

SSB 5165 - CONF REPT  
By Conference Committee

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

3 **"2021-2023 FISCAL BIENNIUM**

4 NEW SECTION. **Sec. 1.** (1) The transportation budget of the state  
5 is hereby adopted and, subject to the provisions set forth, the  
6 several amounts specified, or as much thereof as may be necessary to  
7 accomplish the purposes designated, are hereby appropriated from the  
8 several accounts and funds named to the designated state agencies and  
9 offices for employee compensation and other expenses, for capital  
10 projects, and for other specified purposes, including the payment of  
11 any final judgments arising out of such activities, for the period  
12 ending June 30, 2023.

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

15 (a) "Fiscal year 2022" or "FY 2022" means the fiscal year ending  
16 June 30, 2022.

17 (b) "Fiscal year 2023" or "FY 2023" means the fiscal year ending  
18 June 30, 2023.

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

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

22 (e) "Provided solely" means the specified amount may be spent  
23 only for the specified purpose. Unless otherwise specifically  
24 authorized in this act, any portion of an amount provided solely for  
25 a specified purpose that is not expended subject to the specified  
26 conditions and limitations to fulfill the specified purpose shall  
27 lapse.

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

1 (g) "LEAP" means the legislative evaluation and accountability  
2 program committee.

3 **GENERAL GOVERNMENT AGENCIES—OPERATING**

4 NEW SECTION. **Sec. 101. FOR THE DEPARTMENT OF ARCHAEOLOGY AND**  
5 **HISTORIC PRESERVATION**

6 Motor Vehicle Account—State Appropriation . . . . . \$546,000

7 NEW SECTION. **Sec. 102. FOR THE UTILITIES AND TRANSPORTATION**  
8 **COMMISSION**

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

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

11 Multimodal Transportation Account—State Appropriation. . . . \$225,000

12 TOTAL APPROPRIATION. . . . . \$879,000

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

15 (1) \$225,000 of the multimodal transportation account—state  
16 appropriation is provided solely for the commission to prepare an  
17 inventory of rail safety oversight conducted by state agencies in  
18 other states identified for review by program area as compared to the  
19 role of state agencies in Washington due September 1, 2022. This  
20 inventory must include a comparison of the oversight conducted by  
21 state agencies in California and New York, as well as other state  
22 agencies selected by the commission that play a broader role in rail  
23 safety oversight than state agencies in Washington. In developing its  
24 inventory, the commission shall include consideration of the  
25 relationship of state efforts to federal law. The inventory must  
26 include information related to safety oversight, coordination,  
27 communication, and enforcement of state and federal laws and  
28 regulations relating to transportation of persons or commodities, or  
29 both, of any nature or description by rail.

30 (2) The commission must host one workshop with interested  
31 parties. The purpose of the workshop is to ensure consideration of  
32 relevant information in development of an inventory of current  
33 efforts in rail safety oversight by other states that can inform the  
34 legislature's intended expansion of the role of the commission in  
35 rail safety in the state of Washington. The purpose of the workshop  
36 is not to foreclose consideration of a specific legislative approach.

1 Interested legislators and legislative staff and staff of the  
2 governor's office may participate in the workshop or workshops.  
3 Participation in the workshop must include, but is not limited to,  
4 representatives of:

5 (a) Host and tenant railroads;

6 (b) Rail labor organizations;

7 (c) The state safety oversight agency for rail fixed guideway  
8 public transportation systems;

9 (d) Operators of, and entities providing financial support for,  
10 intercity passenger rail and rail fixed guideway systems;

11 (e) Local jurisdictions;

12 (f) Rail advocacy organizations;

13 (g) State emergency management organizations;

14 (h) The department of ecology;

15 (i) The department of labor and industries;

16 (j) The national transportation safety board;

17 (k) The federal railroad administration; and

18 (l) The pipeline and hazardous materials safety administration.

19 (3) The commission shall review, at a minimum, the report of the  
20 national transportation safety board report on the 2017 Amtrak  
21 derailment, the joint transportation committee's 2020 rail safety  
22 governance study, Engrossed Substitute House Bill No. 1418 (2021), as  
23 passed by the house on March 7, 2021, relevant federal laws and  
24 rules, and state rail safety plans.

25 (4) The commission's inventory must include, but is not limited  
26 to:

27 (a) An analysis of expanding the commission's role to match the  
28 role of other state agencies examined, including as it relates to  
29 oversight of implementation of new and materially changed railroad  
30 operations and infrastructure; operator safety management practices;  
31 the safety of transportation of crude oil by rail and enforcement of  
32 chapter 90.56 RCW; the safety and oversight of rail fixed guideway  
33 systems as defined in RCW 81.104.015; annual reporting practices; and  
34 rail safety communication and collaboration efforts, including  
35 through the use of a rail safety committee;

36 (b) A review of federal preemption issues and analysis of state  
37 rail safety authority in the context of the current rail safety  
38 oversight role of other states, as examined in this section;

39 (c) A review of workshop discussions;

1 (d) Estimated costs associated with implementation in Washington  
2 state of the safety program elements included in the inventory  
3 required in this section, itemized by program area and level of  
4 oversight performed, including estimated costs of options to improve  
5 the safety of transportation of crude oil by rail and enforcement of  
6 chapter 90.56 RCW;

7 (e) A review of revenue sources that support rail safety  
8 oversight activities in other states included in the inventory,  
9 including federal revenue sources. For each source, the review must  
10 also include:

11 (i) Estimates of revenue generated if imposed in Washington;

12 (ii) Estimates of how much would be paid by different types of  
13 entities; and

14 (f) A review of the level of liability protection afforded  
15 agencies that perform rail safety oversight under state law in the  
16 states examined in the inventory conducted.

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

18	Motor Vehicle Account—State Appropriation . . . . .	\$1,441,0000
19	Puget Sound Ferry Operations Account—State Appropriation . .	\$126,000
20	Multimodal Transportation Account—State Appropriation. . . .	\$250,000
21	TOTAL APPROPRIATION. . . . .	\$1,817,000

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

24 \$250,000 of the multimodal transportation account—state  
25 appropriation is provided solely for the office of financial  
26 management, in collaboration with the Washington department of  
27 transportation and the office of the chief information officer, to  
28 conduct an evaluation of short term and long term facility and  
29 information technology needs. In conducting the evaluation, the  
30 office of financial management may contract with an entity with  
31 direct expertise in this area. The office of financial management  
32 must submit a final report of their evaluation by October 1, 2022.  
33 The evaluation must be coordinated with any legislatively directed  
34 study regarding leased space. The evaluation must include, but is not  
35 limited to:

36 (1) Development of a status quo scenario based on current policy  
37 and projections and two alternative scenarios of the number of people  
38 and percentage of staff in telework status on a permanent basis with

1 one alternative being the minimum feasible level of teleworking and  
2 one alternative being the maximum feasible level of teleworking;

3 (2) Current and projected facility needs by location and function  
4 for the scenarios in subsection (1) of this section;

5 (3) The specific number of employees and percentage of the  
6 workforce expected to be teleworking by location and function and the  
7 anticipated impact on facility space needs for the scenarios in  
8 subsection (1) of this section;

9 (4) Analysis of opportunities to colocate with other state,  
10 local, and other public agencies to reduce costs and improve cost-  
11 efficiency;

12 (5) Detailed information on any increased costs, such as end-user  
13 devices, software, technology infrastructure, and other types of  
14 assistance needed to meet the teleworking levels in each of the  
15 scenarios in subsection (1) of this section;

16 (6) Detailed information on any reduced costs, such as leases,  
17 facility maintenance, and utilities, resulting from the projected  
18 teleworking levels for the scenarios in subsection (1) of this  
19 section; and

20 (7) Cost-benefit analysis detailing the net impact of teleworking  
21 on facility and total costs for the scenarios in subsection (1) of  
22 this section.

