropriations for the 2019-2021 fiscal
30 biennium, the department may, on a pilot basis, apply funding from a
31 project with an appropriation that cannot be used for the current
32 fiscal biennium to advance the South Kelso Railroad Crossing project
33 (L1000147). At least ten business days before advancing a project
34 pursuant to this subsection, the department must notify the office of
35 financial management and the transportation committees of the
36 legislature. The advancement of a project may not hinder the delivery
37 of the projects for which the reappropriations are necessary for the
38 2019-2021 fiscal biennium.

(8) It is the intent of the legislature to encourage the department to pursue federal grant opportunities leveraging up to \$6,696,000 in connecting Washington programmed funds to be used as a state match to improve the state-owned Palouse river and Coulee City system. The amount listed in this subsection is not a commitment for future legislatures, but is the legislature's intent that future legislatures will work to approve biennial appropriations up to a state match share not to exceed \$6,696,000 of a grant award.

(9) \$5,608,000 of the multimodal transportation account—state appropriation is provided solely as expenditure authority for any insurance proceeds received by the state for Passenger Rail Equipment Replacement (project 700010C). The department must use this expenditure authority only to purchase passenger rail equipment that has been competitively procured.

Sec. 910. 2018 c 297 s 311 (uncodified) is amended to read as follows:

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

Highway Infrastructure Account—State Appropriation	((\$1,083,000))
	<u>\$583,000</u>
Highway Infrastructure Account—Federal Appropriation	\$488,000
Transportation Partnership Account—State	
Appropriation	((\$2,321,000))
	<u>\$1,571,000</u>
Highway Safety Account—State Appropriation	((\$4,287,000))
	<u>\$3,487,000</u>
Motor Vehicle Account—State Appropriation	((\$28,659,000))
	<u>\$16,791,000</u>
Motor Vehicle Account—Federal Appropriation	((\$71,614,000))
	<u>\$64,414,000</u>
Motor Vehicle Account—Private/Local Appropriation	((\$18,000,000))
	<u>\$7,500,000</u>
Connecting Washington Account—State Appropriation	((\$137,387,000))
	<u>\$66,400,000</u>
Multimodal Transportation Account—State	
Appropriation	((\$82,382,000))
	<u>\$59,999,000</u>
TOTAL APPROPRIATION.	((\$346,221,000))

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ((2018)) 2019-2 ALL PROJECTS as developed ((March 5)) April 27, ((2018)) 2019, Program - Local Programs Program (Z).

(2) The amounts identified in the LEAP transportation document referenced under subsection (1) of this section for pedestrian safety/safe routes to school are as follows:

(a) (~~(\$18,380,000 of the multimodal transportation account state appropriation is provided solely for newly selected pedestrian and bicycle safety program projects. \$14,219,000)~~) \$26,659,000 of the multimodal transportation account state appropriation and (~~(\$1,846,000)~~) \$1,096,000 of the transportation partnership account state appropriation are ((reappropriated)) provided solely for pedestrian and bicycle safety program projects ((selected in the previous biennia)) (L2000188).

(b) (~~(\$11,400,000)~~) \$15,681,000 of the motor vehicle account federal appropriation ((and ~~\$7,750,000)~~), \$6,824,000 of the multimodal transportation account state appropriation ((are provided solely for newly selected safe routes to school projects. ~~\$11,181,000 of the motor vehicle account federal appropriation, \$1,394,000 of the multimodal transportation account state appropriation)~~), and (~~(\$4,287,000)~~) \$3,487,000 of the highway safety account state appropriation are ((reappropriated)) provided solely for safe routes to school projects ((selected in the previous biennia)) (L2000189). The department may consider the special situations facing high-need areas, as defined by schools or project areas in which the percentage of the children eligible to receive free and reduced-price meals under the national school lunch program is equal to, or greater than, the state average as determined by the department, when evaluating project proposals against established funding criteria while ensuring continued compliance with federal eligibility requirements.

(3) The department shall submit a report to the transportation committees of the legislature by December 1, 2017, and December 1, 2018, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program. The report must include,

1 but is not limited to, a list of projects selected and a brief
2 description of each project's status.

3 (4) (~~(\$32,984,000)~~) \$23,701,000 of the multimodal transportation
4 account—state appropriation is provided solely for bicycle and
5 pedestrian projects listed in the LEAP transportation document
6 referenced in subsection (1) of this section.

