

SUBSTITUTE HOUSE BILL 2322

State of Washington

66th Legislature

2020 Regular Session

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

1 AN ACT Relating to transportation funding and appropriations;
2 amending RCW 46.68.290, 46.68.320, 47.56.864, and 82.32.385; amending
3 2019 c 416 ss 103, 105, 108, 109, 201-223, 301, 303-311, 401-406,
4 601, and 606 (uncodified); adding new sections to 2019 c 416
5 (uncodified); making appropriations and authorizing expenditures for
6 capital improvements; and declaring an emergency.

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

2019-2021 FISCAL BIENNIUM

GENERAL GOVERNMENT AGENCIES—OPERATING

10 **Sec. 101.** 2019 c 416 s 103 (uncodified) is amended to read as
11 follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

| | | |
|----|--|------------------------------|
| 13 | Motor Vehicle Account—State Appropriation | ((\$1,403,000)) |
| 14 | | <u>\$1,419,000</u> |
| 15 | Multimodal Transportation Account—State Appropriation. . . . | \$300,000 |
| 16 | Puget Sound Ferry Operations Account—State Appropriation | ((\$116,000)) |
| 17 | | <u>\$121,000</u> |
| 18 | TOTAL APPROPRIATION. | ((\$1,819,000)) |
| 19 | | <u>\$1,840,000</u> |

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

20 **Sec. 102.** 2019 c 416 s 105 (uncodified) is amended to read as
21 follows:

22 **FOR THE DEPARTMENT OF AGRICULTURE**

23 Motor Vehicle Account—State Appropriation (~~(\$1,357,000)~~)
24 \$1,364,000

25 The appropriation in this section is subject to the following
26 conditions and limitations: \$6,000 of the motor vehicle account—state
27 appropriation is provided solely for the implementation of
28 chapter . . . (Second Substitute House Bill No. 1633), Laws of 2020
29 (fuel tax rate information). If chapter . . . (Second Substitute
30 House Bill No. 1633), Laws of 2020 is not enacted by June 30, 2020,
31 the amount provided in this subsection lapses.

32 **Sec. 103.** 2019 c 416 s 108 (uncodified) is amended to read as
33 follows:

34 **FOR THE BOARD OF PILOTAGE COMMISSIONERS**

35 Pilotage Account—State Appropriation (~~(\$5,228,000)~~)
36 \$6,037,000

1 The appropriation in this section is subject to the following
2 conditions and limitations:

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

6 (a) Annually depositing the first one hundred fifty thousand
7 dollars collected through Puget Sound pilotage district pilotage
8 tariffs into the pilotage account; and

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

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

20 **Sec. 104.** 2019 c 416 s 109 (uncodified) is amended to read as
21 follows:

22 **FOR THE HOUSE OF REPRESENTATIVES**

23 Motor Vehicle Account—State Appropriation (~~(\$2,861,000)~~)
24 \$3,081,000

25 **TRANSPORTATION AGENCIES—OPERATING**

26 **Sec. 201.** 2019 c 416 s 201 (uncodified) is amended to read as
27 follows:

28 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

29 Highway Safety Account—State Appropriation (~~(\$4,588,000)~~)
30 \$4,672,000
31 Highway Safety Account—Federal Appropriation (~~(\$27,035,000)~~)
32 \$27,047,000
33 Highway Safety Account—Private/Local Appropriation \$118,000
34 School Zone Safety Account—State Appropriation \$850,000
35 TOTAL APPROPRIATION. (~~(\$32,591,000)~~)
36 \$32,687,000

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 54 (~~((Substitute~~
5 ~~Senate Bill No. 5710))~~), Laws of 2019 (Cooper Jones Active
6 Transportation Safety Council). If chapter 54 (~~((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 **Sec. 202.** 2019 c 416 s 202 (uncodified) is amended to read as
23 follows:

24 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

| | | |
|----|--|------------------------------|
| 25 | Rural Arterial Trust Account—State Appropriation | \$1,137,000 |
| 26 | Motor Vehicle Account—State Appropriation | ((\$2,803,000)) |
| 27 | | <u>\$2,961,000</u> |
| 28 | County Arterial Preservation Account—State | |
| 29 | Appropriation | \$1,677,000 |
| 30 | TOTAL APPROPRIATION. | ((\$5,617,000)) |
| 31 | | <u>\$5,775,000</u> |

32 The appropriations in this section are subject to the following
33 conditions and limitations: \$58,000 of the motor vehicle account—
34 state appropriation is provided solely for succession planning and
35 training.

36 **Sec. 203.** 2019 c 416 s 203 (uncodified) is amended to read as
37 follows:

1 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

2 Transportation Improvement Account—State

3 Appropriation (~~(\$4,526,000)~~)
4 \$3,850,000

5 **Sec. 204.** 2019 c 416 s 204 (uncodified) is amended to read as
6 follows:

7 **FOR THE JOINT TRANSPORTATION COMMITTEE**

8 Motor Vehicle Account—State Appropriation (~~(\$1,938,000)~~)
9 \$1,951,000

10 Multimodal Transportation Account—State Appropriation. . . (~~(\$750,000)~~)
11 \$1,152,000

12 Highway Safety Account—State Appropriation. \$275,000

13 TOTAL APPROPRIATION. (~~(\$2,963,000)~~)
14 \$3,378,000

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

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

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

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

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

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

14 (C) Population greater than fifty thousand and up to and
15 including one hundred thousand;

16 (D) Population greater than one hundred thousand;

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

21 (A) The average vehicle cost differential among the commercially
22 available fuel options;

23 (B) A cost benefit analysis of the conversion of different
24 vehicle classes; and

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

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

32 (A) Vehicle acquisition costs, charging and refueling
33 infrastructure costs, and other associated costs;

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

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

38 (iv) Identification and analysis of financing mechanisms that
39 could be used to finance the transition of publicly owned vehicles to
40 battery and fuel cell electric vehicles. These mechanisms include,

1 but are not limited to: Energy or carbon savings performance
2 contracting, utility grants and rebates, revolving loan funds, state
3 grant programs, private third-party financing, fleet management
4 services, leasing, vehicle use optimization, and vehicle to grid
5 technology; and

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

9 (b) In developing and implementing the study, the joint
10 transportation committee must solicit input from representatives of
11 the department of enterprise services, the department of
12 transportation, the department of licensing, the department of
13 commerce, the Washington state association of counties, the
14 association of Washington cities, the Washington state transit
15 association, transit agencies, and others as deemed appropriate.

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

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

23 (i) Projections of potential ridership;

24 (ii) Review of relevant planning studies;

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

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

30 (v) Assessment of current infrastructure conditions, including
31 station stop locations;

32 (vi) Identification of equipment needs; and

33 (vii) Identification of operator options.

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

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

1 (i) The relevant statutes, rules, and/or regulations authorizing
2 vehicle subagents and any changes made to the relevant statutes,
3 rules, and/or regulations;

4 (ii) The current process of selecting and authorizing a vehicle
5 subagent, including the change of ownership process and the
6 identification of any barriers to entry into the vehicle subagent
7 market;

8 (iii) The annual business expenditures borne by each of the
9 vehicle subagent businesses since fiscal year 2010 and identification
10 of any materials, including office equipment and supplies, provided
11 by the department of licensing to each vehicle subagent since fiscal
12 year 2010. To accomplish this task, each vehicle subagent must
13 provide expenditure data to the joint transportation committee for
14 the purposes of this study;

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

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

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

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

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

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

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

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

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

37 (5) \$250,000 of the motor vehicle account—state appropriation is
38 for the joint transportation committee to conduct an analysis of
39 workforce development needs of the Washington state ferries. The
40 joint transportation committee must include the state department of

1 transportation's office of equal opportunity in the study procurement
2 process as well as the technical advisory group. The report of the
3 study findings and recommendations is due to the transportation
4 committees of the legislature by January 11, 2021. The study must
5 include, but is not limited to, the following:

6 (a) A description of the current workforce, including demographic
7 composition, use of relief and temporary employees, and the numbers
8 of management and supervisory staff compared to line workers;

9 (b) An analysis of vacancies by job class and collective
10 bargaining unit, the causes of vacancies, and projections of how
11 these dynamics may change going forward;

12 (c) An analysis of current strategies for filling vacancies,
13 including the use of overtime, relief staff, on-call staff, hiring of
14 additional or new employees, and a comparison of these strategies to
15 determine which may be more cost-effective;

16 (d) An inventory of mandatory training and certification
17 requirements as compared to training provided currently to state
18 ferries employees;

19 (e) An analysis of the role of federal requirements and
20 collective bargaining agreements in determining staffing levels as
21 well as current practices in workforce management and development;

22 (f) An analysis of barriers to implementing changes in workforce
23 management or innovative approaches to workforce development; and

24 (g) Findings and recommendations regarding recruitment methods
25 and needs, strategies on how to recruit and conduct outreach to
26 underrepresented communities throughout the state, management of
27 overtime and leave usage, ratio of management employees to line
28 employees as compared to industry and public sector standards, and
29 adequacy of training budgets to meet workforce development needs.

30 (6) \$235,000 of the multimodal transportation account—state
31 appropriation is provided solely for the implementation of
32 chapter . . . (Substitute House Bill No. 2287), Laws of 2020 (rail
33 safety governance study). If chapter . . . (Substitute House Bill No.
34 2287), Laws of 2020 is not enacted by June 30, 2020, the amount
35 provided in this subsection lapses.

36 **Sec. 205.** 2019 c 416 s 205 (uncodified) is amended to read as
37 follows:

38 **FOR THE TRANSPORTATION COMMISSION**

39 Motor Vehicle Account—State Appropriation (~~(\$2,893,000)~~)

| | | |
|---|--|------------------------------|
| 1 | | <u>\$3,046,000</u> |
| 2 | Multimodal Transportation Account—State Appropriation . . . | \$112,000 |
| 3 | Interstate 405 <u>and State Route Number 167</u> | |
| 4 | Express Toll Lanes ((Operations)) Account—State | |
| 5 | Appropriation. | \$250,000 |
| 6 | TOTAL APPROPRIATION. | ((\$3,255,000)) |
| 7 | | <u>\$3,408,000</u> |

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

10 (1) (a) The commission shall reconvene the road usage charge
11 steering committee, with the same membership described in chapter
12 297, Laws of 2018, and shall report at least once every three months
13 to the steering committee with updates on report development for the
14 completed road usage charge pilot project until the final report is
15 submitted. The commission shall also report to the steering committee
16 on any other activities undertaken in accordance with this subsection
17 (1) as necessary to keep it apprised of new developments and to
18 obtain input on its efforts. The final report on the road usage
19 charge pilot project is due to the transportation committees of the
20 legislature by January 1, 2020, and should include recommendations
21 for necessary next steps to consider impacts to communities of color,
22 low-income households, vulnerable populations, and displaced
23 communities. Any legislative vacancies on the steering committee must
24 be appointed by the speaker of the house of representatives for a
25 house of representatives member vacancy, and by the president of the
26 senate for a senate member vacancy.

27 (b) The commission shall coordinate with the department of
28 transportation to jointly seek federal funds available through the
29 federal surface transportation system funding alternatives grant
30 program, applying toll credits for meeting match requirements. One or
31 more grant applications may be developed that, at a minimum, propose
32 to:

33 (i) (A) Update the recommended road usage charge operational
34 concepts and business case presented to the road usage charge
35 steering committee to reflect a range of scenarios regarding fleet
36 electrification and use of shared vehicles. The operational concepts
37 must include technological or system features necessary to ensure
38 collection of the road usage charge from electric vehicles and fleets
39 of shared and/or autonomous vehicles, if applicable. The business

1 case must assess a range of gross revenue impacts to a road usage
2 charge and fuel taxes resulting from changes to total vehicle miles
3 traveled under scenarios with varying degrees of shared, autonomous,
4 and/or electric vehicle adoption rates;

5 (B) Develop a detailed plan for phasing in the implementation of
6 road usage charges for vehicles operated in Washington, incorporating
7 any updates to road usage charge policy recommendations made in (a)
8 and (b) (i) (A) of this subsection and including consideration of
9 methods for reducing the cost of collections for a road usage charge
10 system in Washington state; and

11 (C) Examine the allocation of current gas tax revenues and
12 possible frameworks for the allocation of road usage charge revenues
13 that could be used to evaluate policy choices once road usage charge
14 revenues comprise a significant share of state revenues for
15 transportation purposes.

16 (ii) A year-end report on the status of any federally-funded
17 project for which federal funding is secured must be provided to the
18 governor's office and the transportation committees of the
19 legislature by January 1, 2020, and by January 1, 2021.

20 (c) \$150,000 of the motor vehicle account—state appropriation is
21 provided solely for analysis of potential impacts of a road usage
22 charge on communities of color, low-income households, vulnerable
23 populations, and displaced communities. The analysis must include an
24 assessment of potential mitigation measures to address these
25 potential impacts. These funds must be held in unallotted status
26 during the 2019-2021 fiscal biennium, and may only be used after the
27 commission has provided notice to the office of financial management
28 that it has exhausted all efforts to secure federal funds from the
29 federal surface transportation system funding alternatives grant
30 program under (b) of this subsection without successfully securing
31 federal funding for the further study of a road usage charge. A year-
32 end update on the status of this effort, if undertaken prior to the
33 end of calendar year 2020, must be provided to the governor's office
34 and the transportation committees of the legislature by January 1,
35 2021.

36 (2) (a) \$250,000 of the Interstate 405 and state route number 167
37 express toll lanes ((operations)) account—state appropriation is
38 provided solely for the transportation commission to conduct a study,
39 applicable to the Interstate 405 express toll lanes, of discounted
40 tolls and other similar programs for low-income drivers that are

1 provided by other states, countries, or other entities and how such a
2 program could be implemented in the state of Washington. The
3 transportation commission may contract with a consultant to conduct
4 all or a portion of this study.

5 (b) In conducting this study, the transportation commission shall
6 consult with both the department of transportation and the department
7 of social and health services.

8 (c) The transportation commission shall, at a minimum, consider
9 the following issues when conducting the study of discounted tolls
10 and other similar programs for low-income drivers:

11 (i) The benefits, requirements, and any potential detriments to
12 the users of a program;

13 (ii) The most cost-effective way to implement a program given
14 existing financial commitments, shared cost requirements across
15 facilities, and technical requirements to execute and maintain a
16 program;

17 (iii) The implications of a program for tolling policies,
18 revenues, costs, operations, and enforcement; and

19 (iv) Any implications to tolled facilities based on the type of
20 tolling implemented on a particular facility.

21 (d) The transportation commission shall provide a report
22 detailing the findings of this study and recommendations for
23 implementing a discounted toll or other appropriate program in the
24 state of Washington to the transportation committees of the
25 legislature by June 30, 2021.

26 **Sec. 206.** 2019 c 416 s 206 (uncodified) is amended to read as
27 follows:

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

29 Freight Mobility Investment Account—State

| | |
|----------------------------|----------------------------|
| 30 Appropriation | ((\$813,000)) |
| 31 | <u>\$772,000</u> |

32 **Sec. 207.** 2019 c 416 s 207 (uncodified) is amended to read as
33 follows:

34 **FOR THE WASHINGTON STATE PATROL**

| | |
|---|--------------------------------|
| 35 State Patrol Highway Account—State Appropriation . . | ((\$508,503,000)) |
| 36 | <u>\$506,034,000</u> |
| 37 State Patrol Highway Account—Federal Appropriation . | ((\$16,069,000)) |

| | | |
|---|---|--------------------------------|
| 1 | | <u>\$16,078,000</u> |
| 2 | State Patrol Highway Account—Private/Local | |
| 3 | Appropriation | \$4,257,000 |
| 4 | Highway Safety Account—State Appropriation | \$1,188,000 |
| 5 | Ignition Interlock Device Revolving Account—State | |
| 6 | Appropriation | \$7,010,000 |
| 7 | Multimodal Transportation Account—State Appropriation | \$286,000 |
| 8 | TOTAL APPROPRIATION. | ((\$537,313,000)) |
| 9 | | <u>\$534,853,000</u> |

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

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

21 (2) \$510,000 of the ignition interlock device revolving account—
22 state appropriation is provided solely for the ignition interlock
23 program at the Washington state patrol to provide funding for two
24 staff to work and provide support for the program in working with
25 manufacturers, service centers, technicians, and participants in the
26 program.

27 (3) \$1,424,000 of the state patrol highway account—state
28 appropriation is provided solely to enter into an agreement for
29 upgraded land mobile software, hardware, and equipment.

30 (4) \$2,582,000 of the state patrol highway account—state
31 appropriation is provided solely for the replacement of radios and
32 other related equipment.

33 (5) \$343,000 of the state patrol highway account—state
34 appropriation is provided solely for aerial criminal investigation
35 tools, including software licensing and maintenance, and annual
36 certification.

37 (6) (~~(\$514,000)~~) \$2,342,000 of the state patrol highway account—
38 state appropriation is provided solely (~~(for additional staff)~~) to

1 address the increase in the number of toxicology cases from impaired
2 driving and death investigations.

3 (7) \$580,000 of the state patrol highway account—state
4 appropriation is provided solely for the operation of and
5 administrative support to the license investigation unit to enforce
6 vehicle registration laws in southwestern Washington. The Washington
7 state patrol, in consultation with the department of revenue, shall
8 maintain a running estimate of the additional vehicle registration
9 fees, sales and use taxes, and local vehicle fees remitted to the
10 state pursuant to activity conducted by the license investigation
11 unit. Beginning October 1, 2019, and quarterly thereafter, the
12 Washington state patrol shall submit a report detailing the
13 additional revenue amounts generated since July 1, 2017, to the
14 director of the office of financial management and the transportation
15 committees of the legislature. At the end of the calendar quarter in
16 which it is estimated that more than \$625,000 in state sales and use
17 taxes have been remitted to the state since July 1, 2017, the
18 Washington state patrol shall notify the state treasurer and the
19 state treasurer shall transfer funds pursuant to section 406 (~~of~~
20 ~~this act~~), chapter 416, Laws of 2019.

21 (8) \$18,000 of the state patrol highway account—state
22 appropriation is provided solely for the license investigation unit
23 to procure an additional license plate reader and related costs.

24 (9) The Washington state patrol and the office of financial
25 management must be consulted by the department of transportation
26 during the design phase of any improvement or preservation project
27 that could impact Washington state patrol weigh station operations.
28 During the design phase of any such project, the department of
29 transportation must estimate the cost of designing around the
30 affected weigh station's current operations, as well as the cost of
31 moving the affected weigh station.

32 (10) \$4,210,000 of the state patrol highway account—state
33 appropriation is provided solely for a third arming and a third
34 trooper basic training class. The cadet class is expected to graduate
35 in June 2021.

36 (11) \$65,000 of the state patrol highway account—state
37 appropriation is provided solely for the implementation of chapter
38 440 (~~(Engrossed Second Substitute Senate Bill No. 5497)~~), Laws of
39 2019 (immigrants in the workplace). If chapter 440 (~~(Engrossed~~

1 ~~Second Substitute Senate Bill No. 5497~~)), Laws of 2019 is not
2 enacted by June 30, 2019, the amount provided in this subsection
3 lapses.

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

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

8 (ii) The number of transportation funded staff vacancies by major
9 category;

10 (iii) The number of applicants for each of the positions by these
11 categories;

12 (iv) The composition of workforce; and

13 (v) Other relevant outcome measures with comparative information
14 with recent comparable months in prior years.

15 (b) By January 1, 2020, the Washington state patrol must submit
16 to the transportation committees of the legislature and the governor
17 a workforce diversity plan. The plan must identify ongoing, and both
18 short-term and long-term, specific comprehensive outreach and
19 recruitment strategies to increase populations underrepresented
20 within both commissioned and noncommissioned employee groups.

21 (13) \$975,000 of the state patrol highway account—state
22 appropriation is provided solely for communications officers at the
23 King county public safety answering point.

24 (14) \$830,000 of the state patrol highway account—state
25 appropriation is provided solely for information technology security
26 enhancements.

27 (15) \$150,000 of the state patrol highway account is provided
28 solely for the Washington state patrol to work with the department of
29 enterprise services and office of minority and women's business
30 enterprises to contract for a workforce diversity strategic action
31 plan. The successful consultant must have demonstrated expertise in
32 workforce diversity research and an established record of assisting
33 organizations in implementing diversity initiatives. The plan must
34 include:

35 (a) Current and past employment data on the composition of the
36 state patrol workforce generally and of its protective service
37 workers;

38 (b) Research into the reasons for underrepresentation of
39 minorities and women in the state patrol workforce;

1 (c) Research on best practices for recruiting across the state
2 and from communities historically underrepresented in the Washington
3 state patrol workforce;

4 (d) Case studies of law enforcement and other agencies which have
5 successfully diversified their workforce; and

6 (e) A strategic plan with recommendations that will address
7 disparities in the Washington state patrol employment ranks in both
8 commissioned and noncommissioned personnel, with a focus on
9 executive, command, and supervisory employees.

10 **Sec. 208.** 2019 c 416 s 208 (uncodified) is amended to read as
11 follows:

12 **FOR THE DEPARTMENT OF LICENSING**

| | | |
|----|--|----------------------------|
| 13 | Marine Fuel Tax Refund Account—State Appropriation | \$34,000 |
| 14 | Motorcycle Safety Education Account—State | |
| 15 | Appropriation | (\$5,044,000) |
| 16 | | <u>\$5,048,000</u> |
| 17 | State Wildlife Account—State Appropriation | (\$536,000) |
| 18 | | <u>\$454,000</u> |
| 19 | Highway Safety Account—State Appropriation | (\$243,189,000) |
| 20 | | <u>\$243,940,000</u> |
| 21 | Highway Safety Account—Federal Appropriation | \$1,294,000 |
| 22 | Motor Vehicle Account—State Appropriation | (\$77,219,000) |
| 23 | | <u>\$78,349,000</u> |
| 24 | <u>Motor Vehicle Account—Federal Appropriation.</u> | <u>\$186,000</u> |
| 25 | Motor Vehicle Account—Private/Local Appropriation | \$2,858,000 |
| 26 | Ignition Interlock Device Revolving Account—State | |
| 27 | Appropriation | (\$6,143,000) |
| 28 | | <u>\$5,777,000</u> |
| 29 | Department of Licensing Services Account—State | |
| 30 | Appropriation | (\$8,012,000) |
| 31 | | <u>\$6,373,000</u> |
| 32 | <u>Electric Vehicle Account—State Appropriation.</u> | <u>\$264,000</u> |
| 33 | License Plate Technology Account—State | |
| 34 | Appropriation | \$4,250,000 |
| 35 | Abandoned Recreational Vehicle Account—State | |
| 36 | Appropriation. | \$2,925,000 |
| 37 | Limousine Carriers Account—State Appropriation. | \$113,000 |
| 38 | DOL Technology Improvement & Data Management | |

1 ~~(4))~~ (3) Appropriations provided for the cloud continuity of
2 operations project in this section are subject to the conditions,
3 limitations, and review provided in section 701 ~~((of this act))~~,
4 chapter 416, Laws of 2019.

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

21 ~~((8))~~ (5) \$507,000 of the motor vehicle account—state
22 appropriation is provided solely for the implementation of
23 chapter . . . (Substitute Senate Bill No. 5419), Laws of 2019
24 (vehicle service fees) or chapter 417 ~~((Engrossed House Bill No.
25 1789))~~, Laws of 2019 (vehicle service fees). If neither
26 chapter . . . (Substitute Senate Bill No. 5419), Laws of 2019 or
27 chapter 417 ~~((Engrossed House Bill No. 1789))~~, Laws of 2019 are
28 enacted by June 30, 2019, the amount provided in this subsection
29 lapses.