23 NEW SECTION. **Sec. 104. FOR THE STATE PARKS AND RECREATION**  
24 **COMMISSION**

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

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

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

30 Motor Vehicle Account—State Appropriation . . . . . \$1,346,000

31 NEW SECTION. **Sec. 106. FOR THE LEGISLATIVE EVALUATION AND**  
32 **ACCOUNTABILITY PROGRAM COMMITTEE**

33 Motor Vehicle Account—State Appropriation . . . . . \$668,000

34 NEW SECTION. **Sec. 107. FOR THE EVERGREEN STATE COLLEGE**

35 Motor Vehicle Account—State Appropriation . . . . . \$150,000

1 The appropriation in this section is subject to the following  
2 conditions and limitations: The total appropriation in this section  
3 is provided solely for the Washington state institute for public  
4 policy to conduct a cost-benefit analysis for an exclusive or partial  
5 American steel requirement for future transportation contracts and  
6 subcontracts authorized in the transportation budget. This cost-  
7 benefit analysis must, to the extent feasible: (1) Compare existing  
8 types and uses of steel to made in America steel alternatives  
9 including evaluation of quality; (2) examine benefits to Washington  
10 workers and the Washington economy; (3) examine lifecycle and  
11 embodied carbon greenhouse gas emissions; (4) identify requirements  
12 for purchasing American steel that minimize costs and maximize  
13 benefits; and (5) evaluate American steel requirements or preferences  
14 in other states. The Washington state institute for public policy may  
15 solicit input for the analysis from representatives of interested  
16 parties to include, but not be limited to, the construction and  
17 manufacturing sectors, organized labor in the construction and  
18 manufacturing sectors, cities, counties, American steel manufacturing  
19 companies, environmental advocacy organizations, and appropriate  
20 state agencies. A final report is due to the legislature by December  
21 1, 2021.

22 NEW SECTION. **Sec. 108. FOR THE OFFICE OF MINORITY AND WOMEN'S**  
23 **BUSINESS ENTERPRISES**

24 Motor Vehicle Account—State Appropriation . . . . . \$2,000,000

25 The appropriation in this section is subject to the following  
26 conditions and limitations: The entire appropriation in this section  
27 is provided solely for increasing the number of certified women and  
28 minority-owned contractors outside of the Puget Sound area in the  
29 transportation sector and supporting these contractors to  
30 successfully compete and earn more transportation contracting  
31 opportunities. This shall be done through various programs including  
32 but not limited to: (1) Outreach to women and minority business  
33 communities and individuals; (2) technical assistance as needed in  
34 areas such as financing, accounting, contracting, procurement, and  
35 resolution of disputes and grievances; (3) language access programs  
36 for those with limited English proficiency; and (4) other programs  
37 that aim to increase the number of women and minority contractors  
38 that are successful in obtaining contracts in the transportation

1 sector either directly with state agencies such as the department,  
2 with local jurisdictions, or as subcontractors for prime contractors.

3 NEW SECTION. **Sec. 109. FOR THE BOARD OF PILOTAGE COMMISSIONERS**

4 Pilotage Account—State Appropriation . . . . . \$5,777,000

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

7 (1) \$2,926,000 of the pilotage account—state appropriation is  
8 provided solely for self-insurance liability premium expenditures;  
9 however, this appropriation is contingent upon the board:

10 (a) Annually depositing the first \$150,000 collected through  
11 Puget Sound pilotage district pilotage tariffs into the pilotage  
12 account; and

13 (b) Assessing a self-insurance premium surcharge of \$16 per  
14 pilotage assignment on vessels requiring pilotage in the Puget Sound  
15 pilotage district.

16 (2) The board of pilotage commissioners shall file the annual  
17 report to the governor and chairs of the transportation committees  
18 required under RCW 88.16.035(1)(f) by September 1, 2021, and annually  
19 thereafter. The report must include the continuation of policies and  
20 procedures necessary to increase the diversity of pilots, trainees,  
21 and applicants, including a diversity action plan. The diversity  
22 action plan must articulate a comprehensive vision of the board's  
23 diversity goals and the steps it will take to reach those goals.

24 NEW SECTION. **Sec. 110. FOR THE HOUSE OF REPRESENTATIVES**

25 Motor Vehicle Account—State Appropriation . . . . . \$3,210,000

26 NEW SECTION. **Sec. 111. FOR THE SENATE**

27 Motor Vehicle Account—State Appropriation . . . . . \$3,085,000

28 NEW SECTION. **Sec. 112. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

29 Motor Vehicle Account—State Appropriation. . . . . \$400,000

30 The appropriation in this section is subject to the following  
31 conditions and limitations: \$400,000 of the motor vehicle account—  
32 state appropriation is provided solely for the department, from  
33 amounts set aside out of statewide fuel taxes distributed to cities  
34 according to RCW 46.68.110(2), to contract with the association of  
35 Washington cities to inventory and assess fish passage barriers





1 transportation with a regional transit authority and the valuation  
 2 methodology used to determine the lease rate for the property and the  
 3 cost and benefits of long-term leases based on the periodic land  
 4 value appraisals under the terms of the land bank agreement. The  
 5 committee must identify the full cost to the state transportation  
 6 system if the entire plan for land and air rights leases by a  
 7 regional transit authority is undertaken at full economic rent, and  
 8 the difference in costs to the regional transit authority if the  
 9 leases were to be issued at less than economic rent, including a  
 10 scenario in which the value of the land and air rights are discounted  
 11 by the federal share of the funds that were used to acquire or  
 12 improve the property originally. The committee shall complete the  
 13 review and provide a report to the transportation committees of the  
 14 legislature by December 1, 2022.

15 **TRANSPORTATION AGENCIES—OPERATING**

16 NEW SECTION. **Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY**  
 17 **COMMISSION**

18	Highway Safety Account—State Appropriation . . . . .	\$4,625,000
19	Highway Safety Account—Federal Appropriation . . . . .	\$27,202,000
20	Highway Safety Account—Private/Local Appropriation . . . . .	\$60,000
21	School Zone Safety Account—State Appropriation . . . . .	\$850,000
22	TOTAL APPROPRIATION. . . . .	\$32,737,000

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

25 (1) The Washington traffic safety commission may oversee a  
 26 demonstration project in one county, coordinating with a public  
 27 transportation benefit area (PTBA) and the department of  
 28 transportation, to test the feasibility and accuracy of the use of  
 29 automated enforcement technology for high occupancy vehicle (HOV)  
 30 lane passenger compliance. All costs associated with the  
 31 demonstration project must be borne by the participating public  
 32 transportation benefit area. Any photograph, microphotograph, or  
 33 electronic images of a driver or passengers are for the exclusive use  
 34 of the PTBA in the determination of whether an HOV passenger  
 35 violation has occurred to test the feasibility and accuracy of  
 36 automated enforcement under this subsection and are not open to the  
 37 public and may not be used in a court in a pending action or

1 proceeding. All photographs, microphotographs, and electronic images  
2 must be destroyed after determining a passenger count and no later  
3 than the completion of the demonstration project. No warnings or  
4 notices of infraction may be issued under the demonstration project.

5 For purposes of the demonstration project, an automated  
6 enforcement technology device may record an image of a driver and  
7 passenger of a motor vehicle. The county and PTBA must erect signs  
8 marking the locations where the automated enforcement for HOV  
9 passenger requirements is occurring.

10 The PTBA, in consultation with the Washington traffic safety  
11 commission, must provide a report to the transportation committees of  
12 the legislature with the number of violations detected during the  
13 demonstration project, whether the technology used was accurate and  
14 any recommendations for future use of automated enforcement  
15 technology for HOV lane enforcement by June 30, 2022.

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

20 (a) Any programs authorized by the commission must be authorized  
21 by December 31, 2022.

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

27 (c) Any city administering a pilot program overseen by the  
28 traffic safety commission shall use the following guidelines to  
29 administer the program:

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

34 (ii) The law enforcement agency of the city or county government  
35 shall install two signs facing opposite directions within 200 feet,  
36 or otherwise consistent with the uniform manual on traffic control  
37 devices, where the automated vehicle noise enforcement camera is used  
38 that state "Street Racing Noise Pilot Program in Progress";

39 (iii) Cities testing the use of automated vehicle noise  
40 enforcement cameras must post information on the city website and

1 notify local media outlets indicating the zones in which the  
2 automated vehicle noise enforcement cameras will be used;

3 (iv) A city may only issue a warning notice with no penalty for a  
4 violation detected by automated vehicle noise enforcement cameras in  
5 a Stay Out of Areas of Racing zone. Warning notices must be mailed to  
6 the registered owner of a vehicle within fourteen days of the  
7 detected violation;

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

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

21 (vii) By June 30, 2023, the participating cities shall provide a  
22 report to the commission and appropriate committees of the  
23 legislature regarding the use, public acceptance, outcomes, warnings  
24 issued, data retention and use, and other relevant issues regarding  
25 automated vehicle noise enforcement cameras demonstrated by the pilot  
26 projects.