7 (5) \$43,800,000 of the motor vehicle account—federal
8 appropriation is provided solely for national highway freight network
9 projects identified on the project list submitted in accordance with
10 section 218(4)(b), chapter 14, Laws of 2016 on October 31, 2016. The
11 department shall validate the projects on the list. Only tier one
12 projects on the prioritized freight project list that are validated
13 by the department may receive funding under this subsection. The
14 department shall continue to work with the Washington state freight
15 advisory committee to improve project screening and validation to
16 support project prioritization and selection, including during the
17 freight mobility plan update in 2017. The department may compete for
18 funding under this program and shall provide an updated prioritized
19 freight project list when submitting its 2019-2021 budget request. To
20 the greatest extent practicable, the department shall follow the
21 Washington state freight advisory committee recommendation to
22 allocate ten percent of the funds in this subsection to multimodal
23 projects as permitted under the fixing America's surface
24 transportation (FAST) act.

25 (6) It is the expectation of the legislature that the department
26 will be administering a local railroad crossing safety grant program
27 for \$7,400,000 in federal funds during the 2017-2019 fiscal biennium.
28 Of the amounts identified in this subsection, a minimum of \$500,000
29 must be for railroad grade-crossing safety grants at locations where
30 multiple pedestrian or bicyclist fatalities have occurred in the
31 vicinity of a grade-crossing in the last five years.

32 (7) (~~(\$8,000,000)~~) \$4,840,000 of the connecting Washington
33 account—state appropriation is provided solely for the Covington
34 Connector (L2000104). The amounts described in the LEAP
35 transportation document referenced in subsection (1) of this section
36 are not a commitment by future legislatures, but it is the
37 legislature's intent that future legislatures will work to approve
38 appropriations in the 2019-2021 fiscal biennium to reimburse the city

1 of Covington for approved work completed on the project up to the
2 full \$24,000,000 cost of this project.

3 (8) (a) For projects funded as part of the 2015 connecting
4 Washington transportation package listed on the LEAP transportation
5 document identified in subsection (1) of this section, if the
6 department expects to have substantial reappropriations for the
7 2019-2021 fiscal biennium, the department may, on a pilot basis,
8 apply funding from a project with an appropriation that cannot be
9 used for the current fiscal biennium to advance one or more of the
10 following projects:

- 11 (i) SR 502 Main Street Project/Widening (L2000065);
- 12 (ii) Complete SR 522 Improvements-Kenmore (T10600R);
- 13 (iii) Issaquah-Fall City Road (L1000094);
- 14 (iv) Lewis Street Bridge (L2000066);
- 15 (v) Covington Connector (L2000104);
- 16 (vi) Orchard Street Connector (L2000120);
- 17 (vii) Harbour Reach Extension (L2000136);
- 18 (viii) Sammamish Bridge Corridor (L2000137);
- 19 (ix) Brady Road (L2000164);
- 20 (x) Thornton Road Overpass (L2000228);
- 21 (xi) I-5/Port of Tacoma Road Interchange (L1000087);
- 22 (xii) Wilburton Reconnection Project (G2000006);
- 23 (xiii) SR 520 Trail Grade Separation at 40th Street (G2000013);
- 24 (xiv) Bay Street Pedestrian Project (G2000015); or
- 25 (xv) Cowiche Canyon Trail (G2000010).

26 (b) At least ten business days before advancing a project
27 pursuant to this subsection, the department must notify the office of
28 financial management and the transportation committees of the
29 legislature. The advancement of a project may not hinder the delivery
30 of the projects for which the reappropriations are necessary for the
31 2019-2021 fiscal biennium.

32 TRANSFERS AND DISTRIBUTIONS

33 **Sec. 1001.** 2018 c 297 s 401 (uncodified) is amended to read as
34 follows:

35 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**
36 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND**
37 **DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND**
38 **REVENUE**

1	Transportation Partnership Account—State	
2	Appropriation.	((\$4,646,000))
3		<u>\$2,046,000</u>
4	Motor Vehicle Account—State Appropriation.	((\$736,000))
5		<u>\$396,000</u>
6	Connecting Washington Account—State Appropriation. . .	((\$3,199,000))
7		<u>\$1,699,000</u>
8	Highway Bond Retirement Account—State	
9	Appropriation.	((\$1,229,874,000))
10		<u>\$1,279,604,000</u>
11	Ferry Bond Retirement Account—State Appropriation. .	((\$28,873,000))
12		<u>\$28,223,000</u>
13	Transportation Improvement Board Bond Retirement	
14	Account—State Appropriation.	\$13,254,000
15	Nondebt-Limit Reimbursable Bond Retirement	
16	Account—State Appropriation.	\$26,391,000
17	Toll Facility Bond Retirement Account—State	
18	Appropriation.	\$86,493,000
19	Transportation 2003 Account (Nickel Account)—State	
20	Appropriation.	((\$450,000))
21		<u>\$250,000</u>
22	TOTAL APPROPRIATION.	((\$1,393,916,000))
23		<u>\$1,438,356,000</u>