30 ~~((10))~~ (6) \$25,000 of the motor vehicle account—state
31 appropriation is provided solely for the implementation of chapter
32 177 ~~((Engrossed House Bill No. 1996))~~, Laws of 2019 (San Juan
33 Islands license plate). If chapter 177 ~~((Engrossed House Bill No.
34 1996))~~, Laws of 2019 is not enacted by June 30, 2019, the amount
35 provided in this subsection lapses.

36 ~~((11))~~ (7) \$24,000 of the motor vehicle account—state
37 appropriation is provided solely for the implementation of chapter
38 384 ~~((House Bill No. 2062))~~, Laws of 2019 (Seattle Storm license
39 plate). If chapter 384 ~~((House Bill No. 2062))~~, Laws of 2019 is not

1 enacted by June 30, 2019, the amount provided in this subsection
2 lapses.

3 ~~((13))~~ (8) \$65,000 of the highway safety account—state
4 appropriation is provided solely for the implementation of chapter
5 440 ~~((Engrossed Second Substitute Senate Bill No. 5497))~~, Laws of
6 2019 (immigrants in the workplace). If chapter 440 ~~((Engrossed
7 Second Substitute Senate Bill No. 5497))~~, Laws of 2019 is not
8 enacted by June 30, 2019, the amount provided in this subsection
9 lapses.

10 ~~((14))~~ (9) The appropriations in this section assume
11 implementation of additional cost recovery mechanisms to recoup at
12 least \$11,903,000 in credit card and other financial transaction
13 costs as part of charges imposed for driver and vehicle fee
14 transactions beginning January 1, 2020. At the direction of the
15 office of financial management, the department must develop a method
16 of tracking the additional amount of credit card and other financial
17 cost-recovery revenues. In consultation with the office of financial
18 management, the department must notify the state treasurer of these
19 amounts and the state treasurer must deposit these revenues in the
20 agency financial transaction account created in section 717 ~~((of this
21 act))~~, chapter 416, Laws of 2019 on a quarterly basis.

22 ~~((18))~~ (10) \$1,281,000 of the department of licensing service
23 account—state appropriation is provided solely for savings from the
24 implementation of chapter 417 ~~((Engrossed House Bill No. 1789))~~,
25 Laws of 2019 (vehicle service fees). If chapter 417 ~~((Engrossed
26 House Bill No. 1789))~~, Laws of 2019 is enacted by June 30, 2019, the
27 amount provided in this subsection lapses.

28 ~~((19))~~ (11) \$2,650,000 of the abandoned recreational vehicle
29 disposal account—state appropriation is provided solely for providing
30 reimbursements in accordance with the department's abandoned
31 recreational vehicle disposal reimbursement program. It is the intent
32 of the legislature that the department prioritize this funding for
33 allowable and approved reimbursements and not to build a reserve of
34 funds within the account.

35 ~~((20))~~ (12) \$20,000 of the motor vehicle account—state
36 appropriation is provided solely for the implementation of chapter
37 210 ~~((Substitute House Bill No. 1197))~~, Laws of 2019 (Gold Star
38 license plate). If chapter 210 ~~((Substitute House Bill No. 1197))~~,

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

3 ~~((21))~~ (13) \$31,000 of the motor vehicle account—state
4 appropriation is provided solely for the implementation of chapter
5 262 ~~((Substitute House Bill No. 1436))~~, Laws of 2019 (snow bikes).
6 If chapter 262 ~~((Substitute House Bill No. 1436))~~, Laws of 2019 is
7 not enacted by June 30, 2019, the amount provided in this subsection
8 lapses.

9 ~~((22))~~ (14) \$24,000 of the motor vehicle account—state
10 appropriation is provided solely for the implementation of chapter
11 139 ~~((House Bill No. 2058))~~, Laws of 2019 (Purple Heart license
12 plate). If chapter 139 ~~((House Bill No. 2058))~~, Laws of 2019 is not
13 enacted by June 30, 2019, the amount provided in this subsection
14 lapses.

15 ~~((23))~~ (15) \$24,000 of the motor vehicle account—state
16 appropriation is provided solely for the implementation of chapter
17 278 ~~((Engrossed House Bill No. 2067))~~, Laws of 2019 (vehicle and
18 vessel owner information). If chapter 278 ~~((Engrossed House Bill No.
19 2067))~~, Laws of 2019 is not enacted by June 30, 2019, the amount
20 provided in this subsection lapses.

21 ~~((25))~~ (16) \$600,000 of the highway safety account—state
22 appropriation is provided solely for the department to provide an
23 interagency transfer to the department of social and health services,
24 children's administration division for the purpose of providing
25 driver's license support to a larger population of foster youth than
26 is already served within existing resources. Support services include
27 reimbursement of driver's license issuance costs, fees for driver
28 training education, and motor vehicle liability insurance costs.

29 ~~((26))~~ (17) The department must place personal and company data
30 elements in separate data fields to allow the department to select
31 discrete data elements when providing information or data to persons
32 or entities outside the department. Pursuant to the restrictions in
33 federal and state law, a person's photo, social security number, or
34 medical information must not be made available through public
35 disclosure or data being provided under RCW 46.12.630 or 46.12.635.

36 ~~((30))~~ (18) \$91,000 of the highway safety account—state
37 appropriation is provided solely for the department's costs related
38 to the one Washington project.

1 ~~((31) \$974,000)~~ (19) \$1,674,000 of the highway safety account—
2 state appropriation is provided solely for communication and outreach
3 activities necessary to inform the public of federally acceptable
4 identification options including, but not limited to, enhanced
5 drivers' licenses and enhanced identicards. The department shall
6 continue the outreach plan that includes informational material that
7 can be effectively communicated to all communities and populations in
8 Washington. To accomplish this work, the department shall contract
9 with an external vendor with demonstrated experience and expertise in
10 outreach and marketing to underrepresented communities in a
11 culturally-responsive fashion.

12 (20) Due to the passage of chapter 1 (Initiative Measure No.
13 976), Laws of 2020, the department, working with the office of
14 financial management, shall provide an accounting of the difference
15 between actual collections and collections if the initiative were in
16 effect as of December 5, 2019.

17 (21) Within the amounts appropriated in this section, the
18 department shall relocate or finish relocating the licensing service
19 offices in Lacey, Tacoma, and Bellevue-Redmond and make emergency
20 repairs to the licensing service office in Vancouver.

21 (22) \$24,000 of the motor vehicle account—state appropriation is
22 provided solely for the implementation of chapter . . . (Substitute
23 House Bill No. 1255), Laws of 2020 (Patches pal special license
24 plate). If chapter . . . (Substitute House Bill No. 1255), Laws of
25 2020 is not enacted by June 30, 2020, the amount provided in this
26 subsection lapses.

27 (23) \$24,000 of the motor vehicle account—state appropriation is
28 provided solely for the implementation of chapter . . . (Engrossed
29 Second Substitute House Bill No. 2050), Laws of 2020 (Washington wine
30 special license plate). If chapter . . . (Engrossed Second Substitute
31 House Bill No. 2050), Laws of 2020 is not enacted by June 30, 2020,
32 the amount provided in this subsection lapses.

33 (24) \$24,000 of the motor vehicle account—state appropriation is
34 provided solely for the implementation of chapter . . . (Engrossed
35 Substitute House Bill No. 2085), Laws of 2020 (Mt. St. Helens special
36 license plate). If chapter . . . (Engrossed Substitute House Bill No.
37 2085), Laws of 2020 is not enacted by June 30, 2020, the amount
38 provided in this subsection lapses.

1 (25) \$24,000 of the motor vehicle account—state appropriation is
2 provided solely for the implementation of chapter . . . (Substitute
3 House Bill No. 2187), Laws of 2020 (women veterans special license
4 plate). If chapter . . . (Substitute House Bill No. 2187), Laws of
5 2020 is not enacted by June 30, 2020, the amount provided in this
6 subsection lapses.

7 (26) \$107,000 of the highway safety account—state appropriation
8 is provided solely for the implementation of chapter . . . (Engrossed
9 House Bill No. 2188), Laws of 2020 (military veterans commercial
10 driver's license waivers). If chapter . . . (Engrossed House Bill No.
11 2188), Laws of 2020 is not enacted by June 30, 2020, the amount
12 provided in this subsection lapses.

13 (27) \$50,000 of the motor vehicle account—state appropriation is
14 provided solely for the implementation of chapter . . . (Substitute
15 House Bill No. 2353), Laws of 2020 (fire trailer registrations). If
16 chapter . . . (Substitute House Bill No. 2353), Laws of 2020 is not
17 enacted by June 30, 2020, the amount provided in this subsection
18 lapses.

19 (28) \$100,000 of the highway safety account—state appropriation
20 is provided solely for the implementation of chapter . . .
21 (Substitute House Bill No. 2607), Laws of 2020 (homeless youth
22 identitcards). If chapter . . . (Substitute House Bill No. 2607), Laws
23 of 2020 is not enacted by June 30, 2020, the amount provided in this
24 subsection lapses.

25 (29) \$24,000 of the motor vehicle account—state appropriation is
26 provided solely for the implementation of chapter . . . (House Bill
27 No. 2669), Laws of 2020 (Seattle national hockey league special
28 license plate). If chapter . . . (House Bill No. 2669), Laws of 2020
29 is not enacted by June 30, 2020, the amount provided in this
30 subsection lapses.

31 (30) \$14,000 of the motor vehicle account—state appropriation is
32 provided solely for the implementation of chapter . . . (Engrossed
33 Substitute House Bill No. 2723), Laws of 2020 (off-road vehicle
34 enforcement). If chapter . . . (Engrossed Substitute House Bill No.
35 2723), Laws of 2020 is not enacted by June 30, 2020, the amount
36 provided in this subsection lapses.

37 **Sec. 209.** 2019 c 416 s 209 (uncodified) is amended to read as
38 follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE**
 2 **—PROGRAM B**

3 ((High Occupancy Toll Lanes Operations Account—State
 4 Appropriation \$3,774,000
 5 Motor Vehicle Account—State Appropriation \$513,000))
 6 State Route Number 520 Corridor Account—State
 7 Appropriation ((\$43,773,000))
 8 \$58,583,000
 9 State Route Number 520 Civil Penalties Account—State
 10 Appropriation \$4,145,000
 11 Tacoma Narrows Toll Bridge Account—State
 12 Appropriation ((\$27,807,000))
 13 \$33,587,000
 14 Alaskan Way Viaduct Replacement Project Account—State
 15 Appropriation. ((\$20,061,000))
 16 \$21,462,000
 17 Interstate 405 and State Route Number 167
 18 Express Toll Lanes ((Operations)) Account—
 19 State Appropriation. ((\$18,329,000))
 20 \$27,239,000
 21 TOTAL APPROPRIATION. ((\$118,402,000))
 22 \$145,016,000

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

25 (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state
 26 appropriation and \$11,034,000 of the state route number 520 corridor
 27 account—state appropriation are provided solely for the purposes of
 28 addressing unforeseen operations and maintenance costs on the Tacoma
 29 Narrows bridge and the state route number 520 bridge, respectively.
 30 The office of financial management shall place the amounts provided
 31 in this subsection, which represent a portion of the required minimum
 32 fund balance under the policy of the state treasurer, in unallotted
 33 status. The office may release the funds only when it determines that
 34 all other funds designated for operations and maintenance purposes
 35 have been exhausted.

36 (2) As long as the facility is tolled, the department must
 37 provide quarterly reports to the transportation committees of the
 38 legislature on the Interstate 405 express toll lane project

1 performance measures listed in RCW 47.56.880(4). These reports must
2 include:

3 (a) Information on the travel times and travel time reliability
4 (at a minimum, average and 90th percentile travel times) maintained
5 during peak and nonpeak periods in the express toll lanes and general
6 purpose lanes for both the entire corridor and commonly made trips in
7 the corridor including, but not limited to, northbound from Bellevue
8 to Rose Hill, state route number 520 at NE 148th to Interstate 405 at
9 state route number 522, Bellevue to Bothell (both NE 8th to state
10 route number 522 and NE 8th to state route number 527), and a trip
11 internal to the corridor (such as NE 85th to NE 160th) and similar
12 southbound trips;

13 (b) A month-to-month comparison of travel times and travel time
14 reliability for the entire corridor and commonly made trips in the
15 corridor as specified in (a) of this subsection since implementation
16 of the express toll lanes and, to the extent available, a comparison
17 to the travel times and travel time reliability prior to
18 implementation of the express toll lanes;

19 (c) Total express toll lane and total general purpose lane
20 traffic volumes, as well as per lane traffic volumes for each type of
21 lane (i) compared to total express toll lane and total general
22 purpose lane traffic volumes, as well as per lane traffic volumes for
23 each type of lane, on this segment of Interstate 405 prior to
24 implementation of the express toll lanes and (ii) compared to total
25 express toll lane and total general purpose lane traffic volumes, as
26 well as per lane traffic volumes for each type of lane, from month to
27 month since implementation of the express toll lanes; and

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

31 (3) (a) (~~(\$71,000)~~) \$2,114,000 of the (~~(high occupancy toll lanes~~
32 ~~operations)) Interstate 405 and state route number 167 express toll
33 lanes account—state appropriation, (~~(\$1,238,000)~~) \$4,920,000 of the
34 state route number 520 corridor account—state appropriation,
35 (~~(\$532,000)~~) \$2,116,000 of the Tacoma Narrows toll bridge account—
36 state appropriation, (~~(\$460,000 of the Interstate 405 express toll~~
37 ~~lanes operations account state appropriation,)~~) and (~~(\$699,000)~~)
38 \$2,776,000 of the Alaskan Way viaduct replacement project account—
39 state appropriation are provided solely for the department to finish~~

1 implementing a new tolling customer service toll collection system,
2 and are subject to the conditions, limitations, and review provided
3 in section 701 (~~of this act~~), chapter 416, Laws of 2019.

4 (b) The department shall continue to work with the office of
5 financial management, office of the chief information officer, and
6 the transportation committees of the legislature on the project
7 management plan that includes a provision for independent
8 verification and validation of contract deliverables from the
9 successful bidder and a provision for quality assurance that includes
10 reporting independently to the office of the chief information
11 officer on an ongoing basis during system implementation.

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

15 (a) The use of consultants in the tolling program, including the
16 name of the contractor, the scope of work, the type of contract,
17 timelines, deliverables, any new task orders, and any extensions to
18 existing consultant contracts;

19 (b) The nonvendor costs of administering toll operations,
20 including the costs of staffing the division, consultants, and other
21 personal service contracts required for technical oversight and
22 management assistance, insurance, payments related to credit card
23 processing, transponder purchases and inventory management, facility
24 operations and maintenance, and other miscellaneous nonvendor costs;

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

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

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

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

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

36 (iv) Workload costs related to hearings;

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

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

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

4 (5) (~~(\$17,517,000)~~) \$24,517,000 of the Interstate 405 and state
5 route number 167 express toll lanes (~~(operations)~~) account—state
6 appropriation is provided solely for operational costs related to the
7 express toll lane facility.

8 (6) In calendar year 2021, toll equipment on the Tacoma Narrows
9 Bridge will have reached the end of its operational life. During the
10 2019-2021 fiscal biennium, the department plans to issue a request
11 for proposals as the first stage of a competitive procurement process
12 that will replace the toll equipment and select a new tolling
13 operator for the Tacoma Narrows Bridge. The request for proposals and
14 subsequent competitive procurement must incorporate elements that
15 prioritize the overall goal of lowering costs per transaction for the
16 facility, such as incentives for innovative approaches which result
17 in lower transactional costs, requests for efficiencies on the part
18 of the bidder that lower operational costs, and incorporation of
19 technologies such as self-serve credit card machines or other point-
20 of-payment technologies that lower costs or improve operational
21 efficiencies.

22 (7) (~~(\$19,362,000)~~) \$18,686,000 of the Alaskan Way viaduct
23 replacement project account—state appropriation is provided solely
24 for the new state route number 99 tunnel toll facility's expected
25 share of collecting toll revenues, operating customer services, and
26 maintaining toll collection systems. The legislature expects to see
27 appropriate reductions to the other toll facility accounts once
28 tolling on the new state route number 99 tunnel toll facility
29 commences and any previously incurred costs for start-up of the new
30 facility are charged back to the Alaskan Way viaduct replacement
31 project account. The office of financial management shall closely
32 monitor the application of the cost allocation model and ensure that
33 the new state route number 99 tunnel toll facility is adequately
34 sharing costs and the other toll facility accounts are not being
35 overspent or subsidizing the new state route number 99 tunnel toll
36 facility.

37 (8) (~~(\$256,000)~~) \$608,000 of the (~~(high occupancy toll lanes~~
38 ~~operations account state appropriation and \$352,000 of the)~~)
39 Interstate 405 and state route number 167 express toll lanes

1 ((operations)) account—state appropriation are provided solely for
2 increased levels of service from the Washington state patrol for
3 enforcement of toll lane violations on the ((state route number 167
4 ~~high occupancy toll lanes and the~~) Interstate 405 and state route
5 number 167 express toll lanes. The department shall compile monthly
6 data on the number of Washington state patrol enforcement hours on
7 each facility and the percentage of time during peak hours that
8 speeds are at or above forty-five miles per hour on each facility.
9 The department shall provide this data in a report to the
10 transportation committees of the legislature on at least a calendar
11 quarterly basis.

12 **Sec. 210.** 2019 c 416 s 210 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM**
15 **C**

| | | |
|----|--|--------------------------------|
| 16 | Transportation Partnership Account—State Appropriation . . . | \$1,460,000 |
| 17 | Motor Vehicle Account—State Appropriation | ((\$94,993,000)) |
| 18 | | <u>\$96,310,000</u> |
| 19 | Puget Sound Ferry Operations Account—State | |
| 20 | Appropriation | \$263,000 |
| 21 | Multimodal Transportation Account—State | |
| 22 | Appropriation | \$2,878,000 |
| 23 | Transportation 2003 Account (Nickel Account)—State | |
| 24 | Appropriation | \$1,460,000 |
| 25 | TOTAL APPROPRIATION. | ((\$101,054,000)) |
| 26 | | <u>\$102,371,000</u> |

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

29 (1) \$8,114,000 of the motor vehicle account—state appropriation
30 is provided solely for the development of the labor system
31 replacement project and is subject to the conditions, limitations,
32 and review provided in section 701 ((of this act)), chapter 416, Laws
33 of 2019. It is the intent of the legislature that if any portion of
34 the labor system replacement project is leveraged in the future for
35 the time, leave, and labor distribution of any other agencies, the
36 motor vehicle account will be reimbursed proportionally for the
37 development of the system since amounts expended from the motor
38 vehicle account must be used exclusively for highway purposes in

1 conformance with Article II, section 40 of the state Constitution.
2 This must be accomplished through a loan arrangement with the current
3 interest rate under the terms set by the office of the state
4 treasurer at the time the system is deployed to additional agencies.
5 If the motor vehicle account is not reimbursed for future use of the
6 system, it is further the intent of the legislature that reductions
7 will be made to central service agency charges accordingly. The
8 department shall provide a report to the transportation committees of
9 the legislature by December 31, 2019, detailing the project timeline
10 as of July 1, 2019, an updated project timeline if necessary,
11 expenditures made to date for the purposes of this project, and
12 expenditures projected through the remainder of the project timeline.

13 (2) (~~(\$198,000)~~) \$1,375,000 of the motor vehicle account—state
14 appropriation is provided solely for the department's cost related to
15 the one Washington project.

16 (3) \$21,500,000 of the motor vehicle account—state appropriation
17 is provided solely for the activities of the information technology
18 program in developing and maintaining information systems that
19 support the operations and program delivery of the department,
20 ensuring compliance with section 701 (~~(of this act)~~), chapter 416,
21 Laws of 2019, and the requirements of the office of the chief
22 information officer under RCW 43.88.092 to evaluate and prioritize
23 any new financial and capital systems replacement or modernization
24 project and any other information technology project. During the
25 2019-2021 biennium, the department is prohibited from using the
26 distributed direct program support or any other cost allocation
27 method to fund any new financial and capital systems replacement or
28 modernization project without having the project evaluated and
29 prioritized by the office of the chief information officer and
30 submitting a decision package to the governor and the transportation
31 committees of the legislature as part of the normal budget process.

32 **Sec. 211.** 2019 c 416 s 211 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION—FACILITY MAINTENANCE,**
35 **OPERATIONS, AND CONSTRUCTION—PROGRAM D—OPERATING**
36 Motor Vehicle Account—State Appropriation (~~(\$33,149,000)~~)
37 \$34,801,000
38 State Route Number 520 Corridor Account—State

| | | |
|---|------------------------------|-------------------------------|
| 1 | Appropriation | \$34,000 |
| 2 | TOTAL APPROPRIATION. | ((\$33,183,000)) |
| 3 | | <u>\$34,835,000</u> |

4 **Sec. 212.** 2019 c 416 s 212 (uncodified) is amended to read as
5 follows:

| | | |
|----|--|-------------------------------|
| 6 | FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F | |
| 7 | Aeronautics Account—State Appropriation | ((\$7,635,000)) |
| 8 | | <u>\$7,542,000</u> |
| 9 | Aeronautics Account—Federal Appropriation | ((\$2,542,000)) |
| 10 | | <u>\$3,043,000</u> |
| 11 | Aeronautics Account—Private/Local Appropriation | \$60,000 |
| 12 | TOTAL APPROPRIATION. | ((\$10,237,000)) |
| 13 | | <u>\$10,645,000</u> |

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

16 (1) \$2,751,000 of the aeronautics account—state appropriation is
17 provided solely for the airport aid grant program, which provides
18 competitive grants to public use airports for pavement, safety,
19 maintenance, planning, and security.

20 (2) ~~((~~\$468,000~~ of the aeronautics account—state appropriation is
21 provided solely for one FTE dedicated to planning aviation emergency
22 services and addressing emerging aeronautics requirements, and for
23 the implementation of chapter . . . (House Bill No. 1397), Laws of
24 2019 (electric aircraft work group), which extends the electric
25 aircraft work group past its current expiration and allows WSDOT to
26 employ a consultant to assist with the work group. If chapter . . .
27 (House Bill No. 1397), Laws of 2019 is not enacted by June 30, 2019,
28 \$200,000 of the amount in this subsection lapses.~~

29 ~~(3))~~ \$200,000 of the aeronautics account—state appropriation is
30 provided solely for the department to convene an electric aircraft
31 work group to study the state of the electrically powered aircraft
32 industry and assess infrastructure needs related to the deployment of
33 electric or hybrid-electric aircraft for commercial air travel in
34 Washington state.

35 (a) The chair of the work group may be a consultant specializing
36 in aeronautics. The work group must include, but is not limited to,
37 representation from the electric aircraft industry, the aircraft
38 manufacturing industry, electric utility districts, the battery

1 industry, the department of commerce, the department of
2 transportation aviation division, the airline pilots association, a
3 primary airport representing an airport association, and the airline
4 industry.