27 (3) The Washington traffic safety commission shall coordinate  
28 with each city that implements a pilot program as authorized in RCW  
29 46.63.170, chapter 224, Laws of 2020 to provide the transportation  
30 committees of the legislature with the following information by June  
31 30, 2023:

32 (a) The number of warnings and infractions issued to first-time  
33 violators under the pilot program;

34 (b) The number of warnings and infractions issued to the  
35 registered owners of vehicles that are not registered with an address  
36 located in the city conducting the pilot program; and

37 (c) The frequency with which warnings and infractions are issued  
38 on weekdays versus weekend days.

1	Rural Arterial Trust Account—State Appropriation . . . . .	\$1,134,000
2	Motor Vehicle Account—State Appropriation . . . . .	\$4,760,000
3	County Arterial Preservation Account—State	
4	Appropriation . . . . .	\$1,669,000
5	TOTAL APPROPRIATION. . . . .	\$7,563,000

6       The appropriations in this section are subject to the following  
7 conditions and limitations: \$2,000,000 of the motor vehicle account—  
8 state appropriation is provided solely for deposit into the county  
9 road administration board emergency loan account—state account.

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

11	Transportation Improvement Account—State	
12	Appropriation . . . . .	\$4,510,000

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

14	Motor Vehicle Account—State Appropriation . . . . .	\$2,679,000
15	Multimodal Transportation Account—State Appropriation. . . . .	\$420,000
16	TOTAL APPROPRIATION. . . . .	\$3,099,000

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

19       (1) (a) \$250,000 of the motor vehicle account—state appropriation  
20 is for the joint transportation committee to convene a vehicle  
21 registration payment work group to study and recommend new options  
22 for payment of vehicle fees or taxes due at the time of application  
23 for vehicle registration.

24       (b) The work group must consist of, but is not limited to, the  
25 following members: A representative of the department of licensing, a  
26 representative of county auditors, a representative of subagents, a  
27 representative of local taxing authorities imposing a fee or tax due  
28 at the time of application for vehicle registration, a representative  
29 of a city offering or considering a rebate program for vehicle fees  
30 or taxes due at the time of application for vehicle registration, a  
31 representative of vehicle owners subject to a motor vehicle excise  
32 tax, a representative of vehicle owners subject to an electric car or  
33 transportation electrification fee, and an advocate for multimodal  
34 transportation options. Work group members are eligible for  
35 reimbursement or allowance for expenses pursuant to RCW 43.03.220.

36       (c) The work group must engage with members of the public who are  
37 interested in new options for payment of fees or taxes due at the

1 time of application for vehicle registration, including persons from  
2 communities of color, low-income households, vulnerable populations,  
3 and displaced communities. Input from members of the public must  
4 inform the work group's recommendations. The work group must notify  
5 members of the public of opportunities to engage through a variety of  
6 communication channels including, but not limited to, the following:  
7 Outreach through community organizations, print and broadcast media,  
8 and social media.

9 (d) The work group's recommendations must include, but are not  
10 limited to, the following:

11 (i) Options to provide or encourage rebates to vehicle owners who  
12 pay taxes and fees due at the time of application for vehicle  
13 registration;

14 (ii) An agreed upon service fee structure for vehicle  
15 registration payment plans;

16 (iii) An agreed upon service fee revenue allocation method;

17 (iv) A process to allow agents and subagents to determine if a  
18 vehicle owner has paid all taxes and fees due prior to renewal of a  
19 vehicle registration;

20 (v) Options for reducing revenue loss due to missed payments,  
21 transfer of the certificate of title, or registration of a vehicle  
22 out of state; and

23 (vi) Options to reduce impacts to communities of color, low-  
24 income households, vulnerable populations, and displaced communities.

25 (e) A report of the work group's findings and recommendations is  
26 due to the transportation committees of the legislature by September  
27 30, 2022.

28 (2) \$50,000 of the motor vehicle account—state appropriation is  
29 for the joint transportation committee to contract for a legal  
30 consultant to analyze and recommend options for the formation of a  
31 bistate bridge authority for the purpose of constructing, financing,  
32 operating and maintaining a new replacement bridge over the Columbia  
33 River near Hood River connecting Klickitat county in Washington to  
34 Hood River county in Oregon. The consultant may confer with the Hood  
35 River Bistate Working Group to understand the work and analysis that  
36 has been completed.

37 The Washington interlocal cooperation act, chapter 39.34 RCW,  
38 authorizes public agencies to contract with other public agencies via  
39 interlocal agreements that enable cooperation among the agencies to  
40 perform governmental activities and deliver public services,

1 including agreements with public entities in other states. Such  
2 interstate agreements are deemed interstate compacts. The legal  
3 analysis must identify and recommend alternative and/or additional  
4 statutory authority that would be necessary to allow for the  
5 formation of a local government bistate bridge authority or  
6 governance structure for the Hood River Bridge replacement that at a  
7 minimum may:

- 8 (a) Issue bonds for bridge construction;
- 9 (b) Collect tolls; and
- 10 (c) Secure and administer state or federal grants and loans.

11 The legal analysis must be presented to the transportation  
12 committees of the legislature by September 30, 2021.

13 (3) \$220,000 of the multimodal transportation account—state  
14 appropriation is for overseeing a consultant study to provide  
15 recommendations related to the Washington state department of  
16 transportation's role in broadband service expansion efforts as  
17 directed in chapter . . . (Engrossed Substitute House Bill No. 1457),  
18 Laws of 2021 (broadband along state highways). If chapter . . .  
19 (Engrossed Substitute House Bill No. 1457), Laws of 2021 (broadband  
20 along state highways) is not enacted by June 30, 2021, the amount  
21 provided in this subsection lapses.

22 (4) \$215,000 of the motor vehicle account—state appropriation is  
23 provided solely for the joint transportation committee, from amounts  
24 set aside out of statewide fuel taxes distributed to cities according  
25 to RCW 46.68.110(2), to convene a study on the impacts of current and  
26 historical city transportation investments on designated populations,  
27 including communities of color, low-income households, vulnerable  
28 populations, and displaced communities. The study must identify and  
29 measure the true costs of underinvestment of accessible  
30 transportation for designated populations, including the secondary  
31 impacts to public health, economic opportunity, educational access,  
32 and environmental risk factors. The assessment must include specific  
33 approaches to addressing existing inequities within cities, as well  
34 as recommendations to develop best practices to improve, diversify,  
35 and expand city transportation investments. A report must be provided  
36 to the office of financial management and the transportation  
37 committees of the legislature by December 20, 2022.

38 (5) \$400,000 of the motor vehicle account—state appropriation is  
39 for the development of a workforce plan for the Washington state

1 ferries which addresses recruitment, retention, diversity, training  
2 needs, leadership development, succession planning and other elements  
3 needed to ensure sufficient and cost-effective crewing and staffing  
4 of the ferry system. In developing the scope of work for the plan and  
5 throughout plan development, the joint transportation committee must  
6 solicit input from representatives of the Washington state ferries  
7 division and the human resources division of the Washington state  
8 department of transportation. Represented employee groups must also  
9 be consulted as part of plan development. The plan must include a  
10 roadmap for Washington state ferries to comprehensively address  
11 persistent staffing challenges and strategically position itself for  
12 its future workforce needs. The joint transportation committee must  
13 issue an interim report identifying short-term strategies to reduce  
14 reliance on overtime for staffing day-to-day ferry service. The  
15 interim report is due to the transportation committees of the  
16 legislature by January 1, 2022. The final report is due to the  
17 transportation committees of the legislature by December 20, 2022.

18 (6) \$200,000 of the multimodal transportation account—state  
19 appropriation is for the joint transportation committee to update the  
20 Washington State Short Line Rail Inventory and Needs Assessment,  
21 prepared in 2015, and to facilitate a stakeholder process to assess  
22 the effectiveness of state support for short line rail infrastructure  
23 based on current and future short line rail infrastructure needs.  
24 This assessment must include consideration of current state grant and  
25 loan programs, including state investment in nonstate owned short  
26 lines, the state's role and investments in the Palouse River and  
27 Coulee City (PCC) rail system, and any other ongoing state activities  
28 related to short line rail infrastructure. The joint transportation  
29 committee must solicit input from all regions of the state from  
30 representatives of: Short line rail infrastructure owners, short line  
31 rail operators, short line rail customers from representative  
32 industries, ports served by short line rail infrastructure, the  
33 Washington state department of transportation, the utilities and  
34 transportation commission, and other relevant stakeholders as  
35 identified by the joint transportation committee. A report with  
36 recommendations to enhance the state's support for short line rail  
37 infrastructure is due to the transportation committees of the  
38 legislature by January 1, 2022.