24 **Sec. 1002.** 2018 c 297 s 403 (uncodified) is amended to read as
25 follows:

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

27	Motor Vehicle Account—State Appropriation:	
28	For motor vehicle fuel tax distributions to	
29	cities and counties.	((\$508,182,000))
30		<u>\$508,105,000</u>

31 **Sec. 1003.** 2018 c 297 s 404 (uncodified) is amended to read as
32 follows:

33 **FOR THE STATE TREASURER—TRANSFERS**

34	Motor Vehicle Account—State Appropriation:	
35	For motor vehicle fuel tax refunds and	
36	statutory transfers.	((\$2,145,972,000))

Sec. 1004. 2018 c 297 s 405 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING—TRANSFERS

Motor Vehicle Account—State Appropriation:
For motor vehicle fuel tax refunds and transfers. ((\$203,535,000))
\$221,282,000

Sec. 1005. 2018 c 297 s 406 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS

(1) ((Highway Safety Account—State Appropriation:
For transfer to the Motor Vehicle Account—State. \$30,000,000
(2) Transportation Partnership Account—State
Appropriation: For transfer to the Connecting
Washington Account—State. \$10,946,000
(3) Motor Vehicle Account—State Appropriation:
For transfer to the Connecting Washington
Account—State. \$56,464,000
(4)) Motor Vehicle Account—State Appropriation:
For transfer to the Freight Mobility Investment
Account—State. ((\$8,511,000))
\$1,255,000
((5)) (2) Motor Vehicle Account—State Appropriation:
For transfer to the Puget Sound Capital
Construction Account—State. ((\$20,000,000))
\$15,000,000
((6)) (3) Motor Vehicle Account—State Appropriation:
For transfer to the Rural Arterial Trust
Account—State. \$4,844,000
((7)) (4) Motor Vehicle Account—State Appropriation:
For transfer to the Transportation Improvement
Account—State. \$9,688,000
((8)) (5) Highway Safety Account—State Appropriation:
For transfer to the State Patrol Highway
Account—State. ((\$33,000,000))

1 \$2,000,000
2 ~~((9)) Puget Sound Ferry Operations Account—State~~
3 ~~Appropriation: For transfer to the Connecting~~
4 ~~Washington Account—State. \$1,305,000~~
5 ~~(10))~~ (6) Rural Mobility Grant Program Account—State
6 Appropriation: For transfer to the Multimodal
7 Transportation Account—State. \$3,000,000
8 ~~((11))~~ (7) State Route Number 520 Civil Penalties
9 Account—State Appropriation: For transfer to
10 the State Route Number 520 Corridor
11 Account—State. \$2,000,000
12 ~~((12))~~ (8) Capital Vessel Replacement Account—State
13 Appropriation: For transfer to the Connecting
14 Washington Account—State. \$36,500,000
15 ~~((13))~~ (9) Multimodal Transportation Account—State
16 Appropriation: For transfer to the Freight
17 Mobility Multimodal Account—State. ~~(\$8,511,000)~~
18 \$1,255,000
19 ~~((14))~~ (10) Multimodal Transportation Account—State
20 Appropriation: For transfer to the Puget Sound
21 Capital Construction Account—State. \$34,000,000
22 ~~((15))~~ (11) Multimodal Transportation Account—State
23 Appropriation: For transfer to the Puget Sound
24 Ferry Operations Account—State. ~~(\$20,000,000)~~
25 \$25,000,000
26 ~~((16))~~ (12) Multimodal Transportation Account—State
27 Appropriation: For transfer to the Regional
28 Mobility Grant Program Account—State. \$27,679,000
29 ~~((17))~~ (13) Multimodal Transportation Account—State
30 Appropriation: For transfer to the Rural
31 Mobility Grant Program Account—State. \$15,223,000
32 ~~((18))~~ (14) Tacoma Narrows Toll Bridge Account—State
33 Appropriation: For transfer to the Motor Vehicle
34 Account—State. \$950,000
35 ~~((19))~~ (15) Transportation 2003 Account (Nickel Account)—
36 State Appropriation: For transfer to the Connecting
37 Washington Account—State. ~~(\$22,970,000)~~
38 \$18,000,000
39 ~~((20))~~ (16)(a) Interstate 405 Express Toll Lanes Operations

1 Account—State Appropriation: For transfer to the
2 Motor Vehicle Account—State. \$2,019,000
3 (b) The transfer identified in this subsection is provided solely
4 to repay in full the motor vehicle account—state appropriation loan
5 from section 407(19), chapter 222, Laws of 2014.