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

6 (i) Infrastructure requirements necessary to facilitate electric
7 aircraft operations at airports;

8 (ii) Potential economic and public benefits including, but not
9 limited to, the direct and indirect impact on the number of
10 manufacturing and service jobs and the wages from those jobs in
11 Washington state;

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

14 (iv) Educational and workforce requirements for manufacturing and
15 maintaining electric aircraft;

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

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

22 (vii) Recommendations to further the advancement of the
23 electrification of aircraft for regional commercial use within
24 Washington state, including specific, measureable goals for the years
25 2030, 2040, and 2050 that reflect progressive and substantial
26 increases in the utilization of electric and hybrid-electric
27 commercial aircraft.

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

31 (d) If chapter . . . (House Bill No. 1397), Laws of 2019 is
32 enacted by June 30, 2019, the amount provided in this subsection
33 (~~((3))~~) (2) lapses.

34 (~~((4))~~) (3) \$150,000 of the aeronautics account—state
35 appropriation is provided solely for the implementation of chapter
36 396 (~~((Substitute Senate Bill No. 5370))~~), Laws of 2019 (aviation
37 coordinating commission). If chapter 396 (~~((Substitute Senate Bill
38 No. 5370))~~), Laws of 2019 is not enacted by June 30, 2019, the amount
39 provided in this subsection lapses.

1 (4) Within amounts appropriated in this section, the aviation
2 division of the department shall assist and consult with the
3 department of revenue in their efforts to update the document titled
4 "Washington Action Plan - FAA Policy Concerning Airport Revenue" to
5 reflect changes to Washington tax code regarding hazardous
6 substances. The department of revenue, in consultation with the
7 aviation division of the Washington state department of
8 transportation, is tasked with developing and recommending a
9 methodology to segregate and track actual amounts collected from the
10 hazardous substance tax under chapter 82.21 RCW and the petroleum
11 products tax under chapter 82.23A RCW as imposed on aviation fuel.
12 The department of revenue is directed to submit a report, including
13 the recommended methodology, to the fiscal committees of the house of
14 representatives and the senate by January 11, 2021.

15 **Sec. 213.** 2019 c 416 s 213 (uncodified) is amended to read as
16 follows:

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

| | | |
|----|---|---------------------|
| 19 | Motor Vehicle Account—State Appropriation | ((\$59,801,000)) |
| 20 | | <u>\$59,768,000</u> |
| 21 | Motor Vehicle Account—Federal Appropriation | \$500,000 |
| 22 | Multimodal Transportation Account—State Appropriation . . . | \$258,000 |
| 23 | TOTAL APPROPRIATION. | ((\$60,559,000)) |
| 24 | | <u>\$60,526,000</u> |

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

27 (1) The legislature recognizes that the trail known as the Rocky
28 Reach Trail, and its extensions, serve to separate motor vehicle
29 traffic from pedestrians and bicyclists, increasing motor vehicle
30 safety on state route number 2 and the coincident section of state
31 route number 97. Consistent with chapter 47.30 RCW and pursuant to
32 RCW 47.12.080, the legislature declares that transferring portions of
33 WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and
34 associated buffer areas to the Washington state parks and recreation
35 commission is consistent with the public interest. The legislature
36 directs the department to transfer the property to the Washington
37 state parks and recreation commission.

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

4 (b) Prior to completing the transfer in this subsection (1), the
5 department must ensure that provisions are made to accommodate
6 private and public utilities and any facilities that predate the
7 department's acquisition of the property, at no cost to those
8 entities. Prior to completing the transfer, the department shall also
9 ensure that provisions, by fair market assessment, are made to
10 accommodate other private and public utilities and any facilities
11 that have been legally allowed by permit or other instrument.

12 (c) The department may sell any adjoining property that is not
13 necessary to support the Rocky Reach Trail and adjacent buffer areas
14 only after the transfer of trail-related property to the Washington
15 state parks and recreation commission is complete. Adjoining property
16 owners must be given the first opportunity to acquire such property
17 that abuts their property, and applicable boundary line or other
18 adjustments must be made to the legal descriptions for recording
19 purposes.

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

28 (3) \$1,600,000 of the motor vehicle account—state appropriation
29 is provided solely for real estate services activities. Consistent
30 with RCW 47.12.120 and during the 2019-2021 fiscal biennium, when
31 initiating, extending, or renewing any rent or lease agreements with
32 a regional transit authority, consideration of value must be
33 equivalent to one hundred percent of economic or market rent.

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

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

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

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

9 **Sec. 214.** 2019 c 416 s 214 (uncodified) is amended to read as
10 follows:

11 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—**
12 **PROGRAM K**

| | |
|---|-------------|
| 13 Motor Vehicle Account—State Appropriation | \$670,000 |
| 14 Electric Vehicle Account—State Appropriation. | \$2,000,000 |
| 15 Multimodal Transportation Account—State Appropriation. . . | \$1,634,000 |
| 16 TOTAL APPROPRIATION. | \$4,304,000 |

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

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

22 (2) \$350,000 of the multimodal transportation account—state
23 appropriation is provided solely for the department to execute a
24 transit oriented development pilot project at Kingsgate park and ride
25 in Kirkland intended to be completed by December 31, 2023. The
26 purpose of the pilot project is to demonstrate how appropriate
27 department properties may be used to provide multiple public benefits
28 such as affordable and market rate housing, commercial development,
29 and institutional facilities in addition to transportation purposes.
30 To accomplish the pilot project, the department is authorized to
31 exercise all legal and administrative powers authorized in statute
32 that may include, but is not limited to, the transfer, lease, or sale
33 of some or all of the property to another governmental agency, public
34 development authority, or nonprofit developer approved by the
35 department and partner agencies. The department may also partner with
36 sound transit, King county, the city of Kirkland, and any other
37 federal, regional, or local jurisdiction on any policy changes
38 necessary from those jurisdictions to facilitate the pilot project.

1 By December 1, 2019, the department must report to the legislature on
2 any legislative actions necessary to facilitate the pilot project and
3 future transit oriented development projects.

4 (3) \$2,000,000 of the electric vehicle account—state
5 appropriation is provided solely for the clean alternative fuel
6 vehicle charging and refueling infrastructure program in chapter 287
7 (~~((Engrossed Second Substitute House Bill No. 2042))~~), Laws of 2019
8 (advancing green transportation adoption). If chapter 287
9 (~~((Engrossed Second Substitute House Bill No. 2042))~~), Laws of 2019
10 is not enacted by June 30, 2019, the amount provided in this
11 subsection lapses.

12 (4) \$1,200,000 of the multimodal transportation account—state
13 appropriation is provided solely for the pilot program established
14 under chapter 287 (~~((Engrossed Second Substitute House Bill No.
15 2042))~~), Laws of 2019 (advancing green transportation adoption) to
16 provide clean alternative fuel vehicle use opportunities to
17 underserved communities and low to moderate income members of the
18 workforce not readily served by transit or located in transportation
19 corridors with emissions that exceed federal or state emissions
20 standards. If chapter 287 (~~((Engrossed Second Substitute House Bill
21 No. 2042))~~), Laws of 2019 is not enacted by June 30, 2019, the amount
22 provided in this subsection lapses.

23 (5) \$84,000 of the multimodal transportation account—state
24 appropriation is provided solely for an interagency transfer to the
25 department of commerce for the purpose of conducting a study as
26 described in chapter 287 (~~((Engrossed Second Substitute House Bill
27 No. 2042))~~), Laws of 2019 (advancing green transportation adoption)
28 to identify opportunities to reduce barriers to electric vehicle
29 adoption by lower income residents of the state through the use of
30 vehicle and infrastructure financing assistance. If chapter 287
31 (~~((Engrossed Second Substitute House Bill No. 2042))~~), Laws of 2019
32 is not enacted by June 30, 2019, the amount provided in this
33 subsection lapses.

34 **Sec. 215.** 2019 c 416 s 215 (uncodified) is amended to read as
35 follows:

36 **FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M**
37 Motor Vehicle Account—State Appropriation (~~(\$495,228,000)~~)
38 \$489,575,000

| | | |
|----|--|----------------------------|
| 1 | Motor Vehicle Account—Federal Appropriation | \$7,000,000 |
| 2 | State Route Number 520 Corridor Account—State | |
| 3 | Appropriation | \$4,447,000 |
| 4 | Tacoma Narrows Toll Bridge Account—State | |
| 5 | Appropriation | \$1,549,000 |
| 6 | Alaskan Way Viaduct Replacement Project | |
| 7 | Account—State Appropriation | (\$9,533,000) |
| 8 | | <u>\$9,535,000</u> |
| 9 | Interstate 405 <u>and State Route Number 167</u> Express Toll | |
| 10 | Lanes ((Operations)) Account—State Appropriation. . . | \$1,370,000 |
| 11 | TOTAL APPROPRIATION. | (\$519,127,000) |
| 12 | | <u>\$513,476,000</u> |

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

15 (1) (a) \$6,170,000 of the motor vehicle account—state
16 appropriation is provided solely for utility fees assessed by local
17 governments as authorized under RCW 90.03.525 for the mitigation of
18 stormwater runoff from state highways. Plan and reporting
19 requirements as required in chapter 435 (~~(Senate Bill No. 5505)~~),
20 Laws of 2019 (Local Stormwater Charges) shall be consistent with the
21 January 2012 findings of the Joint Transportation Committee Report
22 for Effective Cost Recovery Structure for WSDOT, Jurisdictions, and
23 Efficiencies in Stormwater Management.

24 (b) Pursuant to RCW 90.03.525(3), the department and the
25 utilities imposing charges to the department shall negotiate with the
26 goal of agreeing to rates such that the total charges to the
27 department for the 2019-2021 fiscal biennium do not exceed the amount
28 provided in this subsection. The department shall report to the
29 transportation committees of the legislature on the amount of funds
30 requested, the funds granted, and the strategies used to keep costs
31 down, by January 17, 2021. If chapter 435 (~~(Senate Bill No. 5505)~~),
32 Laws of 2019 (local stormwater charges) is enacted by June 30, 2019,
33 this subsection (1) (b) does not take effect.

34 (2) \$4,447,000 of the state route number 520 corridor account—
35 state appropriation is provided solely to maintain the state route
36 number 520 floating bridge. These funds must be used in accordance
37 with RCW 47.56.830(3).

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

4 (4) \$1,370,000 of the Interstate 405 and state route number 167
5 express toll lanes (~~(operations)~~) account—state appropriation is
6 provided solely to maintain the Interstate 405 express toll lanes
7 between Lynnwood and Bellevue. These funds must be used in accordance
8 with RCW 47.56.830(3).

9 (5) \$5,000,000 of the motor vehicle account—state appropriation
10 is provided solely for a contingency pool for snow and ice removal.
11 The department must notify the office of financial management and the
12 transportation committees of the legislature when they have spent the
13 base budget for snow and ice removal and will begin using the
14 contingency pool funding.

15 (6) \$1,025,000 of the motor vehicle account—state appropriation
16 is provided solely for the department to implement safety
17 improvements and debris clean up on department-owned rights-of-way in
18 the city of Seattle at levels above that being implemented as of
19 January 1, 2019. The department must contract out or hire a crew
20 dedicated solely to collecting and disposing of garbage, clearing
21 debris or hazardous material, and implementing safety improvements
22 where hazards exist to the traveling public, department employees, or
23 people encamped upon department-owned rights-of-way. The department
24 may request assistance from the Washington state patrol as necessary
25 in order for both agencies to provide enhanced safety-related
26 activities regarding the emergency hazards along state highway
27 rights-of-way in the Seattle area.

28 (7) \$1,015,000 of the motor vehicle account—state appropriation
29 is provided solely for a partnership program between the department
30 and the city of Tacoma. The program shall address the safety and
31 public health problems created by homeless encampments on the
32 department's property along state highways within the city limits.
33 \$570,000 is for dedicated department maintenance staff and associated
34 clean-up costs. The department and the city of Tacoma shall enter
35 into a reimbursable agreement to cover up to \$445,000 of the city's
36 expenses for clean-up crews and landfill costs.

37 (8) The department must commence a pilot program for the
38 2019-2021 fiscal biennium at the four highest demand safety rest
39 areas to create and maintain an online calendar for volunteer groups

1 to check availability of weekends for the free coffee program. The
2 calendar must be updated at least weekly and show dates and times
3 that are, or are not, available to participate in the free coffee
4 program. The department must submit a report to the legislature on
5 the ongoing pilot by December 1, 2020, outlining the costs and
6 benefits of the online calendar pilot, and including surveys from the
7 volunteer groups and agency staff to determine its effectiveness.

8 **Sec. 216.** 2019 c 416 s 216 (uncodified) is amended to read as
9 follows:

10 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
11 **OPERATING**

| | |
|--|-------------------------------|
| 12 Motor Vehicle Account—State Appropriation | ((\$70,681,000)) |
| 13 | <u>\$76,235,000</u> |
| 14 Motor Vehicle Account—Federal Appropriation | \$2,050,000 |
| 15 Motor Vehicle Account—Private/Local Appropriation | \$250,000 |
| 16 TOTAL APPROPRIATION. | ((\$72,981,000)) |
| 17 | <u>\$78,535,000</u> |

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

20 (1) \$6,000,000 of the motor vehicle account—state appropriation
21 is provided solely for low-cost enhancements. The department shall
22 give priority to low-cost enhancement projects that improve safety or
23 provide congestion relief. By December 15th of each odd-numbered
24 year, the department shall provide a report to the legislature
25 listing all low-cost enhancement projects completed in the prior
26 fiscal biennium.

27 (2)(a) During the 2019-2021 fiscal biennium, the department shall
28 continue a pilot program that expands private transportation
29 providers' access to high occupancy vehicle lanes. Under the pilot
30 program, when the department reserves a portion of a highway based on
31 the number of passengers in a vehicle, the following vehicles must be
32 authorized to use the reserved portion of the highway if the vehicle
33 has the capacity to carry eight or more passengers, regardless of the
34 number of passengers in the vehicle: (i) Auto transportation company
35 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter
36 carrier vehicles regulated under chapter 81.70 RCW, except marked or
37 unmarked stretch limousines and stretch sport utility vehicles as
38 defined under department of licensing rules; (iii) private nonprofit

1 transportation provider vehicles regulated under chapter 81.66 RCW;
2 and (iv) private employer transportation service vehicles. For
3 purposes of this subsection, "private employer transportation
4 service" means regularly scheduled, fixed-route transportation
5 service that is offered by an employer for the benefit of its
6 employees. Nothing in this subsection is intended to authorize the
7 conversion of public infrastructure to private, for-profit purposes
8 or to otherwise create an entitlement or other claim by private users
9 to public infrastructure.

10 (b) The department shall expand the high occupancy vehicle lane
11 access pilot program to vehicles that deliver or collect blood,
12 tissue, or blood components for a blood-collecting or distributing
13 establishment regulated under chapter 70.335 RCW. Under the pilot
14 program, when the department reserves a portion of a highway based on
15 the number of passengers in a vehicle, blood-collecting or
16 distributing establishment vehicles that are clearly and identifiably
17 marked as such on all sides of the vehicle are considered emergency
18 vehicles and must be authorized to use the reserved portion of the
19 highway.

20 (c) The department shall expand the high occupancy vehicle lane
21 access pilot program to private, for hire vehicles regulated under
22 chapter 81.72 RCW that have been specially manufactured, designed, or
23 modified for the transportation of a person who has a mobility
24 disability and uses a wheelchair or other assistive device. Under the
25 pilot program, when the department reserves a portion of a highway
26 based on the number of passengers in a vehicle, wheelchair-accessible
27 taxicabs that are clearly and identifiably marked as such on all
28 sides of the vehicle are considered public transportation vehicles
29 and must be authorized to use the reserved portion of the highway.

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

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

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

1 **Sec. 217.** 2019 c 416 s 217 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND**
4 **SUPPORT—PROGRAM S**

| | |
|---|-------------------------------|
| 5 Motor Vehicle Account—State Appropriation | ((\$38,782,000)) |
| | <u>\$38,771,000</u> |
| 7 Motor Vehicle Account—Federal Appropriation | \$1,380,000 |
| 8 Motor Vehicle Account—Private/Local Appropriation | \$500,000 |
| 9 Multimodal Transportation Account—State | |
| 10 Appropriation | \$1,129,000 |
| 11 TOTAL APPROPRIATION. | ((\$41,791,000)) |
| | <u>\$41,780,000</u> |

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

15 (1) \$2,000,000 of the motor vehicle account—state appropriation
16 is provided solely for a grant program that makes awards for the
17 following: (a) Support for nonprofit agencies, churches, and other
18 entities to help provide outreach to populations underrepresented in
19 the current apprenticeship programs; (b) preapprenticeship training;
20 and (c) child care, transportation, and other supports that are
21 needed to help women, veterans, and minorities enter and succeed in
22 apprenticeship. The department must report on grants that have been
23 awarded and the amount of funds disbursed by December 1st each year.
24 If moneys are provided in the omnibus operating appropriations act
25 for a career connected learning grant program, defined in
26 chapter . . . (Substitute House Bill No. 1336), Laws of 2019, or
27 otherwise, the amount provided in this subsection lapses.

28 (2) \$150,000 of the motor vehicle account—state appropriation is
29 provided solely for a user-centered and mobile-compatible web site
30 redesign using estimated web site ad revenues.

31 (3) From the revenues generated by the five dollar per studded
32 tire fee under RCW 46.37.427, \$250,000 of the motor vehicle account—
33 state appropriation is provided solely for the department, in
34 consultation with the appropriate local jurisdictions and relevant
35 stakeholder groups, to establish a pilot media-based public
36 information campaign regarding the damage of studded tire use on
37 state and local roadways in Whatcom county, and to continue the
38 existing pilot information campaign in Spokane county. The reason for
39 the geographic selection of Spokane and Whatcom counties is based on

1 the high utilization of studded tires in these jurisdictions. The
 2 public information campaigns must primarily focus on making the
 3 consumer aware of the safety implications for other drivers, road
 4 deterioration, financial impact for taxpayers, and, secondarily, the
 5 alternatives to studded tires. The Whatcom county pilot media-based
 6 public information campaign must begin by September 1, 2020. By
 7 January 14, 2021, the department must provide the transportation
 8 committees of the legislature an update on the Spokane and Whatcom
 9 county pilot media-based public information campaigns.

10 ~~((4) \$138,000 of the motor vehicle account state appropriation~~
 11 ~~is provided solely for the implementation of chapter . . . (Second~~
 12 ~~Substitute Senate Bill No. 5489), Laws of 2019 (concerning~~
 13 ~~environmental health disparities). If chapter . . . (Second~~
 14 ~~Substitute Senate Bill No. 5489), Laws of 2019 is not enacted by June~~
 15 ~~30, 2019, the amount provided in this subsection lapses.))~~

16 **Sec. 218.** 2019 c 416 s 218 (uncodified) is amended to read as
 17 follows:

18 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA,**
 19 **AND RESEARCH—PROGRAM T**

20 ((High Occupancy Toll Lanes Operations
 21 Account)) Interstate 405 and State Route Number 167
 22 Express Toll Lanes Account—State Appropriation. . . . \$3,000,000
 23 Motor Vehicle Account—State Appropriation ((\$29,403,000))
 24 \$27,127,000
 25 Motor Vehicle Account—Federal Appropriation ((\$29,485,000))
 26 \$35,385,000
 27 Motor Vehicle Account—Private/Local Appropriation. ((\$800,000))
 28 \$1,200,000
 29 Multimodal Transportation Account—State Appropriation . . . \$710,000
 30 Multimodal Transportation Account—Federal
 31 Appropriation \$2,809,000
 32 Multimodal Transportation Account—Private/Local
 33 Appropriation \$100,000
 34 State Route Number 520 Corridor Account—State
 35 Appropriation. \$556,000
 36 TOTAL APPROPRIATION. ((\$66,307,000))
 37 \$70,887,000

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

3 (1) \$130,000 of the motor vehicle account—state appropriation is
4 provided solely for completion of a corridor study to identify
5 potential improvements between exit 116 and exit 99 of Interstate 5.
6 The study should further develop mid- and long-term strategies from
7 the corridor sketch, and identify potential US 101/I-5 interchange
8 improvements, a strategic plan for the Nisqually River bridges,
9 regional congestion relief options, and ecosystem benefits to the
10 Nisqually River estuary for salmon productivity and flood control.

11 (2) The study on state route number 518 referenced in section
12 218(5), chapter 297, Laws of 2018 must be submitted to the
13 transportation committees of the legislature by November 30, 2019.

14 (3) \$100,000 of the motor vehicle account—state appropriation is
15 provided solely to complete the Tacoma mall direct access feasibility
16 study.

17 (4) \$4,600,000 of the motor vehicle account—federal appropriation
18 is provided solely to complete the road usage charge pilot project
19 overseen by the transportation commission using the remaining unspent
20 amount of the federal grant award. The purpose of the road usage
21 charge pilot project is to explore the viability of a road usage
22 charge as a possible replacement for the gas tax.

23 (5) \$3,000,000 of the ~~((high occupancy toll lanes operations))~~
24 Interstate 405 and state route number 167 express toll lanes account—
25 state appropriation is provided solely for updating the state route
26 number 167 master plan. If ~~((neither))~~ chapter 421 ~~((Engrossed~~
27 ~~Substitute Senate Bill No. 5825))~~, Laws of 2019 (addressing tolling)
28 ~~((nor chapter . . . (House Bill No. 2132), Laws of 2019 (addressing~~
29 ~~tolling))~~) is not enacted by June 30, 2019, the amount provided in
30 this subsection lapses.

31 (6) \$556,000 of the state route number 520 corridor account—state
32 appropriation is provided solely for the department to contract with
33 the University of Washington department of mechanical engineering, to
34 study measures to reduce noise impacts from the state route number
35 520 bridge expansion joints. The field testing shall be scheduled
36 during existing construction, maintenance, or other scheduled
37 closures to minimize impacts. The testing must also ensure safety of
38 the traveling public. The study shall examine testing methodologies
39 and project timelines and costs. A final report must be submitted to

1 the transportation committees of the legislature and the governor by
2 December 1, 2021.

3 (7) \$5,900,000 of the motor vehicle account—federal appropriation
4 and \$400,000 of the motor vehicle account—private/local appropriation
5 are provided solely for delivery of the department's state planning
6 and research work program and pooled fund research projects, provided
7 that the department may not expend any amounts provided in this
8 section on a long-range plan or corridor scenario analysis for I-5
9 from Tumwater to Marysville. This is not intended to reference or
10 impact the existing I-5 corridor from Mounts road to Tumwater
11 analysis.

12 **Sec. 219.** 2019 c 416 s 219 (uncodified) is amended to read as
13 follows:

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

| | |
|--|-------------------------------|
| 16 Motor Vehicle Account—State Appropriation | ((\$71,996,000)) |
| | <u>\$78,976,000</u> |
| 18 Multimodal Transportation Account—State | |
| 19 Appropriation | ((\$2,491,000)) |
| | <u>\$2,690,000</u> |
| 21 TOTAL APPROPRIATION. | ((\$74,487,000)) |
| | <u>\$81,666,000</u> |

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

25 (1) Prior to entering into any negotiated settlement of a claim
26 against the state for the department that exceeds five million
27 dollars, the department, in conjunction with the attorney general and
28 the department of enterprise services, shall notify the director of
29 the office of financial management and the transportation committees
30 of the legislature.