39 (7) (a) \$200,000 of the motor vehicle account—state appropriation  
40 is for the joint transportation committee to develop a truck parking

1 action plan with recommendations for immediate next steps for near-  
2 term and lasting change in the availability of truck parking for  
3 short-haul and long-distance commercial vehicle drivers who require  
4 reasonable accommodations for parking commercial motor vehicles,  
5 obtaining adequate services, and complying with federal rest  
6 requirements. For each opportunity identified, the action plan must:

7 (i) Assess the magnitude of potential impact;  
8 (ii) Assess the potential difficulty level of implementation; and  
9 (iii) Explain barriers to success and specific steps required to  
10 overcome them.

11 (b) The action plan must focus on approaches that would be most  
12 impactful and feasible and may include, but not be limited to:

13 (i) Specific cooperative private sector and government actions;

14 (ii) Legal and regulatory frameworks at the state level to drive  
15 private and/or public-sector action;

16 (iii) Incentive-based government programs to spur private sector  
17 innovation and investment; and

18 (iv) Direct government action at the state, regional, and/or  
19 local level.

20 (c) The action plan must identify specific, promising projects  
21 and approaches, and provide a clear roadmap to what is needed to  
22 drive real, substantial improvements in truck parking.

23 (d) Outreach for action plan input, including on the feasibility  
24 of each opportunity evaluated, must include outreach to  
25 representatives of: The trucking industry; truck labor organizations;  
26 the shipping industry; truck stop owners; commercial freight delivery  
27 recipients, including warehouse and retail recipients; the  
28 association of Washington cities; the Washington state association of  
29 counties; the Washington state department of transportation; the  
30 Washington state patrol; and an academic or research institution that  
31 can provide input on technical components of the plan.

32 (e) A concise action plan with specific recommended next steps is  
33 due to the transportation committees of the legislature by January 1,  
34 2022.

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

36 Motor Vehicle Account—State Appropriation . . . . . \$2,438,000

37 Interstate 405 and State Route Number 167 Express Toll Lanes

38 Account—State Appropriation. . . . . \$127,000





1 and examine options for indexing to stabilize revenue as vehicle  
2 fleets become more efficient over time. If chapter . . . (Substitute  
3 Senate Bill No. 5444), Laws of 2021 is not enacted by June 30, 2021,  
4 the amount provided in this subsection lapses.

5 (5) (a) The transportation budget is currently reliant on vehicle  
6 and driver related fees. Motor vehicle registrations, driver  
7 licenses, tolls, and the motor vehicle fuel tax provide the primary  
8 revenues for the transportation budget. These user revenues no longer  
9 adequately support the transportation system's needs. Many of the  
10 transportation modes have no or little ability to generate revenue,  
11 yet are important elements of a functioning transportation network.  
12 Providing transportation options that do not involve passenger  
13 vehicles is critical. The tax burden in the transportation budget  
14 falls on people that own and drive vehicles. It fails to provide the  
15 money needed for the system quality that the people of Washington  
16 want.

17 (b) Therefore, the commission is directed to evaluate, identify,  
18 and consider agencies, programs, and activities that are currently  
19 funded in the transportation budget that provide a public good that  
20 might be paid for using other revenues. The commission is directed to  
21 make recommendations for potential changes to funding sources for the  
22 transportation system with the goal of providing funding to maintain  
23 existing transportation assets in a state of good repair without  
24 exclusively relying on vehicle owners or drivers as the revenue  
25 source. Preliminary findings must be presented to the Joint  
26 Transportation Committee by September 30, 2022, and a final report  
27 issued to the appropriate committees of the legislature by December  
28 1, 2022.

29 NEW SECTION. **Sec. 206. FOR THE FREIGHT MOBILITY STRATEGIC**  
30 **INVESTMENT BOARD**

31 Freight Mobility Investment Account—State  
32 Appropriation . . . . . \$831,000

33 NEW SECTION. **Sec. 207. FOR THE WASHINGTON STATE PATROL**

34 State Patrol Highway Account—State Appropriation . . . . \$517,391,000  
35 State Patrol Highway Account—Federal Appropriation . . . \$15,838,000  
36 State Patrol Highway Account—Private/Local  
37 Appropriation . . . . . \$4,267,000

1	Highway Safety Account—State Appropriation . . . . .	\$1,214,000
2	Ignition Interlock Device Revolving Account—State	
3	Appropriation . . . . .	\$5,053,000
4	Multimodal Transportation Account—State Appropriation . . . . .	\$288,000
5	State Route Number 520 Corridor Account—State	
6	Appropriation. . . . .	\$433,000
7	Tacoma Narrows Toll Bridge Account—State	
8	Appropriation. . . . .	\$77,000
9	I-405 and SR 167 Express Toll Lanes Account—State	
10	Appropriation. . . . .	\$1,348,000
11	TOTAL APPROPRIATION. . . . .	\$545,909,000

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

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

23 (2) \$580,000 of the state patrol highway account—state  
24 appropriation is provided solely for the operation of and  
25 administrative support to the license investigation unit to enforce  
26 vehicle registration laws in southwestern Washington. The Washington  
27 state patrol, in consultation with the department of revenue, shall  
28 maintain a running estimate of the additional vehicle registration  
29 fees, sales and use taxes, and local vehicle fees remitted to the  
30 state pursuant to activity conducted by the license investigation  
31 unit. Beginning October 1, 2021, and quarterly thereafter, the  
32 Washington state patrol shall submit a report detailing the  
33 additional revenue amounts generated since January 1, 2021, to the  
34 director of the office of financial management and the transportation  
35 committees of the legislature. At the end of the calendar quarter in  
36 which it is estimated that more than \$625,000 in state sales and use  
37 taxes have been remitted to the state since January 1, 2021, the  
38 Washington state patrol shall notify the state treasurer and the

1 state treasurer shall transfer funds pursuant to section 406 of this  
2 act.

3 (3) \$4,000,000 of the state patrol highway account—state  
4 appropriation is provided solely for a third arming and a third  
5 trooper basic training class. The cadet class is expected to graduate  
6 in June 2023.

7 (4) By December 1st of each year during the 2021-2023 biennium,  
8 the Washington state patrol must report to the house and senate  
9 transportation committees on the status of recruitment and retention  
10 activities as follows:

11 (a) A summary of recruitment and retention strategies;

12 (b) The number of transportation funded staff vacancies by major  
13 category;

14 (c) The number of applicants for each of the positions by these  
15 categories;

16 (d) The composition of workforce;

17 (e) Other relevant outcome measures with comparative information  
18 with recent comparable months in prior years; and

19 (f) Activities related to the implementation of the agency's  
20 workforce diversity plan, including short-term and long-term,  
21 specific comprehensive outreach and recruitment strategies to  
22 increase populations underrepresented within both commissioned and  
23 noncommissioned employee groups.

24 (5) \$493,000 of the state patrol highway account—state  
25 appropriation is provided solely for aerial criminal investigation  
26 tools, including software licensing and maintenance, and annual  
27 certification, and is subject to the conditions, limitations, and  
28 review requirements of section 701 of this act.

29 (6) \$7,962,000 of the state patrol highway account—state  
30 appropriation is provided solely for the land mobile radio system  
31 replacement, upgrade, and other related activities. Beginning January  
32 1, 2022, the Washington state patrol must report semiannually to the  
33 office of the state chief information officer on the progress related  
34 to the projects and activities associated with the land mobile radio  
35 system, including the governance structure, outcomes achieved in the  
36 prior six month time period, and how the activities are being managed  
37 holistically as recommended by the office of the chief information  
38 officer. At the time of submittal to the office of the state chief  
39 information officer, this report shall be transmitted to the office

1 of financial management and the house and senate transportation  
2 committees.

3 (7) \$510,000 of the ignition interlock device revolving account—  
4 state appropriation is provided solely for the ignition interlock  
5 program at the Washington state patrol to provide funding for two  
6 staff to work and provide support for the program in working with  
7 manufacturers, service centers, technicians, and participants in the  
8 program.

9 (8) \$1,348,000 of the Interstate 405 and state route number 167  
10 express toll lanes account—state appropriation, \$433,000 of the state  
11 route number 520 corridor account—state appropriation, and \$77,000 of  
12 the Tacoma Narrows toll bridge account—state appropriation are  
13 provided solely for the Washington state patrol's proportional share  
14 of time spent supporting tolling operations and enforcement for the  
15 respective tolling facilities.