6 ~~((21))~~ (17)(a) Transportation Partnership Account—State
7 Appropriation: For transfer to the Alaskan Way Viaduct
8 Replacement Project Account—State. \$122,047,000
9 (b) The amount transferred in this subsection represents that
10 portion of the up to \$200,000,000 in proceeds from the sale of bonds
11 authorized in RCW 47.10.873, intended to be sold through the
12 2021-2023 fiscal biennium, used only for construction of the SR 99/
13 Alaskan Way Viaduct Replacement project (809936Z), and that must be
14 repaid from the Alaskan Way viaduct replacement project account
15 consistent with RCW 47.56.864.

16 ~~((22)(a))~~ (18)(a) Motor Vehicle Account—State Appropriation:
17 For transfer to the Tacoma Narrows Toll Bridge
18 Account—State. \$5,000,000
19 (b) The transfer in this subsection must be made in April 2019.
20 It is the intent of the legislature that this transfer is temporary,
21 for the purpose of minimizing the impact of toll increases, and an
22 equivalent reimbursing transfer is to occur in November 2019.

23 ~~((23))~~ (19) Motor Vehicle Account—State Appropriation:
24 For transfer to the County Arterial Preservation
25 Account—State. \$4,844,000
26 ~~((24))~~ (20)(a) General Fund Account—State Appropriation:
27 For transfer to the State Patrol Highway
28 Account—State. \$625,000
29 (b) The state treasurer shall transfer the funds only after
30 receiving notification from the Washington state patrol under section
31 207(6) ~~((of this act))~~, chapter 297, Laws of 2018.

32 ~~((25))~~ (21)(a) Motor Vehicle Account—State Appropriation:
33 For transfer to the Alaskan Way Viaduct Replacement
34 Project Account—State. ~~(\$11,337,000)~~
35 \$9,992,000
36 (b) The funds provided in (a) of this subsection are a loan to
37 the Alaskan Way viaduct replacement project account—state, and the
38 legislature assumes that these funds will be reimbursed to the motor

1 vehicle account—state at a later date when the portion of state route
2 number 99 that is a deep bore tunnel is operational.

3 ~~((26) Multimodal Transportation Account—State~~
4 ~~Appropriation: For transfer to the Highway Safety~~
5 ~~Account—State. \$7,000,000~~

6 ~~(27)) (22) (a) Alaskan Way Viaduct Replacement Project~~
7 ~~Account—State Appropriation: For transfer to the~~
8 ~~Transportation Partnership Account—State. ((\$2,400,000))~~
9 ~~\$1,471,000~~

10 (b) The amount transferred in this subsection represents
11 repayment of debt service incurred for the construction of the SR 99/
12 Alaskan Way Viaduct Replacement Project (809936Z).

13 (23) Transportation 2003 Account (Nickel Account)
14 —State Appropriation: For transfer to the Motor
15 Vehicle Account—State. \$10,000,000

16 **MISCELLANEOUS 2017-2019 FISCAL BIENNIUM**

17 **Sec. 1101.** 2018 c 297 s 701 (uncodified) is amended to read as
18 follows:

19 **ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS**

20 (1) The department of transportation is authorized, subject to
21 the conditions in ~~((section 305(3) of this act))~~ section 305(3),
22 chapter 297, Laws of 2018, to enter into a financing contract
23 pursuant to chapter 39.94 RCW through the state treasurer's lease-
24 purchase program for the purposes indicated. The department may use
25 any funds, appropriated or nonappropriated, in not more than the
26 principal amounts indicated, plus financing expenses and required
27 reserves, if any. Expenditures made by the department of
28 transportation for the indicated purposes before the issue date of
29 the authorized financing contract and any certificates of
30 participation therein may be reimbursed from proceeds of the
31 financing contract and any certificates of participation therein to
32 the extent provided in the agency's financing plan approved by the
33 state finance committee.