31 (2) Beginning October 1, 2019, and quarterly thereafter, the
32 department, in conjunction with the attorney general and the
33 department of enterprise services, shall provide a report with
34 judgments and settlements dealing with the Washington state ferry
35 system to the director of the office of financial management and the
36 transportation committees of the legislature. The report must include
37 information on: (a) The number of claims and settlements by type; (b)
38 the average claim and settlement by type; (c) defense costs

1 associated with those claims and settlements; and (d) information on
2 the impacts of moving legal costs associated with the Washington
3 state ferry system into the statewide self-insurance pool.

4 (3) Beginning October 1, 2019, and quarterly thereafter, the
5 department, in conjunction with the attorney general and the
6 department of enterprise services, shall provide a report with
7 judgments and settlements dealing with the nonferry operations of the
8 department to the director of the office of financial management and
9 the transportation committees of the legislature. The report must
10 include information on: (a) The number of claims and settlements by
11 type; (b) the average claim and settlement by type; and (c) defense
12 costs associated with those claims and settlements.

13 **Sec. 220.** 2019 c 416 s 220 (uncodified) is amended to read as
14 follows:

15 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V**

| | |
|--|----------------------------|
| 16 State Vehicle Parking Account—State Appropriation | \$784,000 |
| 17 Regional Mobility Grant Program Account—State | |
| 18 Appropriation | (\$96,630,000) |
| 19 | <u>\$80,662,000</u> |
| 20 Rural Mobility Grant Program Account—State | |
| 21 Appropriation | \$32,223,000 |
| 22 Multimodal Transportation Account—State | |
| 23 Appropriation | (\$128,554,000) |
| 24 | <u>\$129,258,000</u> |
| 25 Multimodal Transportation Account—Federal | |
| 26 Appropriation | \$3,574,000 |
| 27 Multimodal Transportation Account—Local | |
| 28 Appropriation | \$100,000 |
| 29 TOTAL APPROPRIATION. | (\$261,865,000) |
| 30 | <u>\$246,601,000</u> |

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

33 (1) ~~(\$62,679,000)~~ \$62,698,000 of the multimodal transportation
34 account—state appropriation is provided solely for a grant program
35 for special needs transportation provided by transit agencies and
36 nonprofit providers of transportation. If chapter 287 (~~Engrossed~~
37 ~~Second Substitute House Bill No. 2042~~)), Laws of 2019 (advancing

1 green transportation adoption) is not enacted by June 30, 2019,
2 \$10,000,000 of the amount in this subsection lapses. Of this amount:

3 (a) (~~(\$14,278,000)~~) \$14,297,000 of the multimodal transportation
4 account—state appropriation is provided solely for grants to
5 nonprofit providers of special needs transportation. Grants for
6 nonprofit providers must be based on need, including the availability
7 of other providers of service in the area, efforts to coordinate
8 trips among providers and riders, and the cost effectiveness of trips
9 provided. If chapter 287 (~~((Engrossed Second Substitute House Bill
10 No. 2042))~~), Laws of 2019 (advancing green transportation adoption)
11 is not enacted by June 30, 2019, \$2,278,000 of the amount in this
12 subsection lapses.

13 (b) \$48,401,000 of the multimodal transportation account—state
14 appropriation is provided solely for grants to transit agencies to
15 transport persons with special transportation needs. To receive a
16 grant, the transit agency must, to the greatest extent practicable,
17 have a maintenance of effort for special needs transportation that is
18 no less than the previous year's maintenance of effort for special
19 needs transportation. Grants for transit agencies must be prorated
20 based on the amount expended for demand response service and route
21 deviated service in calendar year 2017 as reported in the "Summary of
22 Public Transportation - 2017" published by the department of
23 transportation. No transit agency may receive more than thirty
24 percent of these distributions. If chapter 287 (~~((Engrossed Second
25 Substitute House Bill No. 2042))~~), Laws of 2019 (advancing green
26 transportation adoption) is not enacted by June 30, 2019, \$7,722,000
27 of the amount in this subsection lapses.

28 (2) \$32,223,000 of the rural mobility grant program account—state
29 appropriation is provided solely for grants to aid small cities in
30 rural areas as prescribed in RCW 47.66.100.

31 (3) (~~((a) — \$10,290,000)~~) \$1,283,000 of the multimodal
32 transportation account—state appropriation is provided solely for a
33 vanpool grant program for: (~~((i))~~) (a) Public transit agencies to add
34 vanpools or replace vans; and (~~((i))~~) (b) incentives for employers
35 to increase employee vanpool use. The grant program for public
36 transit agencies will cover capital costs only; operating costs for
37 public transit agencies are not eligible for funding under this grant
38 program. Additional employees may not be hired from the funds
39 provided in this section for the vanpool grant program, and

1 supplanting of transit funds currently funding vanpools is not
2 allowed. The department shall encourage grant applicants and
3 recipients to leverage funds other than state funds.

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

6 (4) ~~(((\$18,951,000))~~ \$27,483,000 of the regional mobility grant
7 program account—state appropriation is reappropriated and provided
8 solely for the regional mobility grant projects identified in LEAP
9 Transportation Document ~~((2019-2))~~ 2020-2 ALL PROJECTS as developed
10 ~~((April 27, 2019))~~ February 23, 2020, Program - Public Transportation
11 Program (V).

12 (5) (a) ~~(((\$77,679,000))~~ \$53,179,000 of the regional mobility grant
13 program account—state appropriation is provided solely for the
14 regional mobility grant projects identified in LEAP Transportation
15 Document ~~((2019-2))~~ 2020-2 ALL PROJECTS as developed ~~((April 27,
16 2019))~~ February 23, 2020, Program - Public Transportation Program
17 (V). The department shall review all projects receiving grant awards
18 under this program at least semiannually to determine whether the
19 projects are making satisfactory progress. Any project that has been
20 awarded funds, but does not report activity on the project within one
21 year of the grant award, must be reviewed by the department to
22 determine whether the grant should be terminated. The department
23 shall promptly close out grants when projects have been completed,
24 and any remaining funds must be used only to fund projects identified
25 in the LEAP transportation document referenced in this subsection.
26 The department shall provide annual status reports on December 15,
27 2019, and December 15, 2020, to the office of financial management
28 and the transportation committees of the legislature regarding the
29 projects receiving the grants. It is the intent of the legislature to
30 appropriate funds through the regional mobility grant program only
31 for projects that will be completed on schedule. A grantee may not
32 receive more than twenty-five percent of the amount appropriated in
33 this subsection. Additionally, when allocating funding for the
34 2021-2023 biennium, no more than thirty percent of the total grant
35 program may directly benefit or support one grantee. The department
36 shall not approve any increases or changes to the scope of a project
37 for the purpose of a grantee expending remaining funds on an awarded
38 grant.

39 (b) In order to be eligible to receive a grant under (a) of this
40 subsection during the 2019-2021 fiscal biennium, a transit agency

1 must establish a process for private transportation providers to
2 apply for the use of park and ride facilities. For purposes of this
3 subsection, (i) "private transportation provider" means: An auto
4 transportation company regulated under chapter 81.68 RCW; a passenger
5 charter carrier regulated under chapter 81.70 RCW, except marked or
6 unmarked stretch limousines and stretch sport utility vehicles as
7 defined under department of licensing rules; a private nonprofit
8 transportation provider regulated under chapter 81.66 RCW; or a
9 private employer transportation service provider; and (ii) "private
10 employer transportation service" means regularly scheduled, fixed-
11 route transportation service that is offered by an employer for the
12 benefit of its employees.

13 (6) Funds provided for the commute trip reduction (CTR) program
14 may also be used for the growth and transportation efficiency center
15 program.

16 (7) \$7,670,000 of the multimodal transportation account—state
17 appropriation and \$784,000 of the state vehicle parking account—state
18 appropriation are provided solely for CTR grants and activities. Of
19 this amount:

20 (a) \$1,000,000 of the multimodal transportation account—state
21 appropriation is provided solely for the department to continue a
22 pilot transit pass incentive program. Businesses and nonprofit
23 organizations located in a county adjacent to Puget Sound with a
24 population of more than seven hundred thousand that have never
25 offered transit subsidies to employees are eligible to apply to the
26 program for a fifty percent rebate on the cost of employee transit
27 subsidies provided through the regional ORCA fare collection system.
28 No single business or nonprofit organization may receive more than
29 ten thousand dollars from the program.

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

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

37 (b) \$30,000 of the state vehicle parking account—state
38 appropriation is provided solely for the STAR pass program for state
39 employees residing in Mason and Grays Harbor Counties. Use of the

1 pass is for public transportation between Mason County and Thurston
2 County, and Grays Harbor and Thurston County. The pass may also be
3 used within Grays Harbor County. The STAR pass commute trip reduction
4 program is open to any state employee who expresses intent to commute
5 to his or her assigned state worksite using a public transit system
6 currently participating in the STAR pass program.

7 (c) \$1,000,000 of the multimodal transportation account—state
8 appropriation is provided solely for a first mile/last mile
9 connections grant program. Eligible grant recipients include cities,
10 businesses, nonprofits, and transportation network companies with
11 first mile/last mile solution proposals. Transit agencies are not
12 eligible. The commute trip reduction board shall develop grant
13 parameters, evaluation criteria, and evaluate grant proposals. The
14 commute trip reduction board shall provide the transportation
15 committees of the legislature a report on the effectiveness of this
16 grant program and best practices for continuing the program.

17 (8) Except as provided otherwise in this subsection,
18 (~~(\$28,048,000)~~) \$27,048,000 of the multimodal transportation account—
19 state appropriation is provided solely for connecting Washington
20 transit projects identified in LEAP Transportation Document
21 (~~(2019-2)~~) 2020-2 ALL PROJECTS as developed (~~(April 27, 2019)~~)
22 February 23, 2020. It is the intent of the legislature that entities
23 identified to receive funding in the LEAP document referenced in this
24 subsection receive the amounts specified in the time frame specified
25 in that LEAP document. If an entity has already completed a project
26 in the LEAP document referenced in this subsection before the time
27 frame identified, the entity may substitute another transit project
28 or projects that cost a similar or lesser amount.

29 (9) (~~(\$2,000,000)~~) \$1,000,000 of the multimodal transportation
30 account—state appropriation is provided solely for transit
31 coordination grants.

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

34 (11) (~~(a) For projects funded as part of the 2015 connecting~~
35 ~~Washington transportation package listed on the LEAP transportation~~
36 ~~document identified in subsection (4) of this section, if the~~
37 ~~department expects to have substantial reappropriations for the~~
38 ~~2021-2023 fiscal biennium, the department may, on a pilot basis,~~
39 ~~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) King County Metro - RapidRide Expansion, Burien-Delridge~~
4 ~~(G2000031);~~

5 ~~(ii) King County Metro - Route 40 Northgate to Downtown~~
6 ~~(G2000032);~~

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

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

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

15 ~~(c) To the extent practicable, the department shall use the~~
16 ~~flexibility and authority granted in this section to minimize the~~
17 ~~amount of reappropriations needed each biennium.~~

18 ~~(12))~~ \$750,000 of the multimodal transportation account—state
19 appropriation is provided solely for Intercity Transit for the Dash
20 shuttle program.

21 ~~((13))~~ (12)(a) \$485,000 of the multimodal transportation
22 account—state appropriation is provided solely for King county for:

23 (i) An expanded pilot program to provide certain students in the
24 Highline, Tukwila, and Lake Washington school districts with an ORCA
25 card during these school districts' summer vacations. In order to be
26 eligible for an ORCA card under this program, a student must also be
27 in high school, be eligible for free and reduced-price lunches, and
28 have a job or other responsibility during the summer; and

29 (ii) Providing administrative support to other interested school
30 districts in King county to prepare for implementing similar programs
31 for their students.

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

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

36 (ii) Available ridership data;

37 (iii) A cost estimate, including a detailed description of the
38 various expenses leading to the cost estimate, and any other factors
39 relevant to expanding the program to other King county school
40 districts;

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

5 (v) Opportunities for subsidized ORCA cards or local grant or
6 matching funds; and

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

9 ~~((14))~~ (13) \$12,000,000 of the multimodal transportation
10 account—state appropriation is provided solely for the green
11 transportation capital grant program established in chapter 287
12 ~~((Engrossed Second Substitute House Bill No. 2042))~~, Laws of 2019
13 (advancing green transportation adoption). If chapter 287
14 ~~((Engrossed Second Substitute House Bill No. 2042))~~, Laws of 2019
15 is not enacted by June 30, 2019, the amount provided in this
16 subsection lapses.

17 ~~((15))~~ (14) \$555,000 of the multimodal transportation account—
18 state appropriation is provided solely for an interagency transfer to
19 the Washington State University extension energy program to establish
20 and administer a technical assistance and education program for
21 public agencies on the use of alternative fuel vehicles. If chapter
22 287 ~~((Engrossed Second Substitute House Bill No. 2042))~~, Laws of
23 2019 (advancing green transportation adoption) is not enacted by June
24 30, 2019, \$375,000 of the amount provided in this subsection lapses.

25 (15)(a) The Washington state department of transportation public
26 transportation division, working with the Thurston regional planning
27 council, shall provide state agency management, the office of
28 financial management, and the transportation committees of the
29 legislature with results of their regional mobility grant program
30 demonstration project I-5/US 101 Practical Solutions: State Capitol
31 Campus Transportation Demand Management - Mobile Work. This includes
32 reporting after the 2020 legislative session on the measurable
33 results of an early pilot initiative, "Telework Tuesday," beginning
34 in January 2020.

35 (b) Capitol campus state agency management is directed to fully
36 participate in this work, which aims to reduce greenhouse gases,
37 require less office space and parking investments; provide low cost
38 congestion relief on I-5 during peak periods, US 101, and the local
39 transportation network; and improve retention and recruitment of
40 public employees. The agencies should actively: Encourage employees

1 qualified to telework to participate in this program and increase the
2 number of employees who qualify for mobile work and schedule shifts.

3 (c) If measureable success is achieved, the capitol campus state
4 agencies shall provide options to expand the project to other
5 jurisdictions concentrated with large employers. Expansion and
6 encouragement of telework will help reduce demand on the
7 transportation system, reduce traffic during peak hours, and reduce
8 greenhouse gas emissions.

9 (16) \$6,370,000 of the multimodal transportation account—state
10 appropriation in this section is provided solely for administration
11 of ORCA card benefits included in the 2019-2021 collective bargaining
12 agreements and also provided to nonrepresented employees. During
13 fiscal year 2020, the office of financial management shall bill each
14 agency for that agency's proportionate share of the cost of ORCA
15 cards in cooperation with the Washington state department of
16 transportation. During fiscal year 2021, the Washington state
17 department of transportation shall bill agencies for their share of
18 costs, in the amounts provided in agency budgets and as directed by
19 the office of financial management, and agencies shall make payments
20 directly to the Washington state department of transportation. The
21 payment from each agency must be deposited into the multimodal
22 transportation account and used for the purchase and administration
23 of ORCA cards for state employees.

24 **Sec. 221.** 2019 c 416 s 221 (uncodified) is amended to read as
25 follows:

26 **FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X**

| | | |
|----|--|--------------------------------|
| 27 | Motor Vehicle Account—State Appropriation. | \$250,000 |
| 28 | Puget Sound Ferry Operations Account—State | |
| 29 | Appropriation | ((\$540,746,000)) |
| 30 | | <u>\$545,635,000</u> |
| 31 | Puget Sound Ferry Operations Account—Federal | |
| 32 | Appropriation | \$7,932,000 |
| 33 | Puget Sound Ferry Operations Account—Private/Local | |
| 34 | Appropriation | \$121,000 |
| 35 | TOTAL APPROPRIATION. | ((\$549,049,000)) |
| 36 | | <u>\$553,938,000</u> |

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

1 (1) The office of financial management budget instructions
2 require agencies to recast enacted budgets into activities. The
3 Washington state ferries shall include a greater level of detail in
4 its 2019-2021 supplemental and 2021-2023 omnibus transportation
5 appropriations act requests, as determined jointly by the office of
6 financial management, the Washington state ferries, and the
7 transportation committees of the legislature. This level of detail
8 must include the administrative functions in the operating as well as
9 capital programs.

10 (2) For the 2019-2021 fiscal biennium, the department may enter
11 into a distributor controlled fuel hedging program and other methods
12 of hedging approved by the fuel hedging committee, which must include
13 a representative of the department of enterprise services.

14 (3) (~~(\$76,261,000)~~) \$73,161,000 of the Puget Sound ferry
15 operations account—state appropriation is provided solely for auto
16 ferry vessel operating fuel in the 2019-2021 fiscal biennium, which
17 reflect cost savings from a reduced biodiesel fuel requirement and,
18 therefore, is contingent upon the enactment of section 703 (~~of this~~
19 ~~act~~), chapter 416, Laws of 2019. The amount provided in this
20 subsection represents the fuel budget for the purposes of calculating
21 any ferry fare fuel surcharge. The department shall review future use
22 of alternative fuels and dual fuel configurations, including
23 hydrogen.

24 (4) \$650,000 of the Puget sound ferry operations account—state
25 appropriation is provided solely for increased staffing at Washington
26 ferry terminals to meet increased workload and customer expectations.
27 Within the amount provided in this subsection, the department shall
28 contract with uniformed officers for additional traffic control
29 assistance at the Kingston ferry terminal during peak ferry travel
30 times, with a particular focus on Sundays and holiday weekends.
31 Traffic control methods should include, but not be limited to,
32 holding traffic on the shoulder at Lindvog Road until space opens for
33 cars at the tollbooths and dock, and management of traffic on Highway
34 104 in order to ensure Kingston residents and business owners have
35 access to businesses, roads, and driveways.

36 (5) \$254,000 of the Puget Sound ferry operations account—state
37 appropriation is provided solely for a dedicated inventory logistics
38 manager on a one-time basis.

1 (6) \$500,000 of the Puget Sound ferry operations account—state
2 appropriation is provided solely for operating costs related to
3 moving vessels for emergency capital repairs. Funds may only be spent
4 after approval by the office of financial management.

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

12 (8) \$160,000 of the Puget Sound ferry operations account—state
13 appropriation is provided solely for a ferry fleet baseline noise
14 study, conducted by a consultant, for the purpose of establishing
15 plans and data-driven goals to reduce ferry noise when Southern
16 resident orca whales are present. In addition, the study must
17 establish prioritized strategies to address vessels serving routes
18 with the greatest exposure to orca whale movements.

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

26 (b) The Washington state transportation center must use new
27 traffic management models and scheduling tools to examine proposed
28 improvements for the triangle route. The department shall report to
29 the standing transportation committees of the legislature by January
30 15, 2021. The report must include:

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

35 (ii) Recommendations for emergency boat allocations, regular
36 schedule policies, and emergency schedule policies based on all
37 customers alternative travel options to ensure that any dock with no
38 road access is prioritized in scheduling and scheduled service is

1 provided based on population size, demographics, and local medical
2 services;

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

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

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

15 (c) If at least \$50,000,000 is not made available, by means of
16 transfer, deposit, appropriation, or other similar conveyance, to the
17 motor vehicle account for stormwater-related activities through the
18 enactment of chapter 422 (~~((Engrossed Substitute Senate Bill No.
19 5993))~~), Laws of 2019 (model toxics control program reform) by June
20 30, 2019, the amount provided in this subsection (9) lapses.

21 (10) \$1,600,000 of the Puget Sound ferry operations account—state
22 appropriation is provided solely for naval architecture staff support
23 for the marine maintenance program.

24 (11) \$379,000 of the Puget sound ferry operations account—state
25 appropriation is provided solely for marine evacuation slide
26 training.

27 (12) \$352,000 of the Puget sound ferry operations account—state
28 appropriation is provided solely for inspections of fall restraint
29 systems.

30 (13) \$4,361,000 of the Puget sound ferry operations account—state
31 appropriation is provided solely for overtime expenses incurred by
32 engine and deck crew members.

33 (14) \$1,200,000 of the Puget sound ferry operations account—state
34 appropriation is provided solely for familiarization for new
35 assignments of engine crew and terminal staff.

36 (15) \$2,500,000 of the Puget sound ferry operations account—state
37 appropriation is provided solely for crew qualification training.

1 **Sec. 222.** 2019 c 416 s 222 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING**

| | | |
|----|---|-------------------------------|
| 4 | Multimodal Transportation Account—State | |
| 5 | Appropriation | ((\$75,576,000)) |
| 6 | | <u>\$70,243,000</u> |
| 7 | Multimodal Transportation Account—Private/Local | |
| 8 | Appropriation | \$717,000 |
| 9 | Multimodal Transportation Account—Federal | |
| 10 | Appropriation | \$500,000 |
| 11 | TOTAL APPROPRIATION. | ((\$76,793,000)) |
| 12 | | <u>\$71,460,000</u> |

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

15 (1) (a) (i) \$224,000 of the multimodal transportation account—state
16 appropriation and \$671,000 of the multimodal transportation account—
17 private/local appropriation are provided solely for continued
18 analysis of the ultra high-speed ground transportation corridor in a
19 new study, with participation from Washington, Oregon, and British
20 Columbia. No funds may be expended until the department is in receipt
21 of \$671,000 in private/local funding provided solely for this
22 purpose.

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

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

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

28 (i) Development of proposed corridor governance, general powers,
29 operating structure, legal instruments, and contracting requirements,
30 in the context of the roles of relevant jurisdictions, including
31 federal, state, provincial, and local governments;

32 (ii) ~~((An assessment of current laws in state and provincial~~
33 ~~jurisdictions and identification of any proposed changes to laws,~~
34 ~~regulations, and/or agreements that are needed to proceed with~~
35 ~~development)) Development of a long-term funding and financing
36 strategy for project initiation, development, construction, and
37 program administration of the high-speed corridor, building on the
38 funding and financing chapter of the 2019 business case analysis and
39 aligned with the recommendations of (b) (i) of this subsection; and~~

1 (iii) Development of ~~((general recommendations for the~~
2 ~~authorization needed to advance the development of the corridor))~~
3 recommendations for a department-led ultra-high speed corridor
4 engagement plan for policy leadership from elected officials.

5 (c) This study must build on the results of the 2018 Washington
6 state ultra high-speed ground transportation business case analysis
7 and the 2019 Washington state ultra high-speed ground transportation
8 study findings report. The department shall consult with the
9 transportation committees of the legislature regarding all issues
10 related to proposed corridor governance.

11 ~~((e))~~ (d) The development work referenced in (b) of this
12 subsection is intended to identify and make recommendations related
13 to specific entities, including interjurisdictional entities,
14 policies, and processes required for the purposes of furthering
15 preliminary analysis efforts for the ultra high-speed ground
16 transportation corridor. This development work is not intended to
17 authorize one or more entities to assume decision making authority
18 for the design, construction, or operation of an ultra high-speed
19 rail corridor.

20 ~~((d))~~ (e) By ~~((December))~~ January 1, ~~((2020))~~ 2021, the
21 department shall provide to the governor and the transportation
22 committees of the legislature an interim update on the study required
23 under this subsection (1). By June 1, 2021, the department shall
24 provide to the governor and the transportation committees of the
25 legislature a report of the study's findings regarding the three
26 elements noted in this subsection. As applicable, the report should
27 also be sent to the executive and legislative branches of government
28 in the state of Oregon and appropriate government bodies in the
29 province of British Columbia.