16 (9) \$289,000 of the state patrol highway account—state  
17 appropriation is provided solely for the replacement of 911  
18 workstations.

19 (10) \$35,000 of the state patrol highway account—state  
20 appropriation is provided solely for the replacement of bomb response  
21 equipment.

22 (11) \$713,000 of the state patrol highway account—state  
23 appropriation is provided solely for information technology  
24 infrastructure maintenance.

25 (12) The Washington state patrol must provide a report to the  
26 office of financial management and the house and senate  
27 transportation committees on its plan for implementing a transition  
28 to cloud computing and storage with its 2023-2025 budget submittal.

29 (13) \$945,000 of the state patrol highway account—state  
30 appropriation is provided solely for implementation of chapter . . .  
31 (Substitute House Bill No. 1223), Laws of 2021 (custodial  
32 interrogations). If chapter . . . (Substitute House Bill No. 1223),  
33 Laws of 2021 (custodial interrogations) is not enacted by June 30,  
34 2021, the amount provided in this subsection lapses.

35 (14) \$46,000 of the state patrol highway account—state  
36 appropriation is provided solely for implementation of chapter . . .  
37 (Engrossed Substitute House Bill No. 1054), Laws of 2021 (peace  
38 officer tactics). If chapter . . . (Engrossed Substitute House Bill

1 No. 1054), Laws of 2021 (peace officer tactics) is not enacted by  
2 June 30, 2021, the amount provided in this subsection lapses.

3 (15) \$46,000 of the state patrol highway account—state  
4 appropriation is provided solely for implementation of chapter . . .  
5 (Engrossed Second Substitute House Bill No. 1310), Laws of 2021 (use  
6 of force by officers). If chapter . . . (Engrossed Second Substitute  
7 House Bill No. 1310), Laws of 2021 (use of force by officers) is not  
8 enacted by June 30, 2021, the amount provided in this subsection  
9 lapses.

10 (16) (a) The legislature finds that the water connection extension  
11 constructed by the Washington state patrol from the city of Shelton's  
12 water facilities to the Washington state patrol academy was necessary  
13 to meet the water supply needs of the academy. The legislature also  
14 finds that the water connection provides an ongoing water supply that  
15 is necessary to the operation of the training facility, that the  
16 state is making use of the water connection for these public  
17 activities, and that any future incidental use of the municipal  
18 infrastructure put in place to support these activities will not  
19 impede the Washington state patrol's ongoing use of the water  
20 connection extension.

21 (b) \$2,220,000 of the transfer from the waste tire removal  
22 account to the motor vehicle fund, as required under RCW 70A.205.425,  
23 reimburses the motor vehicle fund for the portion of the water  
24 project costs assigned by the agreement to properties, other than the  
25 Washington state patrol academy, that make use of the water  
26 connection while the agreement remains in effect. This reimbursement  
27 to the motor vehicle fund is intended to address any possibility that  
28 the termination of this agreement could be determined to result in  
29 the unconstitutional use of 18th amendment designated funds for  
30 nonhighway purposes under the constitution of the state of  
31 Washington; however, this transfer is not intended to indicate that  
32 the incidental use of this infrastructure by these properties  
33 necessarily requires such reimbursement under the state Constitution.  
34 Immediately following the transfer of funds, Washington state patrol  
35 and the city of Shelton shall meet to formally update the terms of  
36 their "Agreement for Utility Connection and Reimbursement of Water  
37 Extension Expenses" executed on June 12, 2017, to reflect the intent  
38 of the proviso.

39 (17) The appropriations in this section provide sufficient  
40 funding for state patrol staffing assuming vacancy savings which may

1 change over time. Funding for staffing will be monitored and adjusted  
2 in the 2022 supplemental budget to restore funding as authorized  
3 staffing levels are achieved.

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

5	Marine Fuel Tax Refund Account—State Appropriation . . . . .	\$34,000
6	Motorcycle Safety Education Account—State	
7	Appropriation . . . . .	\$4,894,000
8	Limited Fish and Wildlife Account—State	
9	Appropriation . . . . .	\$917,000
10	Highway Safety Account—State Appropriation . . . . .	\$241,868,000
11	Highway Safety Account—Federal Appropriation . . . . .	\$1,294,000
12	Motor Vehicle Account—State Appropriation . . . . .	\$73,327,000
13	Motor Vehicle Account—Federal Appropriation. . . . .	\$150,000
14	Motor Vehicle Account—Private/Local Appropriation . . . . .	\$6,600,000
15	Ignition Interlock Device Revolving Account—State	
16	Appropriation . . . . .	\$6,071,000
17	Department of Licensing Services Account—State	
18	Appropriation . . . . .	\$8,157,000
19	License Plate Technology Account—State	
20	Appropriation . . . . .	\$4,250,000
21	Abandoned Recreational Vehicle Account—State	
22	Appropriation. . . . .	\$3,066,000
23	Limousine Carriers Account—State Appropriation. . . . .	\$110,000
24	Electric Vehicle Account—State Appropriation. . . . .	\$405,000
25	DOL Technology Improvement & Data Management	
26	Account—State Appropriation. . . . .	\$748,000
27	Agency Financial Transaction Account—State	
28	Appropriation. . . . .	\$21,257,000
29	Driver Licensing Technology Support	
30	Account—State Appropriation. . . . .	\$1,373,000
31	TOTAL APPROPRIATION. . . . .	\$374,521,000

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

34 (1) \$1,100,000 of the highway safety account—state appropriation  
35 is provided solely for the department to provide an interagency  
36 transfer to the department of social and health services, children's  
37 administration division for the purpose of providing driver's license

1 support to a larger population of foster youth than is already served  
2 within existing resources. Support services include reimbursement of  
3 driver's license issuance costs, fees for driver training education,  
4 and motor vehicle liability insurance costs.

5 (2) The appropriations in this section assume implementation by  
6 the department of cost recovery mechanisms to recoup at least  
7 \$21,257,000 during the 2021-2023 biennium in credit card and other  
8 financial transaction costs as part of charges imposed for driver and  
9 vehicle fee transactions. During the 2021-2023 fiscal biennium, the  
10 department must report any amounts recovered to the office of  
11 financial management and appropriate committees of the legislature on  
12 a quarterly basis.

13 (3) (a) For the 2021-2023 biennium, the department shall charge  
14 \$6,600,000 for the administration and collection of a motor vehicle  
15 excise tax on behalf of a regional transit authority, as authorized  
16 under RCW 82.44.135. The amount in this subsection must be deducted  
17 before distributing any revenues to a regional transit authority.

18 (b) \$100,000 of the motor vehicle account—state appropriation is  
19 provided solely for the department to work with the regional transit  
20 authority imposing a motor vehicle excise tax pursuant to RCW  
21 81.104.160 and transportation benefit districts imposing vehicle fees  
22 pursuant to RCW 82.80.140, and other relevant parties, to determine  
23 cost recovery options for the administration and collection of the  
24 taxes and fees. The options must include:

25 (i) Full cost recovery for the direct and indirect expenses by  
26 the department of licensing, subagents, and counties;

27 (ii) Marginal cost recovery for the direct and indirect expenses  
28 by the department of licensing, subagents, and counties;

29 (iii) The estimated costs if the regional transit authority or  
30 transportation benefit districts had to contract out the entire  
31 collection and administrative activity with a nongovernmental entity.

32 (4) \$12,000 of the motorcycle safety education account—state  
33 appropriation, \$2,000 of the limited fish and wildlife account—state  
34 appropriation, \$728,000 of the highway safety account—state  
35 appropriation, \$238,000 of the motor vehicle account—state  
36 appropriation, \$10,000 of the ignition interlock device revolving  
37 account—state appropriation, and \$10,000 of the department of  
38 licensing services account—state appropriation are provided solely  
39 for the department to redesign and improve its online services and



1 website, and are subject to the conditions, limitations, and review  
2 requirements of section 701 of this act.

3 (5) \$28,636,000 of the highway safety account—state appropriation  
4 is provided solely for costs necessary to accommodate increased  
5 demand for enhanced drivers' licenses and enhanced identicards. The  
6 department shall report on a quarterly basis on the use of these  
7 funds, associated workload, and information with comparative  
8 information with recent comparable months in prior years. The report  
9 must include detailed statewide and by licensing service office  
10 information on staffing levels, average monthly wait times, the  
11 number of enhanced drivers' licenses and enhanced identicards issued/  
12 renewed, and the number of primary drivers' licenses and identicards  
13 issued/renewed. Within the amounts provided in this subsection, the  
14 department shall implement efficiency measures to reduce the time for  
15 licensing transactions and wait times including, but not limited to,  
16 the installation of additional cameras at licensing service offices  
17 that reduce bottlenecks and align with the "keep your customer"  
18 initiative.