34 (2) Department of transportation: Enter into a financing contract
35 for up to \$32,500,000 plus financing expenses and required reserves
36 pursuant to chapter 39.94 RCW to renovate the existing office
37 building at 15700 Dayton Ave N, Shoreline.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Sections 208(5); 208(7); 208(9); 208(12); 208(15); 208(16); 208(17); 208(24); 208(27); 208(28); 208(29); 220, page 42, line 23; page 42, line 38 beginning with "Fuel" through line 39 ending with "process."; page 43, line 3 beginning with "Fuel" through line 4 ending with "process."; page 43, line 15 beginning with "Fuel" through line 16 ending with "process."; page 44, line 10 beginning with "Fuel" through line 11 ending with "process."; page 44, line 31 beginning with "Fuel" through line 32 ending with "process"; page 46, line 5; 304(2); 306(17); 905, page 169, lines 36-38; page 170, lines 18-20; 905(14); 908, page 184, lines 10-12; and 908(1), Engrossed Substitute House Bill No. 1160 entitled:

"AN ACT Relating to transportation funding and appropriations."

Sections 208(5), pages 17-18; 208(7), page 18; 208(15), pages 19-20; 208(16), page 20; 208(17), pages 20-21; 208(27), page 22; and 208(28), pages 22-23, Department of Licensing, Unfunded Studies

The Department of Licensing was tasked with forming several unfunded work groups and conducting studies, while also taking significant budget cuts. The department will not be able to complete all of the directives it has been assigned without additional funding. I am directing the department to undertake these efforts as much as it can within existing resources, prioritizing the work groups that assist active-duty and former military members. For this reason, I have vetoed Sections 208(5), 208(7), 208(15), 208(16), 208(17), 208(27) and 208(28).

Section 304(2), pages 55-56, Transportation Improvement Board, Programmatic Allotments

This section requires the Transportation Improvement Board (TIB) to allot its appropriations by certain programs and to not deviate without legislative consultation. This removes the TIB's authority, which is established in statute, to set its internal program levels. While the Legislature has the authority to appropriate funds, the executive branch has the statutory authority to allot the funds. For these reasons, I have vetoed Section 304(2).

Section 306(17), page 62, Department of Transportation, Highway Improvements, New Rhodes Lake Road Project

This section requires the Washington State Department of Transportation (WSDOT) to support, review, and approve improvements and right-of-way plans following the preferred and recommended alternative of Pierce County's supplemental environmental impact statement for this project, which is a traffic signal. WSDOT conducted an intersection control evaluation process with stakeholders and determined that a roundabout provides the safest and most efficient results for this intersection. WSDOT is the approving authority for intersection control on highways such as State Route 162, and as such, the proviso language conflicts with WSDOT's stewardship of SR 162. For these reasons, I have vetoed Section 306(17).

Section 905, page 169, lines 36-38; page 170, lines 18-20; and Section 905(14), pages 172-173, Department of Transportation, Transportation Partnership Account-State Appropriation, Nickel Account-State Appropriation, and I-405/Kirkland Vicinity Project Delivery

The supplemental budget provides appropriations to the Interstate 405/Kirkland stage 2 project that are lower than expected expenditures and would result in a shortfall of approximately \$35 million in the Highway Construction program. For this reason, I have vetoed the supplemental Transportation Partnership Account-State appropriation, the supplemental Nickel Account-State appropriation, and the project proviso in order to increase the appropriation levels. I am directing WSDOT to spend within the appropriation provided by the Legislature, but including the \$35 million necessary for the I-405 Kirkland stage 2 project. For these reasons, I have vetoed Section 905, page 169, lines 36-38; page 170, lines 18-20; and Section 905(14).

Section 908, page 184, lines 10-12, and Section 908(1), page 184, Department of Transportation, Puget Sound Capital Construction Account-State Appropriation, Washington State Ferries Construction Program

The supplemental budget removed the ferry dispatch system replacement project, of which \$600,000 had already been spent. The appropriation of \$600,000 was also removed. Thus, the appropriation level in the Puget Sound Capital Construction account is below what is needed to fund the capital project list in the ferry program. For this reason I have vetoed the supplemental Puget Sound Capital Construction Account-State appropriation and the capital project list, thereby restoring it to previous levels. I am directing WSDOT to spend within the appropriation and capital project list provided by the Legislature, but including the \$600,000 that was removed. For these reasons, I have vetoed Section 908, page 184, lines 10-12, and Section 908(1).