30 (2) The department is directed to continue to pursue efforts to
31 reduce costs, increase ridership, and review Amtrak Cascades fares
32 and fare schedules. Within thirty days of each annual cost/revenue
33 reconciliation under the Amtrak service contract, the department
34 shall report annual credits to the office of financial management and
35 the legislative transportation committees. Annual credits from Amtrak
36 to the department including, but not limited to, credits due to
37 higher ridership, reduced level of service, and fare or fare schedule
38 adjustments, must be used to offset corresponding amounts of the
39 multimodal transportation account—state appropriation, which must be
40 placed in reserve.

1 **Sec. 223.** 2019 c 416 s 223 (uncodified) is amended to read as
2 follows:

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

| | | |
|----|---|-------------------------------|
| 5 | Motor Vehicle Account—State Appropriation | ((\$12,190,000)) |
| 6 | | <u>\$12,183,000</u> |
| 7 | Motor Vehicle Account—Federal Appropriation | \$2,567,000 |
| 8 | Multiuse Roadway Safety Account—State Appropriation . . | ((\$132,000)) |
| 9 | | <u>\$450,000</u> |
| 10 | Multimodal Transportation Account—State | |
| 11 | Appropriation | \$350,000 |
| 12 | TOTAL APPROPRIATION. | ((\$15,239,000)) |
| 13 | | <u>\$15,550,000</u> |

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

16 (1) \$350,000 of the multimodal transportation account—state
17 appropriation is provided solely for a study by the Puget Sound
18 regional council of new passenger ferry service to better connect
19 communities throughout the twelve county Puget Sound region. The
20 study must assess potential new routes, identify future terminal
21 locations, and provide recommendations to accelerate the
22 electrification of the ferry fleet. The study must identify future
23 passenger only demand throughout Western Washington, analyze
24 potential routes and terminal locations on Puget Sound, Lake
25 Washington, and Lake Union with an emphasis on preserving waterfront
26 opportunities in public ownership and opportunities for partnership.
27 The study must determine whether and when the passenger ferry service
28 achieves a net reduction in carbon emissions including an analysis of
29 the emissions of modes that passengers would otherwise have used. The
30 study must estimate capital and operating costs for routes and
31 terminals. The study must include early and continuous outreach with
32 all interested stakeholders and a report to the legislature and all
33 interested parties by January 31, 2021.

34 (2) \$1,142,000 of the motor vehicle account—state appropriation
35 is provided solely for the department, from amounts set aside out of
36 statewide fuel taxes distributed to counties according to RCW
37 46.68.120(3), to contract with the Washington state association of
38 counties to:

1 (a) In coordination with stakeholders, identify county-owned fish
2 passage barriers, with priority given to barriers that share the same
3 stream system as state-owned fish passage barriers. The study must
4 identify, map, and provide a preliminary assessment of county-owned
5 barriers that need correction, and provide, where possible,
6 preliminary costs estimates for each barrier correction. The study
7 must provide recommendations on:

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

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

13 (b) Update the local agency guidelines manual, including
14 exploring alternatives within the local agency guidelines manual on
15 county priorities;

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

19 (3) The entire multiuse roadway safety account—state
20 appropriation is provided solely for grants under RCW 46.09.540,
21 subject to the following limitations:

22 (a) Twenty-five percent of the amounts provided are reserved for
23 counties that each have a population of fifteen thousand persons or
24 less;

25 (b) (i) Seventy-five percent of the amounts provided are reserved
26 for counties that each have a population exceeding fifteen thousand
27 persons; and

28 (ii) No county that receives a grant or grants under (b) of this
29 subsection may receive more than sixty thousand dollars in total
30 grants.

31 **TRANSPORTATION AGENCIES—CAPITAL**

32 **Sec. 301.** 2019 c 416 s 301 (uncodified) is amended to read as
33 follows:

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

35 Freight Mobility Investment Account—State

36 Appropriation ((\$18,094,000))
37 \$23,015,000

| | | |
|----|--|-------------------------------|
| 1 | Freight Mobility Multimodal Account—State | |
| 2 | Appropriation | ((\$21,220,000)) |
| 3 | | <u>\$12,492,000</u> |
| 4 | <u>Motor Vehicle Account—State Appropriation.</u> | <u>\$4,907,000</u> |
| 5 | Motor Vehicle Account—Federal Appropriation | ((\$2,250,000)) |
| 6 | | <u>\$1,899,000</u> |
| 7 | Freight Mobility Multimodal Account—Private/Local | |
| 8 | Appropriation | ((\$1,320,000)) |
| 9 | | <u>\$1,250,000</u> |
| 10 | <u>Highway Safety Account—State Appropriation.</u> | <u>\$81,000</u> |
| 11 | TOTAL APPROPRIATION. | ((\$42,884,000)) |
| 12 | | <u>\$43,644,000</u> |

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

15 (1) Except as otherwise provided in this section, the entire
16 appropriations in this section are provided solely for the projects
17 by amount, as listed in the LEAP Transportation Document ((~~2019-3~~))
18 2020-3 as developed ((~~April 27, 2019~~)) February 23, 2020, FMSIB
19 Project List.

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

24 **Sec. 302.** 2019 c 416 s 303 (uncodified) is amended to read as
25 follows:

26 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

| | | |
|----|--|---------------|
| 27 | Rural Arterial Trust Account—State Appropriation | \$65,996,000 |
| 28 | Motor Vehicle Account—State Appropriation | \$1,456,000 |
| 29 | County Arterial Preservation Account—State | |
| 30 | Appropriation | \$39,590,000 |
| 31 | TOTAL APPROPRIATION. | \$107,042,000 |

32 The appropriations in this section are subject to the following
33 conditions and limitations: \$15,000,000 of the rural arterial account
34 —state appropriation shall be held in unallotted status until such
35 time as the board indicates it will expend the funds and requests
36 release of the funds by the office of financial management.

1 (1) (~~(\$42,497,000)~~) \$51,523,000 of the connecting Washington
2 account—state appropriation is provided solely for a new Olympic
3 region maintenance and administration facility to be located on the
4 department-owned site at the intersection of Marvin Road and 32nd
5 Avenue in Lacey, Washington.

6 (2) (a) (~~(\$43,100,000)~~) \$43,297,000 of the motor vehicle account—
7 state appropriation is provided solely for the department facility
8 located at 15700 Dayton Ave N in Shoreline. This appropriation is
9 contingent upon the department of ecology signing a not less than
10 twenty-year agreement to pay a share of any financing contract issued
11 pursuant to chapter 39.94 RCW.

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

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

15 (3) \$1,565,000 from the motor vehicle account—state appropriation
16 is provided solely for furniture for the renovated Northwest Region
17 Headquarters at Dayton Avenue. The department must efficiently
18 furnish the renovated building. The amount provided in this
19 subsection is the maximum the department may spend on furniture for
20 this facility.

21 **Sec. 305.** 2019 c 416 s 306 (uncodified) is amended to read as
22 follows:

23 **FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I**

24 (~~(High Occupancy Toll Lanes Operations~~

| | | |
|----|---|------------------------------|
| 25 | Account—State Appropriation | (\$7,000,000) |
| 26 | Transportation Partnership Account—State | |
| 27 | Appropriation | (\$325,275,000) |
| 28 | | <u>\$380,450,000</u> |
| 29 | Motor Vehicle Account—State Appropriation | (\$92,504,000) |
| 30 | | <u>\$103,222,000</u> |
| 31 | Motor Vehicle Account—Federal Appropriation | (\$154,337,000) |
| 32 | | <u>\$151,727,000</u> |
| 33 | Motor Vehicle Account—Private/Local Appropriation | (\$26,839,000) |
| 34 | | <u>\$60,201,000</u> |
| 35 | Connecting Washington Account—State | |
| 36 | Appropriation | (\$2,137,381,000) |
| 37 | | <u>\$2,240,985,000</u> |
| 38 | Special Category C Account—State Appropriation | (\$81,000,000) |

| | | |
|----|--|----------------------------------|
| 1 | | <u>\$36,034,000</u> |
| 2 | Multimodal Transportation Account—State | |
| 3 | Appropriation | ((\$5,408,000)) |
| 4 | | <u>\$3,015,000</u> |
| 5 | Alaskan Way Viaduct Replacement Project Account—State | |
| 6 | Appropriation | ((\$77,956,000)) |
| 7 | | <u>\$73,530,000</u> |
| 8 | Transportation 2003 Account (Nickel Account)—State | |
| 9 | Appropriation | ((\$21,819,000)) |
| 10 | | <u>\$10,422,000</u> |
| 11 | Interstate 405 <u>and State Route Number 167</u> | |
| 12 | Express Toll Lanes ((Operations)) Account—State | |
| 13 | Appropriation | ((\$48,036,000)) |
| 14 | | <u>\$90,027,000</u> |
| 15 | TOTAL APPROPRIATION. | ((\$2,977,555,000)) |
| 16 | | <u>\$3,149,613,000</u> |

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

19 (1) Except as provided otherwise in this section, the entire
20 connecting Washington account—state appropriation and the entire
21 transportation partnership account—state appropriation are provided
22 solely for the projects and activities as listed by fund, project,
23 and amount in LEAP Transportation Document ((~~2019-1~~)) 2020-1
24 developed ((~~April 27, 2019~~)) February 23, 2020, Program - Highway
25 Improvements Program (I). However, limited transfers of specific
26 line-item project appropriations may occur between projects for those
27 amounts listed subject to the conditions and limitations in section
28 601 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~~)) 2020-2
33 ALL PROJECTS as developed ((~~April 27, 2019~~)) February 23, 2020,
34 Program - Highway Improvements Program (I). Any federal funds gained
35 through efficiencies, adjustments to the federal funds forecast,
36 additional congressional action not related to a specific project or
37 purpose, or the federal funds redistribution process must then be
38 applied to highway and bridge preservation activities or fish passage
39 barrier corrections (OBI4001).

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) The connecting Washington account—state appropriation
11 includes up to ~~((\$1,519,899,000))~~ \$1,718,711,000 in proceeds from the
12 sale of bonds authorized in RCW 47.10.889.

13 (5) The special category C account—state appropriation includes
14 up to \$75,274,000 in proceeds from the sale of bonds authorized in
15 RCW ~~((47.10.861))~~ 47.10.812.

16 (6) The transportation partnership account—state appropriation
17 includes up to ~~((\$150,232,000))~~ \$180,178,000 in proceeds from the
18 sale of bonds authorized in RCW ~~((47.10.812))~~ 47.10.873.

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

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

25 ~~(9) \$90,464,000)~~ \$184,991,000 of the transportation partnership
26 account—state appropriation, ~~((\$7,006,000))~~ \$9,827,000 of the motor
27 vehicle account—private/local appropriation, ~~((\$3,383,000))~~
28 \$3,377,000 of the transportation 2003 account (nickel account)—state
29 appropriation, ~~((\$77,956,000))~~ and \$73,530,000 of the Alaskan Way
30 viaduct replacement project account—state appropriation ~~((, and
31 \$1,838,000 of the multimodal transportation account—state
32 appropriation))~~ are provided solely for the SR 99/Alaskan Way Viaduct
33 replacement project (809936Z). It is the intent of the legislature
34 that any legal damages paid to the state related to contractual
35 provisions for construction and delivery of the Alaskan Way Viaduct
36 replacement project be deposited in the transportation partnership
37 account to offset the costs of the project.

1 (~~(10)~~) (9) \$3,000,000 of the multimodal transportation account—
2 state appropriation is provided solely for transit mitigation for the
3 SR 99/Viaduct Project - Construction Mitigation project (809940B).

4 (~~(11) —\$164,000,000~~) (10) \$159,798,000 of the connecting
5 Washington account—state appropriation (~~(is)~~), \$1,052,000 of the
6 special category C account—state appropriation, and \$738,000 of the
7 motor vehicle account—private/local appropriation are provided solely
8 for the US 395 North Spokane Corridor project (M00800R).

9 (~~(12)~~) (11) (a) (~~(\$22,195,000 of the transportation partnership~~
10 ~~account—state appropriation, \$12,805,000 of the transportation 2003~~
11 ~~account (nickel account)—state appropriation, and \$48,000,000)~~)
12 \$82,991,000 of the Interstate 405 and state route number 167 express
13 toll lanes (~~operations~~) account—state appropriation (~~are~~) is
14 provided solely for the I-405/SR 522 to I-5 Capacity Improvements
15 project (L2000234) for activities related to adding capacity on
16 Interstate 405 between state route number 522 and Interstate 5, with
17 the goals of increasing vehicle throughput and aligning project
18 completion with the implementation of bus rapid transit in the
19 vicinity of the project. The transportation partnership account—state
20 appropriation and transportation 2003 account (nickel account)—state
21 appropriation are a transfer or a reappropriation of a transfer from
22 the I-405/Kirkland Vicinity Stage 2 - Widening project (8BI1002) due
23 to savings and will fund right-of-way and construction for an
24 additional phase of this I-405 project.

25 (b) If sufficient bonding authority to complete this project is
26 not provided within chapter 421 (~~(Engrossed Substitute Senate Bill~~
27 ~~No. 5825))~~), Laws of 2019 (addressing tolling) or chapter 421
28 (~~(House Bill No. 2132))~~), Laws of 2019 (addressing tolling), or
29 within a bond authorization act referencing chapter . . . (Engrossed
30 Substitute Senate Bill No. 5825), Laws of 2019 or chapter . . .
31 (House Bill No. 2132), Laws of 2019, by June 30, 2019, \$21,000,000 of
32 the Interstate 405 express toll lanes operations account—state
33 appropriation provided in this subsection lapses, and it is the
34 intent of the legislature to reduce the Interstate 405 express toll
35 lanes operations account—state appropriation in the 2021-2023
36 biennium to \$5,000,000, and in the 2023-2025 biennium to \$0 on the
37 list referenced in subsection (2) of this section.

38 (~~(13)~~) (12) (a) (~~(\$395,822,000)~~) \$417,106,000 of the connecting
39 Washington account—state appropriation (~~(, —\$60,000 of the motor~~

1 ~~vehicle account—state appropriation,~~) and (~~(\$342,000)~~) \$456,000 of
2 the motor vehicle account—private/local appropriation are provided
3 solely for the SR 520 Seattle Corridor Improvements - West End
4 project (M00400R).

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

8 (i) Work with the operator of the Montlake boulevard market
9 located on parcel number 1-23190 to negotiate a lease allowing
10 continued operations up to January 1, 2020. After that time, the
11 department shall identify an area in the vicinity of the Montlake
12 property for a temporary market or other food service to be provided
13 during the period of project construction. Should the current
14 operator elect not to participate in providing that temporary
15 service, the department shall then develop an outreach plan with the
16 city to solicit community input on the food services provided, and
17 then advertise the opportunity to other potential vendors. Further,
18 the department shall work with the city of Seattle and existing
19 permit processes to facilitate vendor access to and use of the area
20 in the vicinity of the Montlake property.

21 (ii) Upon completion of the Montlake Phase of the West End
22 project (current anticipated contract completion of 2023), WSDOT
23 shall sell that portion of the property not used for permanent
24 transportation improvements and initiate a process to convey that
25 surplus property to a subsequent owner.

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

36 (~~(14)~~) (13) It is the intent of the legislature that for the
37 I-5 JBLM Corridor Improvements project (M00100R), the department
38 shall actively pursue \$50,000,000 in federal funds to pay for this
39 project to supplant state funds in the future. \$50,000,000 in

1 connecting Washington account funding must be held in unallotted
2 status during the 2021-2023 fiscal biennium. These funds may only be
3 used after the department has provided notice to the office of
4 financial management that it has exhausted all efforts to secure
5 federal funds from the federal highway administration and the
6 department of defense.

7 ~~((15) \$265,100,000))~~ (14) \$286,902,000 of the connecting
8 Washington account—state appropriation is provided solely for the SR
9 167/SR 509 Puget Sound Gateway project (M00600R).

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

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

16 (c) In making budget allocations to the Puget Sound Gateway
17 project, the department shall implement the project's construction as
18 a single corridor investment. The department shall develop a
19 coordinated corridor construction and implementation plan for state
20 route number 167 and state route number 509 in collaboration with
21 affected stakeholders. Specific funding allocations must be based on
22 where and when specific project segments are ready for construction
23 to move forward and investments can be best optimized for timely
24 project completion. Emphasis must be placed on avoiding gaps in fund
25 expenditures for either project.

26 (d) It is the legislature's intent that the department shall
27 construct a full single-point urban interchange at the junction of
28 state route number 161 (Meridian avenue) and state route number 167
29 and a full single-point urban interchange at the junction of state
30 route number 509 and 188th Street. If the department receives
31 additional funds from an outside source for this project after the
32 base project is fully funded, the funds must first be applied toward
33 the completion of these two full single-point urban interchanges.

34 (e) In designing the state route number 509/state route number
35 516 interchange component of the SR 167/SR 509 Puget Sound Gateway
36 project (M00600R), the department shall make every effort to utilize
37 the preferred "4B" design.

38 (f) The department shall explore the development of a multiuse
39 trail for bicyclists, pedestrians, skateboarders, and similar users
40 along the SR 167 right-of-way acquired for the project to connect a

1 network of new and existing trails from Mount Rainier to Point
2 Defiance Park.

3 (g) If sufficient bonding authority to complete this project is
4 not provided within chapter 421 (~~((Engrossed Substitute Senate Bill
5 No. 5825))~~), Laws of 2019 (addressing tolling) or chapter . . .
6 (House Bill No. 2132), Laws of 2019 (addressing tolling), or within a
7 bond authorization act referencing chapter 421 (~~((Engrossed
8 Substitute Senate Bill No. 5825))~~), Laws of 2019 or chapter . . .
9 (House Bill No. 2132), Laws of 2019, by June 30, 2019, it is the
10 intent of the legislature to return the Puget Sound Gateway project
11 (M00600R) to its previously identified construction schedule by
12 moving \$128,900,000 in connecting Washington account—state
13 appropriation back to the 2027-2029 biennium from the 2023-2025
14 biennium on the list referenced in subsection (2) of this section. If
15 sufficient bonding authority is provided, it is the intent of the
16 legislature to advance the project to allow for earlier completion
17 and inflationary savings.

18 (~~((16))~~) (15) It is the intent of the legislature that, for the
19 I-5/North Lewis County Interchange project (L2000204), the department
20 develop and design the project with the objective of significantly
21 improving access to the industrially zoned properties in north Lewis
22 county. The design must consider the county's process of
23 investigating alternatives to improve such access from Interstate 5
24 that began in March 2015.

25 (~~((18) — \$950,000))~~ (16) \$1,029,000 of the transportation
26 partnership account—state appropriation is provided solely for the
27 U.S. 2 Trestle IJR project (L1000158).

28 (~~((19))~~) (17) The department shall itemize all future requests
29 for the construction of buildings on a project list and submit them
30 through the transportation executive information system as part of
31 the department's annual budget submittal. It is the intent of the
32 legislature that new facility construction must be transparent and
33 not appropriated within larger highway construction projects.

34 (~~((20))~~) (18) Any advisory group that the department convenes
35 during the 2019-2021 fiscal biennium must consider the interests of
36 the entire state of Washington.

37 (~~((21))~~) (19) The legislature finds that there are sixteen
38 companies involved in wood preserving in the state that employ four
39 hundred workers and have an annual payroll of fifteen million
40 dollars. Before the department's switch to steel guardrails, ninety

1 percent of the twenty-five hundred mile guardrail system was
2 constructed of preserved wood and one hundred ten thousand wood
3 guardrail posts were produced annually for state use. Moreover, the
4 policy of using steel posts requires the state to use imported steel.
5 Given these findings, where practicable, and until June 30, 2021, the
6 department shall include the design option to use wood guardrail
7 posts, in addition to steel posts, in new guardrail installations.
8 The selection of posts must be consistent with the agency design
9 manual policy that existed before December 2009.

10 ~~((22)(a) For projects funded as part of the 2015 connecting~~
11 ~~Washington transportation package listed on the LEAP transportation~~
12 ~~document identified in subsection (1) of this section, if the~~
13 ~~department expects to have substantial reappropriations for the~~
14 ~~2021-2023 fiscal biennium, the department may, on a pilot basis,~~
15 ~~apply funding from a project in this section with an appropriation~~
16 ~~that cannot be used for the current fiscal biennium to advance one or~~
17 ~~more of the following projects:~~

18 ~~(i) I-82 Yakima - Union Gap Economic Development Improvements~~
19 ~~(T21100R);~~

20 ~~(ii) I-5 Federal Way - Triangle Vicinity Improvements (T20400R);~~
21 ~~or~~

22 ~~(iii) SR 522/Paradise Lk Rd Interchange & Widening on SR 522~~
23 ~~(Design/Engineering) (NPARADI).~~

24 ~~(b) At least ten business days before advancing a project~~
25 ~~pursuant to this subsection, the department must notify the office of~~
26 ~~financial management and the transportation committees of the~~
27 ~~legislature. The advancement of a project may not hinder the delivery~~
28 ~~of the projects for which the reappropriations are necessary for the~~
29 ~~2021-2023 fiscal biennium.~~

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

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

35 ~~(ii) SR 305 Construction - Safety Improvements (N30500R);~~

36 ~~(iii) SR 14/Bingen Underpass (L2220062);~~

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

38 ~~(v) US Hwy 2 Safety (N00200R);~~

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

40 ~~(vii) I-5 JBLM Corridor Improvements (M00100R);~~

1 ~~(viii) I-5/Slater Road Interchange - Improvements (L1000099);~~
2 ~~(ix) SR 510/Yelm Loop Phase 2 (T32700R); or~~
3 ~~(x) SR 520/124th St Interchange (Design and Right of Way)~~
4 ~~(L1000098).~~

5 ~~(d) To the extent practicable, the department shall use the~~
6 ~~flexibility and authority granted in this section and in section 601~~
7 ~~of this act to minimize the amount of reappropriations needed each~~
8 ~~biennium.~~

9 ~~(23))~~ (20) The legislature continues to prioritize the
10 replacement of the state's aging infrastructure and recognizes the
11 importance of reusing and recycling construction aggregate and
12 recycled concrete materials in our transportation system. To
13 accomplish Washington state's sustainability goals in transportation
14 and in accordance with RCW 70.95.805, the legislature reaffirms its
15 determination that recycled concrete aggregate and other
16 transportation building materials are natural resource construction
17 materials that are too valuable to be wasted and landfilled, and are
18 a commodity as defined in WAC 173-350-100.

19 Further, the legislature determines construction aggregate and
20 recycled concrete materials substantially meet widely recognized
21 international, national, and local standards and specifications
22 referenced in American society for testing and materials, American
23 concrete institute, Washington state department of transportation,
24 Seattle department of transportation, American public works
25 association, federal aviation administration, and federal highway
26 administration specifications, and are described as necessary and
27 desirable products for recycling and reuse by state and federal
28 agencies.

29 As these recyclable materials have well established markets, are
30 substantially a primary or secondary product of necessary
31 construction processes and production, and are managed as an item of
32 commercial value, construction aggregate and recycled concrete
33 materials are exempt from chapter 173-350 WAC.

34 ~~((24))~~ (21) (a) \$17,500,000 of the motor vehicle account—state
35 appropriation is provided solely for staffing of a project office to
36 replace the Interstate 5 bridge across the Columbia river (G2000088).
37 If at least a \$9,000,000 transfer is not authorized in section
38 406(29) ~~((of this act))~~, chapter 416, Laws of 2019, then \$9,000,000
39 of the motor vehicle account—state appropriation lapses.