19 (6) \$500,000 of the highway safety account—state appropriation is  
20 provided solely for communication and outreach activities necessary  
21 to inform the public of federally acceptable identification options  
22 including, but not limited to, enhanced drivers' licenses and  
23 enhanced identicards. The department shall continue the outreach plan  
24 that includes informational material that can be effectively  
25 communicated to all communities and populations in Washington. To  
26 accomplish this work, the department shall contract with an external  
27 vendor with demonstrated experience and expertise in outreach and  
28 marketing to underrepresented communities in a culturally responsive  
29 fashion.

30 (7) \$523,000 of the highway safety account—state appropriation is  
31 provided solely for the implementation of chapter . . . (Substitute  
32 House Bill No. 1207), Laws of 2021 (DOL issued documents). If  
33 chapter . . . (Substitute House Bill No. 1207), Laws of 2021 is not  
34 enacted by June 30, 2021, the amount provided in this subsection  
35 lapses.

36 (8) \$1,373,000 of the driver licensing technology support account  
37 —state appropriation is provided solely for the implementation of  
38 chapter . . . (Engrossed Substitute Senate Bill No. 5226), Laws of  
39 2021 (suspension of licenses for traffic infractions). If

1 chapter . . . (Engrossed Substitute Senate Bill No. 5226), Laws of  
2 2021 is not enacted by June 30, 2021, the amount provided in this  
3 subsection lapses.

4 (9) \$23,000 of the highway safety account—state appropriation is  
5 provided solely for the implementation of chapter 10 (Engrossed  
6 Substitute House Bill No. 1078), Laws of 2021 (restoring voter  
7 eligibility after felony conviction).

8 (10) \$3,074,000 of the abandoned recreational vehicle disposal  
9 account—state appropriation is provided solely for providing  
10 reimbursements in accordance with the department's abandoned  
11 recreational vehicle disposal reimbursement program. It is the intent  
12 of the legislature that the department prioritize this funding for  
13 allowable and approved reimbursements and not to build a reserve of  
14 funds within the account. During the 2021-2023 fiscal biennium, the  
15 department must report any amounts recovered to the office of  
16 financial management and appropriate committees of the legislature on  
17 a quarterly basis.

18 (11)(a) \$54,000 of the motor vehicle account—state appropriation  
19 is provided solely for the issuance of nonemergency medical  
20 transportation vehicle decals to implement the high occupancy vehicle  
21 lane access pilot program established in section 216 of this act. A  
22 for hire nonemergency medical transportation vehicle is a vehicle  
23 that is a "for hire vehicle" under RCW 46.04.190 that provides  
24 nonemergency medical transportation, including for life-sustaining  
25 transportation purposes, to meet the medical transportation needs of  
26 individuals traveling to medical practices and clinics, cancer  
27 centers, dialysis facilities, hospitals, and other care providers.

28 (b) As part of this pilot program, the owner of a for hire  
29 nonemergency medical transportation vehicle may apply to the  
30 department, county auditor or other agent, or subagent appointed by  
31 the director, for a high occupancy vehicle exempt decal for a for  
32 hire nonemergency medical transportation vehicle. The high occupancy  
33 vehicle exempt decal allows the for hire nonemergency medical  
34 transportation vehicle to use a high occupancy vehicle lane as  
35 specified in RCW 46.61.165 and 47.52.025 during the 2021-2023 fiscal  
36 biennium.

37 (c) For the exemption in this subsection to apply to a for hire  
38 nonemergency medical transportation vehicle, the decal:

1 (i) Must be displayed on the vehicle so that it is clearly  
2 visible from outside the vehicle;

3 (ii) Must identify that the vehicle is exempt from the high  
4 occupancy vehicle requirements; and

5 (iii) Must be visible from the rear of the vehicle.

6 (d) The owner of a for hire nonemergency medical transportation  
7 vehicle or the owner's representative must apply for a high occupancy  
8 vehicle exempt decal on a form provided or approved by the  
9 department. The application must include:

10 (i) The name and address of the person who is the owner of the  
11 vehicle;

12 (ii) A full description of the vehicle, including its make,  
13 model, year, and the vehicle identification number;

14 (iii) The purpose for which the vehicle is principally used;

15 (iv) An attestation signed by the vehicle's owner or the owner's  
16 representative that the vehicle's owner has a minimum of one contract  
17 or service agreement to provide for hire transportation services for  
18 medical purposes with one or more of the following entities: A health  
19 insurance company; a hospital, clinic, dialysis center, or other  
20 medical institution; a day care center, retirement home, or group  
21 home; a federal, state, or local agency or jurisdiction; or a broker  
22 who negotiates these services on behalf of one or more of these  
23 entities; and

24 (v) Other information as required by the department upon  
25 application.

26 (e) The department, county auditor or other agent, or subagent  
27 appointed by the director shall collect the fee required under (f) of  
28 this subsection when issuing a high occupancy vehicle exempt decal.

29 (f) The department, county auditor or other agent, or subagent,  
30 is required to collect a \$5 fee when issuing a decal under this  
31 subsection, in addition to any other fees and taxes required by law.

32 (g) A high occupancy vehicle exempt decal expires June 30, 2023,  
33 and must be marked to indicate its expiration date. The decal may be  
34 renewed if the pilot program is continued past the date of a decal's  
35 expiration. The status as an exempt vehicle continues until the high  
36 occupancy vehicle exempt decal is suspended or revoked for misuse,  
37 the vehicle is no longer used as a for hire nonemergency medical  
38 transportation vehicle, or the pilot program established in section  
39 216 of this act is terminated.

40 (h) The department may adopt rules to implement this subsection.

1 NEW SECTION. **Sec. 209. FOR THE DEPARTMENT OF TRANSPORTATION—**

2 **TOLL OPERATIONS AND MAINTENANCE—PROGRAM B**

3 State Route Number 520 Corridor Account—State

4 Appropriation . . . . . \$53,689,000

5 State Route Number 520 Civil Penalties Account—State

6 Appropriation . . . . . \$4,122,000

7 Tacoma Narrows Toll Bridge Account—State

8 Appropriation . . . . . \$29,809,000

9 Alaskan Way Viaduct Replacement Project Account—State

10 Appropriation. . . . . \$20,840,000

11 Interstate 405 and State Route Number 167 Express

12 Toll Lanes Account—State Appropriation. . . . . \$23,910,000

13 TOTAL APPROPRIATION. . . . . \$132,370,000

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

16 (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state  
17 appropriation and \$12,484,000 of the state route number 520 corridor  
18 account—state appropriation are provided solely for the purposes of  
19 addressing unforeseen operations and maintenance costs on the Tacoma  
20 Narrows bridge and the state route number 520 bridge, respectively.  
21 The office of financial management shall place the amounts provided  
22 in this subsection, which represent a portion of the required minimum  
23 fund balance under the policy of the state treasurer, in unallotted  
24 status. The office may release the funds only when it determines that  
25 all other funds designated for operations and maintenance purposes  
26 have been exhausted.

27 (2) As long as the facility is tolled, the department must  
28 provide annual reports to the transportation committees of the  
29 legislature on the Interstate 405 express toll lane project  
30 performance measures listed in RCW 47.56.880(4). These reports must  
31 include:

32 (a) Information on the travel times and travel time reliability  
33 (at a minimum, average and 90th percentile travel times) maintained  
34 during peak and nonpeak periods in the express toll lanes and general  
35 purpose lanes for both the entire corridor and commonly made trips in  
36 the corridor including, but not limited to, northbound from Bellevue  
37 to Rose Hill, state route number 520 at NE 148th to Interstate 405 at  
38 state route number 522, Bellevue to Bothell (both NE 8th to state  
39 route number 522 and NE 8th to state route number 527), and a trip

1 internal to the corridor (such as NE 85th to NE 160th) and similar  
2 southbound trips;

3 (b) A month-to-month comparison of travel times and travel time  
4 reliability for the entire corridor and commonly made trips in the  
5 corridor as specified in (a) of this subsection since implementation  
6 of the express toll lanes and, to the extent available, a comparison  
7 to the travel times and travel time reliability prior to  
8 implementation of the express toll lanes;

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

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

21 (3) (a) \$708,000 of the Interstate 405 and state route number 167  
22 express toll lanes account—state appropriation, \$1,651,000 of the  
23 state route number 520 corridor account—state appropriation, \$709,000  
24 of the Tacoma Narrows toll bridge account—state appropriation, and  
25 \$932,000 of the Alaskan Way viaduct replacement project account—state  
26 appropriation are provided solely for the reappropriation of unspent  
27 funds on the new tolling back office system from the 2019-2021  
28 biennium, and are subject to the conditions, limitations, and review  
29 provided in section 701 of this act.