Section 220, page 42, line 23; page 42, line 38 beginning with "Fuel" through line 39 ending with "process."; page 43, line 3 beginning with "Fuel" through line 4 ending with "process."; page 43, line 15 beginning with "Fuel" through line 16 ending with "process."; page 44, line 10 beginning with "Fuel" through line 11 ending with "process."; page 44, line 31 beginning with "Fuel" through line 32 ending with "process"; and page 46, line 5

Section 220 includes the following sentence in six provisos: "Fuel type may not be a factor in the grant selection process." This requirement is contrary to, and in direct conflict with, the statutory mandates in RCW 47.66.040 and 47.66.030 that direct WSDOT to consider, among other criteria, energy efficiency issues, and federal and state air quality requirements in selecting programs and projects. In addition, this requirement also conflicts with, or at best substantially impairs, the statutory mandate for the state and for local government subdivisions to transition to zero emission vehicles as articulated in RCW 43.19.648.

The sentence at issue is a policy change—that is, an amendment—to existing statutory requirements. As such, the sentence violates Article II, Section 37, by amending those statutes indirectly and failing to set those statutes forth in full. It also places WSDOT and others in the untenable position of being forced to violate one state law in order to comply with another.

It is well established that the governor's veto powers in Article III, Section 12 of the Washington State Constitution extend to appropriation items and full subsections or provisos in an appropriation bill. It is also well established that our courts will intervene to prevent obvious circumvention of the veto power by the

Legislature or equally obvious manipulation of that power by the governor. The addition of this sentence within these provisos constrains my ability to exercise the constitutionally authorized veto powers.

While my veto authority is generally limited to subsections or appropriation items in an appropriation bill, in this very rare and unusual circumstance I have no choice but to veto a single sentence in several subsections to prevent a constitutional violation and to prevent a forced violation of state law.

For these reasons, I have vetoed Section 220, page 42, line 23, page 42, line 38 beginning with "Fuel" through line 39 ending with "process.", page 43, line 3 beginning with "Fuel" through line 4 ending with "process.", page 43, line 15 beginning with "Fuel" through line 16 ending with "process.", page 44, line 10 beginning with "Fuel" through line 11 ending with "process.", page 44, line 31 beginning with "Fuel" through line 32 ending with "process", and page 46, line 5.

I have vetoed the following sections related to bills that did not pass the Legislature, resulting in the lapse of funding. My veto of these sections will serve to clean up these unnecessary sections of the bill.

Section 208(9), pages 18-19, Department of Licensing, SSB 5694, Commercial Beekeeper Drivers

Section 208(12), page 19, Department of Licensing, SSB 5591, Stolen Vehicle Check Fee

Section 208(24), page 22, Department of Licensing, HB 1255, Patches Pal License Plate

Section 208(29), page 23, Department of Licensing, ESHB 1504, Impaired Driving

For these reasons I have vetoed Sections 208(5); 208(7); 208(9); 208(12); 208(15); 208(16); 208(17); 208(24); 208(27); 208(28); 208(29); 220, page 42, line 23; page 42, line 38 beginning with "Fuel" through line 39 ending with "process."; page 43, line 3 beginning with "Fuel" through line 4 ending with "process."; page 43, line 15 beginning with "Fuel" through line 16 ending with "process."; page 44, line 10 beginning with "Fuel" through line 11 ending with "process."; page 44, line 31 beginning with "Fuel" through line 32 ending with "process"; page 46, line 5; 304(2); 306(17); 905, page 169, lines 36-38; page 170, lines 18-20; 905(14); 908, page 184, lines 10-12; and 908(1) of Engrossed Substitute House Bill No. 1160.

With the exception of Sections 208(5); 208(7); 208(9); 208(12); 208(15); 208(16); 208(17); 208(24); 208(27); 208(28); 208(29); 220, page 42, line 23; page 42, line 38 beginning with "Fuel" through line 39 ending with "process."; page 43, line 3 beginning with "Fuel" through line 4 ending with "process."; page 43, line 15 beginning with "Fuel" through line 16 ending with "process."; page 44, line 10 beginning with "Fuel" through line 11 ending with "process."; page 44, line 31 beginning with "Fuel" through line 32 ending with "process"; page 46, line 5; 304(2); 306(17); 905, page 169, lines 36-38; page 170, lines 18-20; 905(14); 908, page 184, lines 10-12; and 908(1), Engrossed Substitute House Bill No. 1160 is approved."

(End of Bill)

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