1 (b) Of the amount provided in this subsection, \$7,780,000 of the
2 motor vehicle account—state appropriation must be placed in
3 unallotted status by the office of financial management until the
4 department develops a detailed plan for the work of this project
5 office in consultation with the chairs and ranking members of the
6 transportation committees of the legislature. The director of the
7 office of financial management shall consult with the chairs and
8 ranking members of the transportation committees of the legislature
9 prior to making a decision to allot these funds.

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

25 (d) Within the amount provided in this subsection, the department
26 must implement chapter 137 (~~((Engrossed Substitute House Bill No.~~
27 ~~1994))), Laws of 2019 (projects of statewide significance).~~

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

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

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

32 (iii) Have made significant progress toward beginning the
33 supplemental environmental impact statement process by June 30, 2021.
34 The department shall aim to provide a progress report on these
35 activities to the governor and the transportation committees of the
36 legislature by December 1, 2019, and a final report to the governor
37 and the transportation committees of the legislature by December 1,
38 2020.

39 (~~((25)))~~ (22) \$17,500,000 of the motor vehicle account—state
40 appropriation is provided solely to begin the pre-design phase on the

1 I-5/Columbia River Bridge project (G2000088) (~~(; however, if at least~~
2 ~~\$50,000,000 is not made available, by means of transfer, deposit,~~
3 ~~appropriation, or other similar conveyance, to the motor vehicle~~
4 ~~account for stormwater-related activities through the enactment of~~
5 ~~chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019~~
6 ~~(model toxics control program reform) by June 30, 2019, the amount~~
7 ~~provided in this subsection lapses)). The amounts provided in this
8 subsection shall be held in unallotted status until such time as the
9 department indicates that it intends to expend the funds and requests
10 release of the funds by the office of financial management.~~

11 ~~((26))~~ (23)(a) (~~(\$36,500,000)~~) \$191,360,000 of the connecting
12 Washington account—state appropriation, (~~(\$44,961,000)~~) \$47,655,000
13 of the motor vehicle account—federal appropriation, \$11,179,000 of
14 the motor vehicle account—private/local appropriation, \$6,100,000 of
15 the motor vehicle account—state appropriation, and (~~(\$18,539,000)~~)
16 \$18,706,000 of the transportation partnership account—state
17 appropriation are provided solely for the Fish Passage Barrier
18 project (OBI4001) with the intent of fully complying with the court
19 injunction by 2030.

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

24 (c) The department shall coordinate with the Brian Abbott fish
25 passage barrier removal board to use a watershed approach to maximize
26 habitat gain by replacing both state and local culverts. The
27 department shall deliver high habitat value fish passage barrier
28 corrections that it has identified, guided by the following factors:
29 Opportunity to bundle projects, ability to leverage investments by
30 others, presence of other barriers, project readiness, other
31 transportation projects in the area, and transportation impacts.

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

35 (24)(a) The Washington state department of transportation is
36 directed to pursue compliance with the U.S. v. Washington permanent
37 injunction by delivering culvert corrections within the injunction
38 area guided by the principle of providing the greatest fisheries
39 habitat gain at the earliest time and considering the following

1 factors: Opportunity to bundle projects, tribal priorities, ability
2 to leverage investments by others, presence of other barriers,
3 project readiness, culvert condition, other transportation projects
4 in the area, and transportation impacts.

5 (b) The department and Brian Abbott fish barrier removal board,
6 while providing the opportunity for stakeholders, tribes, and
7 government agencies to give input on a statewide culvert remediation
8 plan, must provide updates on the development of the statewide
9 culvert remediation plan to the capital budget, ways and means, and
10 transportation committees of the legislature by November 1, 2020, and
11 March 15, 2021. The first update must include a project timeline and
12 plan to ensure that all state agencies with culvert correction
13 programs are involved in the creation of the comprehensive plan.

14 ~~((27) — \$14,750,000))~~ (25) \$14,723,000 of the connecting
15 Washington account—state appropriation, \$373,000 of the motor vehicle
16 account—state appropriation, and ~~((6,000,000))~~ \$5,960,000 of the
17 motor vehicle account—private/local appropriation are provided solely
18 for the I-90/Barker to Harvard - Improve Interchanges & Local Roads
19 project (L2000122). The connecting Washington account appropriation
20 for the improvements that fall within the city of Liberty Lake may
21 only be expended if the city of Liberty Lake agrees to cover any
22 project costs above the \$20,900,000 of state appropriation provided
23 for the total project in LEAP Transportation Document ~~((2019-1))~~
24 2020-1 as developed ~~((April 27, 2019))~~ February 23, 2020, Program -
25 Highway Improvements (I).

26 ~~((28))~~ (26) (a) ((7,060,000)) \$6,769,000 of the motor vehicle
27 account—federal appropriation, ~~((72,000))~~ \$31,000 of the motor
28 vehicle account—state appropriation, ~~((3,580,000 — of — the~~
29 ~~transportation partnership account — state appropriation,))~~ and
30 \$7,000,000 of the ((high occupancy toll lanes operations account))
31 Interstate 405 and state route number 167 express toll lanes account—
32 state appropriation are provided solely for the SR 167/SR 410 to SR
33 18 - Congestion Management project (316706C).

34 (b) If sufficient bonding authority to complete this project is
35 not provided within chapter 421 ~~((Engrossed Substitute Senate Bill~~
36 ~~No. 5825))~~, Laws of 2019 (addressing tolling) or chapter . . .
37 (House Bill No. 2132), Laws of 2019 (addressing tolling), or within a
38 bond authorization act referencing chapter 421 ~~((Engrossed~~
39 ~~Substitute Senate Bill No. 5825))~~, Laws of 2019 or chapter . . .

1 (House Bill No. 2132), Laws of 2019, by June 30, 2019, it is the
2 intent of the legislature to remove the \$100,000,000 in toll funding
3 from this project on the list referenced in subsection (2) of this
4 section.

5 ~~((29))~~ (27) For the I-405/North 8th Street Direct Access Ramp
6 in Renton project (L1000280), if sufficient bonding authority to
7 begin this project is not provided within chapter 421 ~~((Engrossed
8 Substitute Senate Bill No. 5825))~~, Laws of 2019 (addressing tolling)
9 or chapter . . . (House Bill No. 2132), Laws of 2019 (addressing
10 tolling), or within a bond authorization act referencing chapter 421
11 ~~((Engrossed Substitute Senate Bill No. 5825))~~, Laws of 2019 or
12 chapter . . . (House Bill No. 2132), Laws of 2019, by June 30, 2019,
13 it is the intent of the legislature to remove the project from the
14 list referenced in subsection (2) of this section.

15 ~~((30) \$7,900,000)~~ (28) \$7,985,000 of the Special Category C
16 account—state appropriation and \$1,000,000 of the motor vehicle
17 account—private/local appropriation are provided solely for the SR 18
18 Widening - Issaquah/Hobart Rd to Raging River project (L1000199) for
19 improving and widening state route number 18 to four lanes from
20 Issaquah-Hobart Road to Raging River.

21 ~~((31))~~ (29) \$2,250,000 of the motor vehicle account—state
22 appropriation is provided solely for the I-5 Corridor from Mounts
23 Road to Tumwater project (L1000231) for completing a National and
24 State Environmental Policy Act (NEPA/SEPA) analysis to identify mid-
25 and long-term environmental impacts associated with future
26 improvements along the I-5 corridor from Tumwater to DuPont.

27 ~~((32) \$1,290,000)~~ (30) \$622,000 of the motor vehicle account—
28 state appropriation is provided solely for the US 101/East Sequim
29 Corridor Improvements project (L2000343); however, if at least
30 \$50,000,000 is not made available, by means of transfer, deposit,
31 appropriation, or other similar conveyance, to the motor vehicle
32 account for stormwater-related activities through the enactment of
33 chapter 422 ~~((Engrossed Substitute Senate Bill No. 5993))~~, Laws of
34 2019 (model toxics control program reform) by June 30, 2019, the
35 amount provided in this subsection lapses.

36 ~~((33) \$12,800,000)~~ (31) \$12,916,000 of the motor vehicle
37 account—state appropriation is provided solely for the SR 522/
38 Paradise Lk Rd Interchange & Widening on SR 522 (Design/Engineering)
39 project (NPARADI); however, if at least \$50,000,000 is not made

1 available, by means of transfer, deposit, appropriation, or other
2 similar conveyance, to the motor vehicle account for stormwater-
3 related activities through the enactment of chapter 422 (~~((Engrossed~~
4 ~~Substitute Senate Bill No. 5993))~~), Laws of 2019 (model toxics
5 control program reform) by June 30, 2019, the amount provided in this
6 subsection lapses.

7 (~~((34))~~) (32) \$1,000,000 of the motor vehicle account—state
8 appropriation is provided solely for the US 101/Morse Creek Safety
9 Barrier project (L1000247); however, if at least \$50,000,000 is not
10 made available, by means of transfer, deposit, appropriation, or
11 other similar conveyance, to the motor vehicle account for
12 stormwater-related activities through the enactment of chapter 422
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 (~~((35))~~) (33) \$1,000,000 of the motor vehicle account—state
17 appropriation is provided solely for the SR 162/410 Interchange
18 Design and Right of Way project (L1000276); however, if at least
19 \$50,000,000 is not made available, by means of transfer, deposit,
20 appropriation, or other similar conveyance, to the motor vehicle
21 account for stormwater-related activities through the enactment of
22 chapter 422 (~~((Engrossed Substitute Senate Bill No. 5993))~~), Laws of
23 2019 (model toxics control program reform) by June 30, 2019, the
24 amount provided in this subsection lapses.

25 (~~((36) \$1,000,000))~~ (34) \$679,000 of the motor vehicle account—
26 state appropriation is provided solely for the I-5/Rush Road
27 Interchange Improvements project (L1000223); however, if at least
28 \$50,000,000 is not made available, by means of transfer, deposit,
29 appropriation, or other similar conveyance, to the motor vehicle
30 account for stormwater-related activities through the enactment of
31 chapter 422 (~~((Engrossed Substitute Senate Bill No. 5993))~~), Laws of
32 2019 (model toxics control program reform) by June 30, 2019, the
33 amount provided in this subsection lapses.

34 **Sec. 306.** 2019 c 416 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 . . . (~~(\$1,744,000)~~)

38 \$2,971,000

| | | |
|----|--|--------------------------------|
| 1 | Transportation Partnership Account—State | |
| 2 | Appropriation | ((\$23,706,000)) |
| 3 | | <u>\$20,248,000</u> |
| 4 | Motor Vehicle Account—State Appropriation | ((\$74,885,000)) |
| 5 | | <u>\$83,447,000</u> |
| 6 | Motor Vehicle Account—Federal Appropriation | ((\$454,758,000)) |
| 7 | | <u>\$490,744,000</u> |
| 8 | Motor Vehicle Account—Private/Local Appropriation | ((\$5,159,000)) |
| 9 | | <u>\$7,408,000</u> |
| 10 | State Route Number 520 Corridor Account—State | |
| 11 | Appropriation | ((\$544,000)) |
| 12 | | <u>\$326,000</u> |
| 13 | Connecting Washington Account—State Appropriation | ((\$189,771,000)) |
| 14 | | <u>\$204,630,000</u> |
| 15 | Tacoma Narrows Toll Bridge Account—State Appropriation | ((\$7,906,000)) |
| 16 | | <u>\$8,350,000</u> |
| 17 | Alaskan Way Viaduct Replacement Project Account—State | |
| 18 | Appropriation | \$10,000 |
| 19 | Transportation 2003 Account (Nickel Account)—State | |
| 20 | Appropriation | ((\$9,617,000)) |
| 21 | | <u>\$17,892,000</u> |
| 22 | <u>Interstate 405 and State Route Number 167 Express</u> | |
| 23 | <u>Toll Lanes Account—State Appropriation</u> | <u>\$3,018,000</u> |
| 24 | TOTAL APPROPRIATION | ((\$768,100,000)) |
| 25 | | <u>\$839,044,000</u> |

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

28 (1) Except as provided otherwise in this section, the entire
29 connecting Washington account—state appropriation and the entire
30 transportation partnership account—state appropriation are provided
31 solely for the projects and activities as listed by fund, project,
32 and amount in LEAP Transportation Document ((~~2019-1~~) 2020-1 as
33 developed ((~~April 27, 2019~~) February 23, 2020, Program - Highway
34 Preservation Program (P). However, limited transfers of specific
35 line-item project appropriations may occur between projects for those
36 amounts listed subject to the conditions and limitations in section
37 601 of this act.

38 (2) Except as provided otherwise in this section, the entire
39 motor vehicle account—state appropriation and motor vehicle account—

1 federal appropriation are provided solely for the projects and
2 activities listed in LEAP Transportation Document ((2019-2)) 2020-2
3 ALL PROJECTS as developed ((April 27, 2019)) February 23, 2020,
4 Program - Highway Preservation Program (P). Any federal funds gained
5 through efficiencies, adjustments to the federal funds forecast,
6 additional congressional action not related to a specific project or
7 purpose, or the federal funds redistribution process must then be
8 applied to highway and bridge preservation activities or fish passage
9 barrier corrections (0BI4001).

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

19 (4) ((~~\$25,036,000~~)) \$26,683,000 of the connecting Washington
20 account—state appropriation is provided solely for the land mobile
21 radio upgrade (G2000055) and is subject to the conditions,
22 limitations, and review provided in section 701 ((~~of this act~~)),
23 chapter 416, Laws of 2019. The land mobile radio project is subject
24 to technical oversight by the office of the chief information
25 officer. The department, in collaboration with the office of the
26 chief information officer, shall identify where existing or proposed
27 mobile radio technology investments should be consolidated, identify
28 when existing or proposed mobile radio technology investments can be
29 reused or leveraged to meet multiagency needs, increase mobile radio
30 interoperability between agencies, and identify how redundant
31 investments can be reduced over time. The department shall also
32 provide quarterly reports to the technology services board on project
33 progress.

34 (5) ((~~\$2,500,000~~)) \$5,000,000 of the motor vehicle account—state
35 appropriation is provided solely for extraordinary costs incurred
36 from litigation awards, settlements, or dispute mitigation activities
37 not eligible for funding from the self-insurance fund. The amount
38 provided in this subsection must be held in unallotted status until
39 the department submits a request to the office of financial

1 management that includes documentation detailing litigation-related
2 expenses. The office of financial management may release the funds
3 only when it determines that all other funds designated for
4 litigation awards, settlements, and dispute mitigation activities
5 have been exhausted. No funds provided in this subsection may be
6 expended on any legal fees related to the SR 99/Alaskan Way viaduct
7 replacement project (809936Z).

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

12 (7) (~~(\$22,729,000)~~) \$21,289,000 of the motor vehicle account—
13 federal appropriation and (~~(\$553,000)~~) \$840,000 of the motor vehicle
14 account—state appropriation are provided solely for the preservation
15 of structurally deficient bridges or bridges that are at risk of
16 becoming structurally deficient (L1000068). These funds must be used
17 widely around the state of Washington. When practicable, the
18 department shall pursue design-build contracts for these bridge
19 projects to expedite delivery. The department shall provide a report
20 that identifies the progress of each project funded in this
21 subsection as part of its annual agency budget request.

22 (8) The department must consult with the Washington state patrol
23 and the office of financial management during the design phase of any
24 improvement or preservation project that could impact Washington
25 state patrol weigh station operations. During the design phase of any
26 such project, the department must estimate the cost of designing
27 around the affected weigh station's current operations, as well as
28 the cost of moving the affected weigh station.

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

33 (10) (~~((a) For projects funded as part of the 2015 connecting~~
34 ~~Washington transportation package listed on the LEAP transportation~~
35 ~~document identified in subsection (1) of this section, if the~~
36 ~~department expects to have substantial reappropriations for the~~
37 ~~2021-2023 fiscal biennium, the department may, on a pilot basis,~~
38 ~~apply funding from a project in this section with an appropriation~~
39 ~~that cannot be used for the current fiscal biennium to advance the SR~~
40 ~~4/Abernathy Creek Br - Replace Bridge project (400411A).~~

1 ~~(b) At least ten business days before advancing the 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 the project may not hinder the~~
5 ~~delivery of the projects for which the reappropriations are necessary~~
6 ~~for the 2021-2023 fiscal biennium.~~

7 ~~(c) To the extent practicable, the department shall use the~~
8 ~~flexibility and authority granted in this section and in section 601~~
9 ~~of this act to minimize the amount of reappropriations needed each~~
10 ~~biennium.~~

11 ~~(11))~~ Within the connecting Washington account—state
12 appropriation, the department may transfer funds from Highway System
13 Preservation (L1100071) to other preservation projects listed in the
14 LEAP transportation document identified in subsection (1) of this
15 section, if it is determined necessary for completion of these high
16 priority preservation projects. The department's next budget
17 submittal after using this subsection must appropriately reflect the
18 transfer.

19 **Sec. 307.** 2019 c 416 s 308 (uncodified) is amended to read as
20 follows:

21 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
22 **CAPITAL**

| | | |
|----|---|-------------------------------|
| 23 | Motor Vehicle Account—State Appropriation | ((\$7,311,000)) |
| 24 | | <u>\$8,205,000</u> |
| 25 | Motor Vehicle Account—Federal Appropriation | ((\$5,331,000)) |
| 26 | | <u>\$6,137,000</u> |
| 27 | Motor Vehicle Account—Private/Local Appropriation | ((\$500,000)) |
| 28 | | <u>\$579,000</u> |
| 29 | TOTAL APPROPRIATION. | ((\$13,142,000)) |
| 30 | | <u>\$14,921,000</u> |

31 The appropriations in this section are subject to the following
32 conditions and limitations: \$700,000 of the motor vehicle account—
33 state appropriation is provided solely for the SR 99 Aurora Bridge
34 ITS project (L2000338); however, if at least \$50,000,000 is not made
35 available, by means of transfer, deposit, appropriation, or other
36 similar conveyance, to the motor vehicle account for stormwater-
37 related activities through the enactment of chapter 422 (~~(Engrossed~~
38 ~~Substitute Senate Bill No. 5993))~~), Laws of 2019 (model toxics

1 control program reform) by June 30, 2019, the amount provided in this
2 subsection lapses.

3 **Sec. 308.** 2019 c 416 s 309 (uncodified) is amended to read as
4 follows:

5 **FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES**
6 **CONSTRUCTION—PROGRAM W**

| | | |
|----|--|--------------------------------|
| 7 | Puget Sound Capital Construction Account—State | |
| 8 | Appropriation | ((\$111,076,000)) |
| 9 | | <u>\$112,420,000</u> |
| 10 | Puget Sound Capital Construction Account—Federal | |
| 11 | Appropriation | ((\$141,750,000)) |
| 12 | | <u>\$197,188,000</u> |
| 13 | Puget Sound Capital Construction Account—Private/Local | |
| 14 | Appropriation | ((\$350,000)) |
| 15 | | <u>\$4,779,000</u> |
| 16 | Transportation Partnership Account—State | |
| 17 | Appropriation | ((\$4,936,000)) |
| 18 | | <u>\$6,723,000</u> |
| 19 | Connecting Washington Account—State Appropriation | ((\$92,766,000)) |
| 20 | | <u>\$109,043,000</u> |
| 21 | Capital Vessel Replacement Account—State | |
| 22 | Appropriation | \$99,000,000 |
| 23 | <u>Transportation 2003 Account—State Appropriation</u> | <u>\$986,000</u> |
| 24 | TOTAL APPROPRIATION | ((\$449,878,000)) |
| 25 | | <u>\$530,139,000</u> |

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

28 (1) Except as provided otherwise in this section, the entire
29 appropriations in this section are provided solely for the projects
30 and activities as listed in LEAP Transportation Document ((~~2019-2~~)
31 2020-2 ALL PROJECTS as developed ((~~April 27, 2019~~)) February 23,
32 2020, Program - Washington State Ferries Capital Program (W).

33 (2) ((~~\$1,461,000~~)) \$2,857,000 of the Puget Sound capital
34 construction account—state appropriation, ((~~\$59,650,000~~)) \$63,789,000
35 of the connecting Washington account—state appropriation, and
36 \$17,832,000 of the Puget Sound capital construction account—federal
37 appropriation, are provided solely for the Mukilteo ferry terminal
38 (952515P). To the extent practicable, the department shall avoid the

1 closure of, or disruption to, any existing public access walkways in
2 the vicinity of the terminal project during construction.

3 (3) (~~(\$73,089,000)~~) \$102,641,000 of the Puget Sound capital
4 construction account—federal appropriation, (~~(\$33,089,000)~~)
5 \$47,819,000 of the connecting Washington account—state appropriation,
6 and (~~(\$8,778,000)~~) \$4,355,000 of the Puget Sound capital construction
7 account—(~~state~~) local appropriation are provided solely for the
8 Seattle Terminal Replacement project (900010L).

9 (4) (~~(\$5,000,000)~~) \$5,357,000 of the Puget Sound capital
10 construction account—state appropriation is provided solely for
11 emergency capital repair costs (999910K). Funds may only be spent
12 after approval by the office of financial management.

13 (5) \$2,300,000 of the Puget Sound capital construction account—
14 state appropriation is provided solely for the ORCA acceptance
15 project (L2000300). The ferry system shall work with Washington
16 technology solutions and the tolling division on the development of a
17 new, interoperable ticketing system.

18 (6) \$495,000 of the Puget Sound capital construction account—
19 state appropriation is provided solely for an electric ferry planning
20 team (G2000087) to develop ten-year and twenty-year implementation
21 plans to efficiently deploy hybrid-electric vessels, including a
22 cost-benefit analysis of construction and operation of hybrid-
23 electric vessels with and without charging infrastructure. The plan
24 includes, but is not limited to, vessel technology and feasibility,
25 vessel and terminal deployment schedules, project financing, and
26 workforce requirements. The plan shall be submitted to the office of
27 financial management and the transportation committees of the
28 legislature by June 30, 2020.

29 (7) \$35,000,000 of the Puget Sound capital construction account—
30 state appropriation and \$6,500,000 of the Puget Sound capital
31 construction account—federal appropriation are provided solely for
32 the conversion of up to two Jumbo Mark II vessels to electric hybrid
33 propulsion (G2000084). The department shall seek additional funds for
34 the purposes of this subsection. The department may spend from the
35 Puget Sound capital construction account—state appropriation in this
36 section only as much as the department receives in Volkswagen
37 settlement funds for the purposes of this subsection.

38 (8) \$400,000 of the Puget Sound capital construction account—
39 state appropriation is provided solely for a request for proposals

1 for a new maintenance management system (project L2000301) and is
2 subject to the conditions, limitations, and review provided in
3 section 701 (~~of this act~~), chapter 416, Laws of 2019.

4 (9) \$99,000,000 of the capital vessel replacement account—state
5 appropriation is provided solely for the acquisition of a 144-car
6 hybrid-electric vessel. The vendor must present to the joint
7 transportation committee and the office of financial management, by
8 September 15, 2019, a list of options that will result in significant
9 cost savings changes in terms of construction or the long-term
10 maintenance and operations of the vessel. The vendor must allow for
11 exercising the options without a penalty. It is the intent of the
12 legislature to provide an additional \$88,000,000 in funding in the
13 2021-23 biennium. Unless (a) chapter 431 (~~(Engrossed Substitute~~
14 ~~House Bill No. 2161)~~), Laws of 2019 (capital surcharge) or
15 chapter . . . (Substitute Senate Bill No. 5992), Laws of 2019
16 (capital surcharge) is enacted by June 30, 2019, and (b) chapter 417
17 (~~(Engrossed House Bill No. 1789)~~), Laws of 2019 (service fees) or
18 chapter . . . (Substitute Senate Bill No. 5419), Laws of 2019
19 (service fees) is enacted by June 30, 2019, the amount provided in
20 this subsection lapses.