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

38 (c) The office of financial management shall place the amounts  
39 provided in this subsection in unallotted status until the department

1 submits a detailed progress report on the progress of the new tolling  
2 back office system. The director of the office of financial  
3 management or their designee shall consult with the chairs and  
4 ranking members of the transportation committees of the legislature  
5 prior to making a decision to allot these funds.

6 (4) Out of funding appropriated in this section, the department  
7 shall contract with the state auditor's office for a performance  
8 audit of the department's project to replace its electronic toll  
9 collection system. The audit should include an evaluation of the  
10 department's project planning, vendor procurement, contract  
11 management and project oversight. The final report is to be issued by  
12 December 31, 2022. The state auditor will transmit copies of the  
13 report to the jurisdictional committees of the legislature and the  
14 department.

15 (5) The department shall make detailed annual reports to the  
16 transportation committees of the legislature and the public on the  
17 department's web site on the following:

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

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

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

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

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

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

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

39 (iv) Workload costs related to hearings;

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

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

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

5 (6) During the 2021-2023 fiscal biennium, the department plans to  
6 issue a request for proposals as the first stage of a competitive  
7 procurement process that will replace the toll equipment and select a  
8 new tolling operator for the Tacoma Narrows Bridge. The request for  
9 proposals and subsequent competitive procurement must incorporate  
10 elements that prioritize the overall goal of lowering costs per  
11 transaction for the facility, such as incentives for innovative  
12 approaches which result in lower transactional costs, requests for  
13 efficiencies on the part of the bidder that lower operational costs,  
14 and incorporation of technologies such as self-serve credit card  
15 machines or other point-of-payment technologies that lower costs or  
16 improve operational efficiencies.

17 (7) \$19,908,000 of the Alaskan Way viaduct replacement project  
18 account—state appropriation is provided solely for the new state  
19 route number 99 tunnel toll facility's expected share of collecting  
20 toll revenues, operating customer services, and maintaining toll  
21 collection systems. The legislature expects to see appropriate  
22 reductions to the other toll facility accounts once tolling on the  
23 new state route number 99 tunnel toll facility stabilizes and any  
24 previously incurred costs for start-up of the new facility are  
25 charged back to the Alaskan Way viaduct replacement project account.  
26 The office of financial management shall closely monitor the  
27 application of the cost allocation model and ensure that the new  
28 state route number 99 tunnel toll facility is adequately sharing  
29 costs and the other toll facility accounts are not being overspent or  
30 subsidizing the new state route number 99 tunnel toll facility.

31 (8) The department shall submit a plan to the legislature for the  
32 Interstate 405 and state route number 167 express toll lanes account  
33 detailing how bond proceeds can cover the proposed construction plan  
34 on the Interstate 405 and state route number 167 express toll lane  
35 corridor outlined on LEAP Transportation Document 2021-1 as developed  
36 April 23, 2021, by January 1, 2022.

37 (9) \$1,516,000 of the state route number 520 corridor account—  
38 state appropriation is provided solely for the increased costs of  
39 insurance for the state route number 520 floating bridge. The  
40 department shall conduct an evaluation of the short and long-term

1 costs and benefits including risk mitigation of self-insurance as  
2 compared to the commercial insurance option for the state route  
3 number 520 floating bridge, as allowed under the terms of the state  
4 route number 520 master bond resolution. By December 15, 2021, the  
5 department shall report to the legislature on the results of this  
6 evaluation.

7 (10) As part of the department's 2023-2025 biennial budget  
8 request, the department shall update the cost allocation  
9 recommendations that assign appropriate costs to each of the toll  
10 funds for services provided by relevant Washington state department  
11 of transportation programs, the Washington state patrol, and the  
12 transportation commission. The recommendations shall be based on  
13 updated traffic and toll transaction patterns and other relevant  
14 factors.

15 (11) All amounts provided for operations and maintenance expenses  
16 on the SR 520 facility from the state route number 520 corridor  
17 account during the 2021-2023 fiscal biennium in this act, up to a  
18 maximum of \$59,567,000, are derived from the receipt of federal  
19 American rescue plan act of 2021 funds and not toll revenues.

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

22	Transportation Partnership Account—State Appropriation . . .	\$1,377,000
23	Motor Vehicle Account—State Appropriation . . . . .	\$97,026,000
24	Puget Sound Ferry Operations Account—State	
25	Appropriation . . . . .	\$263,000
26	Multimodal Transportation Account—State	
27	Appropriation . . . . .	\$6,986,000
28	Transportation 2003 Account (Nickel Account)—State	
29	Appropriation . . . . .	\$1,393,000
30	TOTAL APPROPRIATION. . . . .	\$107,045,000

31 The appropriations in this section are subject to the following  
32 conditions and limitations: \$4,273,000 of the multimodal  
33 transportation account—state appropriation and \$4,273,000 of the  
34 motor vehicle account—state appropriation are provided solely for the  
35 department's cost related to the one Washington project, and is  
36 subject to the conditions, limitations, and review requirements of  
37 section 701 of this act.





1 (1) The legislature recognizes that the trail known as the Rocky  
2 Reach Trail, and its extensions, serve to separate motor vehicle  
3 traffic from pedestrians and bicyclists, increasing motor vehicle  
4 safety on state route number 2 and the coincident section of state  
5 route number 97. Consistent with chapter 47.30 RCW and pursuant to  
6 RCW 47.12.080, the legislature declares that transferring portions of  
7 WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and  
8 associated buffer areas to the Washington state parks and recreation  
9 commission is consistent with the public interest. The legislature  
10 directs the department to transfer the property to the Washington  
11 state parks and recreation commission.

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

15 (b) Prior to completing the transfer in this subsection (1), the  
16 department must ensure that provisions are made to accommodate  
17 private and public utilities and any facilities that predate the  
18 department's acquisition of the property, at no cost to those  
19 entities. Prior to completing the transfer, the department shall also  
20 ensure that provisions, by fair market assessment, are made to  
21 accommodate other private and public utilities and any facilities  
22 that have been legally allowed by permit or other instrument.

23 (c) The department may sell any adjoining property that is not  
24 necessary to support the Rocky Reach Trail and adjacent buffer areas  
25 only after the transfer of trail-related property to the Washington  
26 state parks and recreation commission is complete. Adjoining property  
27 owners must be given the first opportunity to acquire such property  
28 that abuts their property, and applicable boundary line or other  
29 adjustments must be made to the legal descriptions for recording  
30 purposes.

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

39 (3) \$1,600,000 of the motor vehicle account—state appropriation  
40 is provided solely for real estate services activities. Consistent

1 with RCW 47.12.120 and during the 2021-2023 fiscal biennium, when  
2 initiating, extending, or renewing any rent or lease agreements with  
3 a regional transit authority, consideration of value must be  
4 equivalent to one hundred percent of economic or market rent.

5 (4) The department shall report to the transportation committees  
6 of the legislature by December 1, 2021, on the status of its efforts  
7 to consolidate franchises for broadband facilities across the state,  
8 including plans for increasing the number of consolidated franchises  
9 in the future.

10 (5) During the 2021-2023 biennium, if the department takes  
11 possession of the property situated in the city of Edmonds for which  
12 a purchase agreement was executed between Unocal and the department  
13 in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department  
14 confirms that the property is still no longer needed for  
15 transportation purposes, the department shall provide the city of  
16 Edmonds with the right of first purchase at fair market value in  
17 accordance with RCW 47.12.063(3) for the city's intended use of the  
18 property to rehabilitate near-shore habitat for salmon and related  
19 species.

20 (6) \$300,000 of the motor vehicle account—state appropriation is  
21 provided solely for the implementation of chapter . . . (Substitute  
22 House Bill No. 1355), Laws of 2021 (noxious weeds). If chapter . . .  
23 (Substitute House Bill No. 1355), Laws of 2021 (noxious weeds) is not  
24 enacted by June 30, 2021, the amount provided in this subsection  
25 lapses.