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

24 **Sec. 309.** 2019 c 416 s 310 (uncodified) is amended to read as
25 follows:

26 **FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL**

| | |
|--|---------------------------|
| 27 Motor Vehicle Account—State Appropriation | \$1,750,000 |
| 28 Essential Rail Assistance Account—State Appropriation | (\$500,000) |
| 29 | <u>\$851,000</u> |
| 30 Transportation Infrastructure Account—State | |
| 31 Appropriation | \$7,554,000 |
| 32 Multimodal Transportation Account—State | |
| 33 Appropriation | (\$85,441,000) |
| 34 | <u>\$74,726,000</u> |
| 35 Multimodal Transportation Account—Federal | |
| 36 Appropriation | (\$8,302,000) |
| 37 | <u>\$8,601,000</u> |
| 38 Multimodal Transportation Account—Local | |

| | | |
|---|------------------------------|--------------------------------|
| 1 | Appropriation | \$336,000 |
| 2 | TOTAL APPROPRIATION. | ((\$103,883,000)) |
| 3 | | <u>\$93,818,000</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 by project and amount in LEAP Transportation
9 Document ((~~2019-2~~)) 2020-2 ALL PROJECTS as developed ((~~April 27,~~
10 ~~2019~~)) February 23, 2020, Program - Rail Program (Y).

11 (2) \$7,136,000 of the transportation infrastructure account—state
12 appropriation is provided solely for new low-interest loans approved
13 by the department through the freight rail investment bank (FRIB)
14 program. The department shall issue FRIB program loans with a
15 repayment period of no more than ten years, and charge only so much
16 interest as is necessary to recoup the department's costs to
17 administer the loans. The department shall report annually to the
18 transportation committees of the legislature and the office of
19 financial management on all FRIB loans issued.

20 (3) ((~~\$8,112,000~~)) \$5,004,000 of the multimodal transportation
21 account—state appropriation, \$51,000 of the transportation
22 infrastructure account—state appropriation, and \$135,000 of the
23 essential rail assistance account—state appropriation are provided
24 solely for new statewide emergent freight rail assistance projects
25 identified in the LEAP transportation document referenced in
26 subsection (1) of this section.

27 (4) \$367,000 of the transportation infrastructure account—state
28 appropriation and \$1,100,000 of the multimodal transportation account
29 —state appropriation are provided solely to reimburse Highline Grain,
30 LLC for approved work completed on Palouse River and Coulee City
31 (PCC) railroad track in Spokane county between the BNSF Railway
32 Interchange at Cheney and Geiger Junction and must be administered in
33 a manner consistent with freight rail assistance program projects.
34 The value of the public benefit of this project is expected to meet
35 or exceed the cost of this project in: Shipper savings on
36 transportation costs; jobs saved in rail-dependent industries; and/or
37 reduced future costs to repair wear and tear on state and local
38 highways due to fewer annual truck trips (reduced vehicle miles
39 traveled). The amounts provided in this subsection are not a

1 commitment for future legislatures, but it is the legislature's
2 intent that future legislatures will work to approve biennial
3 appropriations until the full \$7,337,000 cost of this project is
4 reimbursed.

5 (5) (a) (~~(\$365,000)~~) \$716,000 of the essential rail assistance
6 account—state appropriation (~~(is)~~) and \$82,000 of the multimodal
7 transportation account—state 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;

15 (ii) Revenues from trackage rights agreement fees paid by
16 shippers; and

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

21 (6) The department shall issue a call for projects for the
22 freight rail assistance program, and shall evaluate the applications
23 in a manner consistent with past practices as specified in section
24 309, chapter 367, Laws of 2011. By November 15, 2020, the department
25 shall submit a prioritized list of recommended projects to the office
26 of financial management and the transportation committees of the
27 legislature.

28 (7) \$10,000,000 of the multimodal transportation account—state
29 appropriation is provided solely as expenditure authority for any
30 insurance proceeds received by the state for Passenger Rail Equipment
31 Replacement (project 700010C.) The department must use this
32 expenditure authority only to purchase (~~(new train sets)~~) replacement
33 equipment that (~~(have)~~) has been competitively procured and service
34 recovery needs and corrective actions related to the December 2017
35 derailment.

36 (8) (~~(\$600,000)~~) \$898,000 of the multimodal transportation
37 account—federal appropriation and (~~(\$6,000)~~) \$8,000 of the multimodal
38 transportation account—state appropriation are provided solely for

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

3 (9) (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 2021-2023 fiscal biennium, the department may, on a pilot basis,
8 apply funding from a project in this section with an appropriation
9 that cannot be used for the current fiscal biennium to advance the
10 South Kelso Railroad Crossing project (L1000147).

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

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

20 (10) The multimodal transportation account—state appropriation
21 includes up to (~~(\$19,592,000)~~) \$25,000,000 in proceeds from the sale
22 of bonds authorized in RCW 47.10.867.

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

27 (12) \$1,500,000 of the multimodal transportation account—state
28 appropriation is provided solely for the Chelatchie Prairie railroad
29 roadbed rehabilitation project (L1000233).

30 (13) \$250,000 of the multimodal transportation account—state
31 appropriation is provided solely for the Port of Moses Lake Northern
32 Columbia Basin railroad feasibility study (L1000235).

33 (14) \$500,000 of the multimodal transportation account—state
34 appropriation is provided solely for the Spokane airport transload
35 facility project (L1000242).

36 (15) \$1,000,000 of the motor vehicle account—state appropriation
37 is provided solely for the grade separation at Bell road project
38 (L1000239); 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 422 (~~Engrossed~~
3 ~~Substitute Senate Bill No. 5993~~)), Laws of 2019 (model toxics
4 control program reform) by June 30, 2019, the amount provided in this
5 subsection lapses.

6 (16) \$750,000 of the motor vehicle account—state appropriation is
7 provided solely for the rail crossing improvements at 6th Ave. and
8 South 19th St. project (L2000289); however, if at least \$50,000,000
9 is not made available, by means of transfer, deposit, appropriation,
10 or other similar conveyance, to the motor vehicle account for
11 stormwater-related activities through the enactment of chapter 422
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 (17) \$1,000,000 of the multimodal transportation account—state
16 appropriation is provided solely for the Titlow rail bridge/culvert
17 improvement - metro parks Tacoma project (L1000221).

18 **Sec. 310.** 2019 c 416 s 311 (uncodified) is amended to read as
19 follows:

20 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**
21 **CAPITAL**

| | |
|---|--------------------------------|
| 22 Highway Infrastructure Account—State Appropriation . . . | ((\$793,000)) |
| | <u>\$1,276,000</u> |
| 24 Highway Infrastructure Account—Federal Appropriation . . | ((\$981,000)) |
| 25 | <u>\$1,337,000</u> |
| 26 Transportation Partnership Account—State | |
| 27 Appropriation | ((\$750,000)) |
| 28 | <u>\$1,380,000</u> |
| 29 Highway Safety Account—State Appropriation | ((\$800,000)) |
| 30 | <u>\$1,314,000</u> |
| 31 Motor Vehicle Account—State Appropriation | ((\$30,878,000)) |
| 32 | <u>\$29,993,000</u> |
| 33 Motor Vehicle Account—Federal Appropriation | ((\$33,813,000)) |
| 34 | <u>\$41,420,000</u> |
| 35 Motor Vehicle Account—Private/Local Appropriation . . | ((\$21,500,000)) |
| 36 | <u>\$24,600,000</u> |
| 37 Connecting Washington Account—State Appropriation . | ((\$172,454,000)) |
| 38 | <u>\$173,076,000</u> |

| | | |
|---|---|--------------------------------|
| 1 | Multimodal Transportation Account—State | |
| 2 | Appropriation | ((\$72,269,000)) |
| 3 | | <u>\$82,527,000</u> |
| 4 | TOTAL APPROPRIATION. | ((\$334,238,000)) |
| 5 | | <u>\$356,923,000</u> |

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

8 (1) Except as provided otherwise in this section, the entire
9 appropriations in this section are provided solely for the projects
10 and activities as listed by project and amount in LEAP Transportation
11 Document ((~~2019-2~~)) 2020-2 ALL PROJECTS as developed ((~~April 27,~~
12 ~~2019~~)) February 23, 2020, Program - Local Programs Program (Z).

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

16 (a) \$18,380,000 of the multimodal transportation account—state
17 appropriation is provided solely for newly selected pedestrian and
18 bicycle safety program projects. ((~~\$5,940,000~~)) \$18,577,000 of the
19 multimodal transportation account—state appropriation and
20 ((~~\$750,000~~)) \$1,380,000 of the transportation partnership account—
21 state appropriation are reappropriated for pedestrian and bicycle
22 safety program projects selected in the previous biennia (L2000188).

23 (b) \$11,400,000 of the motor vehicle account—federal
24 appropriation and \$7,750,000 of the multimodal transportation account
25 —state appropriation are provided solely for newly selected safe
26 routes to school projects. ((~~\$6,690,000~~)) \$11,354,000 of the motor
27 vehicle account—federal appropriation, ((~~\$2,320,000~~)) \$4,640,000 of
28 the multimodal transportation account—state appropriation, and
29 ((~~\$800,000~~)) \$1,314,000 of the highway safety account—state
30 appropriation are reappropriated for safe routes to school projects
31 selected in the previous biennia (L2000189). The department may
32 consider the special situations facing high-need areas, as defined by
33 schools or project areas in which the percentage of the children
34 eligible to receive free and reduced-price meals under the national
35 school lunch program is equal to, or greater than, the state average
36 as determined by the department, when evaluating project proposals
37 against established funding criteria while ensuring continued
38 compliance with federal eligibility requirements.

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

7 (4) (~~(\$28,319,000)~~) \$37,537,000 of the multimodal transportation
8 account—state appropriation is provided solely for bicycle and
9 pedestrian projects listed in the LEAP transportation document
10 referenced in subsection (1) of this section.

11 (5) (~~(\$19,160,000)~~) \$23,926,000 of the connecting Washington
12 account—state appropriation is provided solely for the Covington
13 Connector (L2000104). The amounts described in the LEAP
14 transportation document referenced in subsection (1) of this section
15 are not a commitment by future legislatures, but it is the
16 legislature's intent that future legislatures will work to approve
17 appropriations in the 2019-2021 fiscal biennium to reimburse the city
18 of Covington for approved work completed on the project up to the
19 full \$24,000,000 cost of this project.

20 (6) (~~((a) For projects funded as part of the 2015 connecting~~
21 ~~Washington transportation package listed on the LEAP transportation~~
22 ~~document identified in subsection (1) of this section, if the~~
23 ~~department expects to have substantial reappropriations for the~~
24 ~~2021-2023 fiscal biennium, the department may, on a pilot basis,~~
25 ~~apply funding from a project in this section with an appropriation~~
26 ~~that cannot be used for the current fiscal biennium to advance one or~~
27 ~~more of the following projects:~~

28 ~~(i) East-West Corridor Overpass and Bridge (L2000067);~~

29 ~~(ii) 41st Street Rucker Avenue Freight Corridor Phase 2~~
30 ~~(L2000134);~~

31 ~~(iii) Mottman Rd Pedestrian & Street Improvements (L1000089);~~

32 ~~(iv) I-5/Port of Tacoma Road Interchange (L1000087);~~

33 ~~(v) Complete SR 522 Improvements Kenmore (T10600R);~~

34 ~~(vi) SR 99 Revitalization in Edmonds (NEDMOND); or~~

35 ~~(vii) SR 523 145th Street (L1000148);~~

36 ~~(b) At least ten business days before advancing a project~~
37 ~~pursuant to this subsection, the department must notify the office of~~
38 ~~financial management and the transportation committees of the~~
39 ~~legislature. The advancement of a project may not hinder the delivery~~

1 of the projects for which the reappropriations are necessary for the
2 2021-2023 fiscal biennium.

3 ~~(c) To the extent practicable, the department shall use the~~
4 ~~flexibility and authority granted in this section to minimize the~~
5 ~~amount of reappropriations needed each biennium.~~

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

10 ~~((8))~~ (7) (a) \$15,213,000 of the motor vehicle account—federal
11 appropriation is provided solely for national highway freight network
12 projects identified on the project list submitted in accordance with
13 section 218(4) (b), chapter 14, Laws of 2016 on October 31, 2016.

14 (b) In advance of the expiration of the fixing America's surface
15 transportation (FAST) act in 2020, the department must work with the
16 Washington state freight advisory committee to agree on a framework
17 for allocation of any new national highway freight funding that may
18 be approved in a new federal surface transportation reauthorization
19 act. The department and representatives of the advisory committee
20 must report to the joint transportation committee by October 1, 2020,
21 on the status of planning for allocating new funds for this program.

22 ~~((9))~~ (8) \$1,000,000 of the motor vehicle account—state
23 appropriation is provided solely for the Beech Street Extension
24 project (L1000222); however, if at least \$50,000,000 is not made
25 available, by means of transfer, deposit, appropriation, or other
26 similar conveyance, to the motor vehicle account for stormwater-
27 related activities through the enactment of chapter 422 ~~((Engrossed~~
28 ~~Substitute Senate Bill No. 5993))~~, Laws of 2019 (model toxics
29 control program reform) by June 30, 2019, the amount provided in this
30 subsection lapses.

31 ~~((10))~~ (9) \$3,900,000 of the motor vehicle account—state
32 appropriation is provided solely for the Dupont-Steilacoom road
33 improvements project (L1000224); however, if at least \$50,000,000 is
34 not made available, by means of transfer, deposit, appropriation, or
35 other similar conveyance, to the motor vehicle account for
36 stormwater-related activities through the enactment of chapter 422
37 ~~((Engrossed Substitute Senate Bill No. 5993))~~, Laws of 2019 (model
38 toxics control program reform) by June 30, 2019, the amount provided
39 in this subsection lapses.

1 ~~((11))~~ (10) \$650,000 of the motor vehicle account—state
2 appropriation is provided solely for the SR 104/40th place northeast
3 roundabout project (L1000244); however, if at least \$50,000,000 is
4 not made available, by means of transfer, deposit, appropriation, or
5 other similar conveyance, to the motor vehicle account for
6 stormwater-related activities through the enactment of chapter 422
7 (~~(Engrossed Substitute Senate Bill No. 5993)~~), Laws of 2019 (model
8 toxics control program reform) by June 30, 2019, the amount provided
9 in this subsection lapses.

10 ~~((12))~~ (11) \$860,000 of the multimodal transportation account—
11 state appropriation is provided solely for the Clinton to Ken's
12 corner trail project (L1000249).

13 ~~((13))~~ (12) \$210,000 of the motor vehicle account—state
14 appropriation is provided solely for the I-405/44th gateway signage
15 and green-scaping improvements project (L1000250); however, if at
16 least \$50,000,000 is not made available, by means of transfer,
17 deposit, appropriation, or other similar conveyance, to the motor
18 vehicle account for stormwater-related activities through the
19 enactment of chapter 422 (~~(Engrossed Substitute Senate Bill No.~~
20 ~~5993)~~), Laws of 2019 (model toxics control program reform) by June
21 30, 2019, the amount provided in this subsection lapses.

22 ~~((14) \$750,000 of the multimodal transportation account—state~~
23 ~~appropriation is provided solely for the Edmonds waterfront connector~~
24 ~~project (L1000252).~~

25 ~~(15))~~ (13) \$650,000 of the motor vehicle account—state
26 appropriation is provided solely for the Wallace Kneeland and Shelton
27 springs road intersection improvements project (L1000260); however,
28 if at least \$50,000,000 is not made available, by means of transfer,
29 deposit, appropriation, or other similar conveyance, to the motor
30 vehicle account for stormwater-related activities through the
31 enactment of chapter 422 (~~(Engrossed Substitute Senate Bill No.~~
32 ~~5993)~~), Laws of 2019 (model toxics control program reform) by June
33 30, 2019, the amount provided in this subsection lapses.

34 ~~((16))~~ (14) \$1,000,000 of the motor vehicle account—state
35 appropriation and \$500,000 of the multimodal transportation account—
36 state appropriation are provided solely for the complete 224th Phase
37 two project (L1000270); 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 422 (~~((Engrossed~~
2 ~~Substitute Senate Bill No. 5993))~~), Laws of 2019 (model toxics
3 control program reform) by June 30, 2019, the amount in this
4 subsection provided from the motor vehicle account—state
5 appropriation lapses.

6 (~~((17))~~) (15) \$60,000 of the multimodal transportation account—
7 state appropriation is provided solely for the installation of an
8 updated meteorological station at the Colville airport (L1000279).

9 (~~((18))~~) (16)(a) \$700,000 of the motor vehicle account—state
10 appropriation is provided solely for the Ballard-Interbay Regional
11 Transportation system plan project (L1000281); however, if at least
12 \$50,000,000 is not made available, by means of transfer, deposit,
13 appropriation, or other similar conveyance, to the motor vehicle
14 account for stormwater-related activities through the enactment of
15 chapter 422 (~~((Engrossed Substitute Senate Bill No. 5993))~~), Laws of
16 2019 (model toxics control program reform) by June 30, 2019, the
17 amount provided in this subsection lapses.

18 (b) Funding in this subsection is provided solely for the city of
19 Seattle to develop a plan and report for the Ballard-Interbay
20 Regional Transportation System project to improve mobility for people
21 and freight. The plan must be developed in coordination and
22 partnership with entities including but not limited to the city of
23 Seattle, King county, the Port of Seattle, Sound Transit, the
24 Washington state military department for the Seattle armory, and the
25 Washington state department of transportation. The plan must examine
26 replacement of the Ballard bridge and the Magnolia bridge, which was
27 damaged in the 2001 Nisqually earthquake. The city must provide a
28 report on the plan that includes recommendations to the Seattle city
29 council, King county council, and the transportation committees of
30 the legislature by November 1, 2020. The report must include
31 recommendations on how to maintain the current and future capacities
32 of the Magnolia and Ballard bridges, an overview and analysis of all
33 plans between 2010 and 2020 that examine how to replace the Magnolia
34 bridge, and recommendations on a timeline for constructing new
35 Magnolia and Ballard bridges.

36 (~~((19))~~) (17) \$750,000 of the motor vehicle account—state
37 appropriation is provided solely for the Mickelson Parkway project
38 (L1000282); 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 422 (~~((Engrossed~~
3 ~~Substitute Senate Bill No. 5993))~~), Laws of 2019 (model toxics
4 control program reform) by June 30, 2019, the amount provided in this
5 subsection lapses.

6 ~~((20))~~ (18) \$300,000 of the motor vehicle account—state
7 appropriation is provided solely for the South 314th Street
8 Improvements project (L1000283); 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 422
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 ~~((21))~~ (19) \$250,000 of the motor vehicle account—state
16 appropriation is provided solely for the Ridgefield South I-5 Access
17 Planning project (L1000284); however, if at least \$50,000,000 is not
18 made available, by means of transfer, deposit, appropriation, or
19 other similar conveyance, to the motor vehicle account for
20 stormwater-related activities through the enactment of chapter 422
21 (~~((Engrossed Substitute Senate Bill No. 5993))~~), Laws of 2019 (model
22 toxics control program reform) by June 30, 2019, the amount provided
23 in this subsection lapses.

24 ~~((22))~~ (20) \$300,000 of the motor vehicle account—state
25 appropriation is provided solely for the Washougal 32nd Street
26 Underpass Design and Permitting project (L1000285); however, if at
27 least \$50,000,000 is not made available, by means of transfer,
28 deposit, appropriation, or other similar conveyance, to the motor
29 vehicle account for stormwater-related activities through the
30 enactment of chapter 422 (~~((Engrossed Substitute Senate Bill No.~~
31 ~~5993))~~), Laws of 2019 (model toxics control program reform) by June
32 30, 2019, the amount provided in this subsection lapses.

33 ~~((23))~~ (21) \$150,000 of the motor vehicle account—state
34 appropriation ~~((and \$50,000))~~, \$267,000 of the multimodal
35 transportation account—state appropriation, and \$600,000 of the
36 Connecting Washington account—state appropriation are provided solely
37 for the Bingen Walnut Creek and Maple Railroad Crossing (L2000328);
38 however, if at least \$50,000,000 is not made available, by means of
39 transfer, deposit, appropriation, or other similar conveyance, to the

1 motor vehicle account for stormwater-related activities through the
2 enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993),
3 Laws of 2019 (model toxics control program reform) by June 30, 2019,
4 the amount in this subsection provided from the motor vehicle account
5 —state appropriation lapses.

6 ~~((24))~~ (22) \$1,500,000 of the motor vehicle account—state
7 appropriation is provided solely for the SR 303 Warren Avenue Bridge
8 Pedestrian Improvements project (L2000339); however, if at least
9 \$50,000,000 is not made available, by means of transfer, deposit,
10 appropriation, or other similar conveyance, to the motor vehicle
11 account for stormwater-related activities through the enactment of
12 chapter 422 (~~((Engrossed Substitute Senate Bill No. 5993))~~), Laws of
13 2019 (model toxics control program reform) by June 30, 2019, the
14 amount provided in this subsection lapses.

15 ~~((25))~~ (23) \$1,000,000 of the motor vehicle account—state
16 appropriation is provided solely for the 72nd/Washington Improvements
17 in Yakima project (L2000341); however, if at least \$50,000,000 is not
18 made available, by means of transfer, deposit, appropriation, or
19 other similar conveyance, to the motor vehicle account for
20 stormwater-related activities through the enactment of chapter 422
21 (~~((Engrossed Substitute Senate Bill No. 5993))~~), Laws of 2019 (model
22 toxics control program reform) by June 30, 2019, the amount provided
23 in this subsection lapses.

24 ~~((26))~~ (24) \$650,000 of the motor vehicle account—state
25 appropriation is provided solely for the 48th/Washington Improvements
26 in Yakima project (L2000342); however, if at least \$50,000,000 is not
27 made available, by means of transfer, deposit, appropriation, or
28 other similar conveyance, to the motor vehicle account for
29 stormwater-related activities through the enactment of chapter 422
30 (~~((Engrossed Substitute Senate Bill No. 5993))~~), Laws of 2019 (model
31 toxics control program reform) by June 30, 2019, the amount provided
32 in this subsection lapses.

33 **TRANSFERS AND DISTRIBUTIONS**

34 **Sec. 401.** 2019 c 416 s 401 (uncodified) is amended to read as
35 follows:

36 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**
37 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND**

1 **DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND**

2 **REVENUE**

| | | |
|----|--|----------------------------------|
| 3 | Special Category C Account—State Appropriation. | ((\$376,000)) |
| 4 | | <u>\$383,000</u> |
| 5 | Multimodal Transportation Account—State Appropriation. | ((\$125,000)) |
| 6 | | <u>\$170,000</u> |
| 7 | Transportation Partnership Account—State | |
| 8 | Appropriation. | ((\$1,636,000)) |
| 9 | | <u>\$2,506,000</u> |
| 10 | <u>Motor Vehicle Account—State Appropriation.</u> | <u>\$41,000</u> |
| 11 | Connecting Washington Account—State Appropriation. | ((\$7,599,000)) |
| 12 | | <u>\$7,471,000</u> |
| 13 | Highway Bond Retirement Account—State | |
| 14 | Appropriation. | ((\$1,327,766,000)) |
| 15 | | <u>\$1,331,301,000</u> |
| 16 | Ferry Bond Retirement Account—State Appropriation. | \$25,077,000 |
| 17 | Transportation Improvement Board Bond Retirement | |
| 18 | Account—State Appropriation. | ((\$12,684,000)) |
| 19 | | <u>\$12,453,000</u> |
| 20 | Nondebt-Limit Reimbursable Bond Retirement | |
| 21 | Account—State Appropriation. | ((\$29,594,000)) |
| 22 | | <u>\$30,128,000</u> |
| 23 | Toll Facility Bond Retirement Account—State | |
| 24 | Appropriation. | ((\$86,493,000)) |
| 25 | | <u>\$86,483,000</u> |
| 26 | <u>Transportation 2003 Account (Nickel)—State Appropriation.</u> | <u>\$181,000</u> |
| 27 | TOTAL APPROPRIATION. | ((\$1,491,340,000)) |
| 28 | | <u>\$1,496,194,000</u> |

29 **Sec. 402.** 2019 c 416 s 402 (uncodified) is amended to read as
30 follows:

31 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**
32 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**
33 **FISCAL AGENT CHARGES**

| | | |
|----|--|----------------------------|
| 34 | Multimodal Transportation Account—State Appropriation. | ((\$25,000)) |
| 35 | | <u>\$34,000</u> |
| 36 | Transportation Partnership Account—State | |
| 37 | Appropriation. | ((\$327,000)) |

1 For transfer to the Multimodal Transportation
2 Account—State. ((~~\$10,000,000~~))
3 \$54,000,000
4 (2) Transportation Partnership Account—State
5 Appropriation: For transfer to the Motor Vehicle
6 Account—State. ((~~\$50,000,000~~))
7 \$75,000,000
8 (3) Motor Vehicle Account—State Appropriation:
9 For transfer to the State Patrol Highway
10 Account—State. ((~~\$7,000,000~~))
11 \$64,000,000
12 (4) Motor Vehicle Account—State Appropriation:
13 For transfer to the Freight Mobility Investment
14 Account—State. \$8,511,000
15 (5) Motor Vehicle Account—State Appropriation:
16 For transfer to the Rural Arterial Trust
17 Account—State. \$4,844,000
18 (6) Motor Vehicle Account—State Appropriation:
19 For transfer to the Transportation Improvement
20 Account—State. \$9,688,000
21 ~~(7) ((Highway Safety Account—State Appropriation:
22 For transfer to the State Patrol Highway
23 Account—State. \$44,000,000~~
24 ~~(8))~~ Rural Mobility Grant Program Account—State
25 Appropriation: For transfer to the Multimodal
26 Transportation Account—State. \$3,000,000
27 ~~((9))~~ (8) State Route Number 520 Civil Penalties
28 Account—State Appropriation: For transfer to
29 the State Route Number 520 Corridor
30 Account—State. \$1,434,000
31 ~~((10))~~ (9) Capital Vessel Replacement Account—State
32 Appropriation: For transfer to the Connecting
33 Washington Account—State. \$50,000,000
34 ~~((11) Multimodal Transportation Account—State
35 Appropriation: For transfer to the Freight
36 Mobility Multimodal Account—State. \$8,511,000~~
37 ~~(12) Multimodal Transportation Account—State
38 Appropriation: For transfer to the Puget Sound
39 Capital Construction Account—State. \$15,000,000~~

1 (b) The state treasurer shall transfer the funds only after
2 receiving notification from the Washington state patrol under section
3 207(7) (~~of this act~~), chapter 416, Laws of 2019.

4 (~~(+21)~~) (17) Capital Vessel Replacement Account—State
5 Appropriation: For transfer to the Transportation
6 Partnership Account—State. (~~(\$3,293,000)~~)
7 \$2,312,000

8 (~~(+22)~~) (18)(a) Alaskan Way Viaduct Replacement Project
9 Account—State Appropriation: For transfer to the
10 Transportation Partnership Account—State. (~~(\$19,262,000)~~)
11 \$15,858,000

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

15 (~~(+23)~~) (19) Tacoma Narrows Toll Bridge Account—State
16 Appropriation: For transfer to the Motor
17 Vehicle Account—State. \$950,000

18 (~~(+24)~~) (20)(a) Tacoma Narrows Toll Bridge Account—State
19 Appropriation:
20 For transfer to the Motor Vehicle
21 Account—State. \$5,000,000

22 (b) A transfer in the amount of \$5,000,000 was made from the
23 Motor Vehicle Account to the Tacoma Narrows Toll Bridge Account in
24 April 2019. It is the intent of the legislature that this transfer
25 was to be temporary, for the purpose of minimizing the impact of toll
26 increases, and this is an equivalent reimbursing transfer to occur in
27 November 2019.

28 (~~(+25)~~) (21)(a) Transportation 2003 Account (Nickel Account)
29 —State Appropriation: For transfer to the Tacoma
30 Narrows Toll Bridge Account—State. \$12,543,000

31 (b) It is the intent of the legislature that this transfer is
32 temporary, for the purpose of minimizing the impact of toll
33 increases, and an equivalent reimbursing transfer is to occur after
34 the debt service and deferred sales tax on the Tacoma Narrows bridge
35 construction costs are fully repaid in accordance with chapter 195,
36 Laws of 2018.

37 (~~(+26)~~) (22) Transportation Infrastructure Account—State
38 Appropriation: For transfer to the multimodal
39 Transportation Account—State. \$9,000,000

1 ~~((27))~~ (23) Multimodal Transportation Account—State
2 Appropriation: For transfer to the Pilotage
3 Account—State. \$2,500,000

4 ~~((28))~~ (24)(a) Motor Vehicle Account—State
5 Appropriation: For transfer to the County Road
6 Administration Board Emergency Loan Account—State. \$1,000,000
7 (b) If chapter 157 (~~(Senate Bill No. 5923)~~), Laws of 2019 is
8 not enacted by June 30, 2019, the amount provided in this subsection
9 lapses.

10 ~~((29))~~ (25)(a) Advanced Environmental Mitigation
11 Revolving Account—State Appropriation: For transfer
12 to the Motor Vehicle Account—State. \$9,000,000
13 (b) The amount transferred in this subsection is contingent on at
14 least a \$9,000,000 transfer to the advanced environmental mitigation
15 revolving account authorized by June 30, 2019, in the omnibus capital
16 appropriations act.

17 ~~((30) Motor Vehicle account—State Appropriation:
18 For transfer to the Electric Vehicle Charging
19 Infrastructure Account—State. \$12,255,000~~

20 ~~(31))~~ (26) Multimodal Transportation Account—State
21 Appropriation: For transfer to the Electric Vehicle
22 (~~Charging Infrastructure~~) Account—State. (~~(\$8,000,000)~~)
23 \$1,000,000

24 ~~((32))~~ (27) Multimodal Transportation Account—State
25 Appropriation: For transfer to the Complete Streets
26 Grant Program Account—State. \$14,670,000

27 ~~((33))~~ (28)(a) Transportation Partnership
28 Account—State Appropriation: For transfer to the Capital Vessel
29 Replacement Account—State. \$99,000,000
30 (b) The amount transferred in this subsection represents proceeds
31 from the sale of bonds authorized in RCW 47.10.873.

32 (29) Motor Vehicle Account—State Appropriation:
33 For transfer to the Puget Sound Capital Construction
34 Account—State. \$52,000,000

35 (30) Motor Vehicle Account—State Appropriation:
36 For transfer to the Puget Sound Ferry Operations
37 Account—State. \$55,000,000

38 (31) Connecting Washington Account—State
39 Appropriation: For transfer to the Motor Vehicle

2 **COMPENSATION**

3 NEW SECTION. Sec. 501. A new section is added to 2019 c 416
4 (uncodified) to read as follows:

5 **COLLECTIVE BARGAINING AGREEMENTS**

6 Sections 502 and 503 of this act represent the results of the
7 negotiations for fiscal year 2021 collective bargaining agreement
8 changes, permitted under chapter 47.64 RCW. Provisions of the
9 collective bargaining agreements contained in sections 502 and 503 of
10 this act are described in general terms. Only major economic terms
11 are included in the descriptions. These descriptions do not contain
12 the complete contents of the agreements. The collective bargaining
13 agreements contained in sections 502 and 503 of this act may also be
14 funded by expenditures from nonappropriated accounts. If positions
15 are funded with lidded grants or dedicated fund sources with
16 insufficient revenue, additional funding from other sources is not
17 provided.

18 NEW SECTION. Sec. 502. A new section is added to 2019 c 416
19 (uncodified) to read as follows:

20 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
21 **AGREEMENTS—MEBA-UL**

22 An agreement has been reached between the governor and the marine
23 engineers' beneficial association unlicensed engine room employees
24 pursuant to chapter 47.64 RCW for the 2021 fiscal biennia. Funding is
25 provided to ensure training opportunities are available to all
26 bargaining unit employees.

27 NEW SECTION. Sec. 503. A new section is added to 2019 c 416
28 (uncodified) to read as follows:

29 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
30 **AGREEMENTS—MEBA-L**

31 An agreement has been reached between the governor and the marine
32 engineers' beneficial association licensed engineer officers pursuant
33 to chapter 47.64 RCW for the 2021 fiscal biennia. Funding is provided
34 to ensure training opportunities are available to all bargaining unit
35 employees.

1 **IMPLEMENTING PROVISIONS**

2 **Sec. 601.** 2019 c 416 s 601 (uncodified) is amended to read as
3 follows:

4 **FUND TRANSFERS**

5 (1) The 2005 transportation partnership projects or improvements
6 and 2015 connecting Washington projects or improvements are listed in
7 the LEAP Transportation Document (~~(2019-1)~~) 2020-1 as developed
8 (~~(April 27, 2019)~~) February 23, 2020, which consists of a list of
9 specific projects by fund source and amount over a sixteen-year
10 period. Current fiscal biennium funding for each project is a line-
11 item appropriation, while the outer year funding allocations
12 represent a sixteen-year plan. The department of transportation is
13 expected to use the flexibility provided in this section to assist in
14 the delivery and completion of all transportation partnership account
15 and connecting Washington account projects on the LEAP transportation
16 document referenced in this subsection. For the 2019-2021 project
17 appropriations, unless otherwise provided in this act, the director
18 of the office of financial management may provide written
19 authorization for a transfer of appropriation authority between
20 projects funded with transportation partnership account
21 appropriations or connecting Washington account appropriations to
22 manage project spending and efficiently deliver all projects in the
23 respective program under the following conditions and limitations:

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

26 (b) Transfers from a project may not be made as a result of the
27 reduction of the scope of a project or be made to support increases
28 in the scope of a project;

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

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

34 (e) Transfers may not be made while the legislature is in
35 session;

36 (f) Transfers to a project may not be made with funds designated
37 as attributable to practical design savings as described in RCW
38 47.01.480;

1 (g) Each transfer between projects may only occur if the director
2 of the office of financial management finds that any resulting change
3 will not hinder the completion of the projects as approved by the
4 legislature. Until the legislature reconvenes to consider the 2020
5 supplemental omnibus transportation appropriations act, any
6 unexpended 2017-2019 appropriation balance as approved by the office
7 of financial management, in consultation with the chairs and ranking
8 members of the house of representatives and senate transportation
9 committees, may be considered when transferring funds between
10 projects; and

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

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

25 (3) At the time the department submits a request to transfer
26 funds under this section, a copy of the request must be submitted to
27 the chairs and ranking members of the transportation committees of
28 the legislature.

29 (4) Before approval, the office of financial management shall
30 work with legislative staff of the house of representatives and
31 senate transportation committees to review the requested transfers in
32 a timely manner and consider any concerns raised by the chairs and
33 ranking members of the transportation committees.

34 (5) No fewer than ten days after the receipt of a project
35 transfer request, the director of the office of financial management
36 must provide written notification to the department of any decision
37 regarding project transfers, with copies submitted to the
38 transportation committees of the legislature.

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

4 **Sec. 602.** 2019 c 416 s 606 (uncodified) is amended to read as
5 follows:

6 **TRANSIT, BICYCLE, AND PEDESTRIAN ELEMENTS REPORTING**

7 (1) By November 15th of each year, the department of
8 transportation must report on amounts expended to benefit transit,
9 bicycle, or pedestrian elements within all connecting Washington
10 projects in programs I, P, and Z identified in LEAP Transportation
11 Document ((2019-2)) 2020-2 ALL PROJECTS as developed ((April-27,
12 2019)) February 23, 2020. The report must address each modal category
13 separately and identify if eighteenth amendment protected funds have
14 been used and, if not, the source of funding.

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

19 **MISCELLANEOUS 2019-2021 FISCAL BIENNIUM**

20 **Sec. 701.** RCW 46.68.290 and 2019 c 416 s 707 are each amended to
21 read as follows:

22 (1) The transportation partnership account is hereby created in
23 the state treasury. All distributions to the account from RCW
24 46.68.090 must be deposited into the account. Money in the account
25 may be spent only after appropriation. Expenditures from the account
26 must be used only for projects or improvements identified as 2005
27 transportation partnership projects or improvements in the omnibus
28 transportation appropriations act, including any principal and
29 interest on bonds authorized for the projects or improvements.

30 (2) The legislature finds that:

31 (a) Citizens demand and deserve accountability of transportation-
32 related programs and expenditures. Transportation-related programs
33 must continuously improve in quality, efficiency, and effectiveness
34 in order to increase public trust;

35 (b) Transportation-related agencies that receive tax dollars must
36 continuously improve the way they operate and deliver services so
37 citizens receive maximum value for their tax dollars; and

1 (c) Fair, independent, comprehensive performance audits of
2 transportation-related agencies overseen by the elected state auditor
3 are essential to improving the efficiency, economy, and effectiveness
4 of the state's transportation system.

5 (3) For purposes of chapter 314, Laws of 2005:

6 (a) "Performance audit" means an objective and systematic
7 assessment of a state agency or agencies or any of their programs,
8 functions, or activities by the state auditor or designee in order to
9 help improve agency efficiency, effectiveness, and accountability.
10 Performance audits include economy and efficiency audits and program
11 audits.

12 (b) "Transportation-related agency" means any state agency,
13 board, or commission that receives funding primarily for
14 transportation-related purposes. At a minimum, the department of
15 transportation, the transportation improvement board or its successor
16 entity, the county road administration board or its successor entity,
17 and the traffic safety commission are considered transportation-
18 related agencies. The Washington state patrol and the department of
19 licensing shall not be considered transportation-related agencies
20 under chapter 314, Laws of 2005.

21 (4) Within the authorities and duties under chapter 43.09 RCW,
22 the state auditor shall establish criteria and protocols for
23 performance audits. Transportation-related agencies shall be audited
24 using criteria that include generally accepted government auditing
25 standards as well as legislative mandates and performance objectives
26 established by state agencies. Mandates include, but are not limited
27 to, agency strategies, timelines, program objectives, and mission and
28 goals as required in RCW 43.88.090.

29 (5) Within the authorities and duties under chapter 43.09 RCW,
30 the state auditor may conduct performance audits for transportation-
31 related agencies. The state auditor shall contract with private firms
32 to conduct the performance audits.

33 (6) The audits may include:

34 (a) Identification of programs and services that can be
35 eliminated, reduced, consolidated, or enhanced;

36 (b) Identification of funding sources to the transportation-
37 related agency, to programs, and to services that can be eliminated,
38 reduced, consolidated, or enhanced;

1 (c) Analysis of gaps and overlaps in programs and services and
2 recommendations for improving, dropping, blending, or separating
3 functions to correct gaps or overlaps;

4 (d) Analysis and recommendations for pooling information
5 technology systems used within the transportation-related agency, and
6 evaluation of information processing and telecommunications policy,
7 organization, and management;

8 (e) Analysis of the roles and functions of the transportation-
9 related agency, its programs, and its services and their compliance
10 with statutory authority and recommendations for eliminating or
11 changing those roles and functions and ensuring compliance with
12 statutory authority;

13 (f) Recommendations for eliminating or changing statutes, rules,
14 and policy directives as may be necessary to ensure that the
15 transportation-related agency carry out reasonably and properly those
16 functions vested in the agency by statute;

17 (g) Verification of the reliability and validity of
18 transportation-related agency performance data, self-assessments, and
19 performance measurement systems as required under RCW 43.88.090;

20 (h) Identification of potential cost savings in the
21 transportation-related agency, its programs, and its services;

22 (i) Identification and recognition of best practices;

23 (j) Evaluation of planning, budgeting, and program evaluation
24 policies and practices;

25 (k) Evaluation of personnel systems operation and management;

26 (l) Evaluation of purchasing operations and management policies
27 and practices;

28 (m) Evaluation of organizational structure and staffing levels,
29 particularly in terms of the ratio of managers and supervisors to
30 nonmanagement personnel; and

31 (n) Evaluation of transportation-related project costs, including
32 but not limited to environmental mitigation, competitive bidding
33 practices, permitting processes, and capital project management.

34 (7) Within the authorities and duties under chapter 43.09 RCW,
35 the state auditor must provide the preliminary performance audit
36 reports to the audited state agency for comment. The auditor also may
37 seek input on the preliminary report from other appropriate
38 officials. Comments must be received within thirty days after receipt
39 of the preliminary performance audit report unless a different time
40 period is approved by the state auditor. The final performance audit

1 report shall include the objectives, scope, and methodology; the
2 audit results, including findings and recommendations; the agency's
3 response and conclusions; and identification of best practices.

4 (8) The state auditor shall provide final performance audit
5 reports to the citizens of Washington, the governor, the joint
6 legislative audit and review committee, the appropriate legislative
7 committees, and other appropriate officials. Final performance audit
8 reports shall be posted on the internet.

9 (9) The audited transportation-related agency is responsible for
10 follow-up and corrective action on all performance audit findings and
11 recommendations. The audited agency's plan for addressing each audit
12 finding and recommendation shall be included in the final audit
13 report. The plan shall provide the name of the contact person
14 responsible for each action, the action planned, and the anticipated
15 completion date. If the audited agency does not agree with the audit
16 findings and recommendations or believes action is not required, then
17 the action plan shall include an explanation and specific reasons.

18 The office of financial management shall require periodic
19 progress reports from the audited agency until all resolution has
20 occurred. The office of financial management is responsible for
21 achieving audit resolution. The office of financial management shall
22 annually report by December 31st the status of performance audit
23 resolution to the appropriate legislative committees and the state
24 auditor. The legislature shall consider the performance audit results
25 in connection with the state budget process.

26 The auditor may request status reports on specific audits or
27 findings.

28 (10) For the period from July 1, 2005, until June 30, 2007, the
29 amount of \$4,000,000 is appropriated from the transportation
30 partnership account to the state auditors office for the purposes of
31 subsections (2) through (9) of this section.

32 (11) During the 2015-2017 fiscal biennium, the legislature may
33 transfer from the transportation partnership account to the
34 connecting Washington account such amounts as reflect the excess fund
35 balance of the transportation partnership account.

36 (12) During the 2017-2019 and the 2019-2021 fiscal biennia, the
37 legislature may direct the state treasurer to make transfers of
38 moneys in the transportation partnership account to the connecting
39 Washington account and the motor vehicle fund.

1 (13) During the 2019-2021 fiscal biennium, any legal damages
2 amounts paid to the state related to contractual provisions for
3 construction and delivery of the Alaskan Way viaduct replacement
4 project shall be deposited in this account.

5 **Sec. 702.** RCW 46.68.320 and 2010 c 247 s 702 are each amended to
6 read as follows:

7 (1) The regional mobility grant program account is hereby created
8 in the state treasury. Moneys in the account may be spent only after
9 appropriation. Expenditures from the account may be used only for the
10 grants provided under RCW 47.66.030.

11 (2) Beginning with September 2007, by the last day of September,
12 December, March, and June of each year, the state treasurer shall
13 transfer from the multimodal transportation account to the regional
14 mobility grant program account five million dollars.

15 (3) Beginning with September 2015, by the last day of September,
16 December, March, and June of each year, the state treasurer shall
17 transfer from the multimodal transportation account to the regional
18 mobility grant program account six million two hundred fifty thousand
19 dollars.

20 (4) During the 2009-2011 fiscal biennium, the legislature may
21 transfer from the regional mobility grant program account to the
22 multimodal transportation account such amounts as reflect the excess
23 fund balance of the regional mobility grant program account.

24 (5) During the 2019-2021 fiscal biennium, the legislature may
25 direct the state treasurer to make transfers of moneys in the
26 regional mobility grant program account to the multimodal
27 transportation account.

28 **Sec. 703.** RCW 47.56.864 and 2012 c 83 s 3 are each amended to
29 read as follows:

30 A special account to be known as the Alaskan Way viaduct
31 replacement project account is created in the state treasury.

32 (1) Deposits to the account must include:

33 (a) All proceeds of bonds issued for construction of the Alaskan
34 Way viaduct replacement project, including any capitalized interest;

35 (b) All of the tolls and other revenues received from the
36 operation of the Alaskan Way viaduct replacement project as a toll
37 facility, to be deposited at least monthly;

1 (c) Any interest that may be earned from the deposit or
2 investment of those revenues;

3 (d) Notwithstanding RCW 47.12.063, proceeds from the sale of any
4 surplus real property acquired for the purpose of building the
5 Alaskan Way viaduct replacement project; and

6 (e) ~~((All))~~ Except as provided in subsection (4) of this section,
7 all damages, liquidated or otherwise, collected under any contract
8 involving the construction of the Alaskan Way viaduct replacement
9 project.

10 (2) Subject to the covenants made by the state in the bond
11 proceedings authorizing the issuance and sale of bonds for the
12 construction of the Alaskan Way viaduct replacement project, toll
13 charges, other revenues, and interest received from the operation of
14 the Alaskan Way viaduct replacement project as a toll facility may be
15 used to:

16 (a) Pay any required costs allowed under RCW 47.56.820; and

17 (b) Repay amounts to the motor vehicle fund as required.

18 (3) When repaying the motor vehicle fund, the state treasurer
19 shall transfer funds from the Alaskan Way viaduct replacement project
20 account to the motor vehicle fund on or before each debt service date
21 for bonds issued for the construction of the Alaskan Way viaduct
22 replacement project in an amount sufficient to repay the motor
23 vehicle fund for amounts transferred from that fund to the highway
24 bond retirement fund to provide for any bond principal and interest
25 due on that date. The state treasurer may establish subaccounts for
26 the purpose of segregating toll charges, bond sale proceeds, and
27 other revenues.

28 (4) During the 2019-2021 fiscal biennium, any legal damages
29 amounts paid to the state related to contractual provisions for
30 construction and delivery of the Alaskan Way viaduct replacement
31 project shall instead be deposited into the transportation
32 partnership account.

33 **Sec. 704.** RCW 82.32.385 and 2015 3rd sp.s. c 44 s 420 are each
34 amended to read as follows:

35 (1) (a) Beginning September 2019 and ending June 2021, by the last
36 day of September ~~((7))~~ and December ~~((7, March, and June of each year))~~
37 2019, the state treasurer must transfer from the general fund to the
38 connecting Washington account created in RCW 46.68.395 thirteen
39 million six hundred eighty thousand dollars.

1 the state government and its existing public institutions, and takes
2 effect immediately.

(End of Bill)

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