26 (7) \$500,000 of the multimodal transportation account—state  
27 appropriation is provided solely for the implementation of  
28 chapter . . . (Engrossed Second Substitute Senate Bill No. 5141),  
29 Laws of 2021 (environmental justice task force). If chapter . . .  
30 (Engrossed Second Substitute Senate Bill No. 5141), Laws of 2021  
31 (environmental justice task force) is not enacted by June 30, 2021,  
32 the amount provided in this subsection lapses.

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

35	Motor Vehicle Account—State Appropriation . . . . .	\$675,000
36	Electric Vehicle Account—State Appropriation. . . . .	\$9,900,000
37	Multimodal Transportation Account—State Appropriation. . .	\$3,290,000
38	TOTAL APPROPRIATION. . . . .	\$13,865,000

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

3 (1) The public-private partnerships program must continue to  
4 explore retail partnerships at state-owned park and ride facilities,  
5 as authorized in RCW 47.04.295.

6 (2) \$8,900,000 of the electric vehicle account—state  
7 appropriation is provided solely for the clean alternative fuel  
8 vehicle charging and refueling infrastructure program in chapter 287,  
9 Laws of 2019 (advancing green transportation adoption).

10 (3) \$2,400,000 of the multimodal transportation account—state  
11 appropriation is provided solely for the pilot program established  
12 under chapter 287, Laws of 2019 (advancing green transportation  
13 adoption) to provide clean alternative fuel vehicle use opportunities  
14 to underserved communities and low to moderate income members of the  
15 workforce not readily served by transit or located in transportation  
16 corridors with emissions that exceed federal or state emissions  
17 standards. Consistent with the geographical diversity element  
18 described in RCW 47.04.355(4), the legislature strongly encourages  
19 the department to consider implementing the pilot in both urban and  
20 rural communities if possible, to obtain valuable information on the  
21 needs of underserved communities located in different geographical  
22 locations in Washington.

23 (4) \$1,000,000 of the electric vehicle account—state  
24 appropriation and \$500,000 of the multimodal transportation account—  
25 state appropriation are provided solely for a colocated DC fast  
26 charging and hydrogen fueling station near the Wenatchee or East  
27 Wenatchee area near a state route or near or on a publicly owned  
28 facility to service passenger, light-duty and heavy-duty vehicles.  
29 The hydrogen fueling station must include a DC fast charging station  
30 colocated at the hydrogen fueling station site. Funds may be used for  
31 one or more fuel cell electric vehicles that would utilize the  
32 fueling stations. The department must contract with a public utility  
33 district that produces hydrogen in the area to own and/or manage and  
34 provide technical assistance for the design, planning, permitting,  
35 construction, maintenance and operation of the hydrogen fueling  
36 station. The department and public utility district are encouraged to  
37 collaborate with and seek contributions from additional public and  
38 private partners for the fueling station.

1 (5) \$140,000 of the multimodal transportation account—state  
2 appropriation is provided solely for the purpose of conducting an  
3 assessment of options for the development, including potential  
4 features and costs, for a publicly available mapping and forecasting  
5 tool that provides locations and essential information of charging  
6 and refueling infrastructure to support forecasted levels of electric  
7 vehicle adoption, travel, and usage across Washington state as  
8 described in chapter . . . (Engrossed Second Substitute House Bill  
9 No. 1287), Laws of 2021 (preparedness for a zero emissions  
10 transportation future).

11 (6) \$250,000 of the multimodal transportation account—state  
12 appropriation is provided solely to fund the design of an electric  
13 charging mega-site project at Mount Vernon library commons.

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

16	Motor Vehicle Account—State Appropriation . . . . .	\$496,925,000
17	Motor Vehicle Account—Federal Appropriation . . . . .	\$7,000,000
18	State Route Number 520 Corridor Account—State	
19	Appropriation . . . . .	\$4,082,000
20	Tacoma Narrows Toll Bridge Account—State	
21	Appropriation . . . . .	\$1,479,000
22	Alaskan Way Viaduct Replacement Project	
23	Account—State Appropriation . . . . .	\$8,157,000
24	Interstate 405 and State Route Number 167 Express	
25	Toll Lanes Account—State Appropriation. . . . .	\$2,545,000
26	TOTAL APPROPRIATION. . . . .	\$520,188,000

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

29 (1) \$7,529,000 of the motor vehicle account—state appropriation  
30 is provided solely for utility fees assessed by local governments as  
31 authorized under RCW 90.03.525 for the mitigation of stormwater  
32 runoff from state highways. Plan and reporting requirements as  
33 required in chapter 435, Laws of 2019 (Local Stormwater Charges)  
34 shall be consistent with the January 2012 findings of the Joint  
35 Transportation Committee Report for Effective Cost Recovery Structure  
36 for WSDOT, Jurisdictions, and Efficiencies in Stormwater Management.

37 (2) \$5,000,000 of the motor vehicle account—state appropriation  
38 is provided solely for a contingency pool for snow and ice removal.

1 The department must notify the office of financial management and the  
2 transportation committees of the legislature when they have spent the  
3 base budget for snow and ice removal and will begin using the  
4 contingency pool funding.

5 (3) \$1,025,000 of the motor vehicle account—state appropriation  
6 is provided solely for the department to implement safety  
7 improvements and debris clean up on department-owned rights-of-way in  
8 the city of Seattle at levels above that being implemented as of  
9 January 1, 2019, to be administered in conjunction with subsection  
10 (9) of this section. The department must maintain a crew dedicated  
11 solely to collecting and disposing of garbage, clearing debris or  
12 hazardous material, and implementing safety improvements where  
13 hazards exist to the traveling public, department employees, or  
14 people encamped upon department-owned rights-of-way. The department  
15 may request assistance from the Washington state patrol as necessary  
16 in order for both agencies to provide enhanced safety-related  
17 activities regarding the emergency hazards along state highway  
18 rights-of-way in the Seattle area.

19 (4) \$1,015,000 of the motor vehicle account—state appropriation  
20 is provided solely for a partnership program between the department  
21 and the city of Tacoma, to be administered in conjunction with  
22 subsection (9) of this section. The program shall address the safety  
23 and public health problems created by homeless encampments on the  
24 department's property along state highways within the city limits.  
25 \$570,000 is for dedicated department maintenance staff and associated  
26 clean-up costs. The department and the city of Tacoma shall enter  
27 into a reimbursable agreement to cover up to \$445,000 of the city's  
28 expenses for clean-up crews and landfill costs.

29 (5) The department must continue a pilot program for the  
30 2021-2023 fiscal biennium at the four highest demand safety rest  
31 areas to create and maintain an online calendar for volunteer groups  
32 to check availability of weekends for the free coffee program. The  
33 calendar must be updated at least weekly and show dates and times  
34 that are, or are not, available to participate in the free coffee  
35 program. The department must submit a report to the legislature on  
36 the ongoing pilot by December 1, 2022, outlining the costs and  
37 benefits of the online calendar pilot, and including surveys from the  
38 volunteer groups and agency staff to determine its effectiveness.

1 (6) \$686,000 of the motor vehicle account—state appropriation is  
2 provided solely for reimbursing the Oregon department of  
3 transportation (ODOT) for the department's share of increased  
4 maintenance costs of six highway bridges over the Columbia River that  
5 are maintained by ODOT.

6 (7) \$8,290,000 of the motor vehicle account—state appropriation  
7 is provided solely for increased costs of highway maintenance  
8 materials.

9 (8) \$5,816,000 of the motor vehicle account—state appropriation  
10 is provided solely for a contingency pool for repairing damages to  
11 highways caused by known and unknown third parties. The department  
12 must notify the office of financial management and the transportation  
13 committees of the legislature when they have spent the base budget  
14 for third-party damage repair and will begin using the contingency  
15 pool funding.

16 (9) (a) \$3,000,000 of the motor vehicle account—state  
17 appropriation is provided solely for the department to address the  
18 risks to safety and public health associated with homeless  
19 encampments on department owned rights-of-way. The department must  
20 coordinate and work with local government officials and social  
21 service organizations who provide services and direct people to  
22 housing alternatives that are not in highway rights-of-way to help  
23 prevent future encampments from forming on highway rights-of-way, and  
24 may reimburse the organizations doing this outreach assistance who  
25 transition people into treatment or housing that is not on the  
26 rights-of-way or for debris clean up on highway rights-of-way. The  
27 department may hire crews specializing in collecting and disposing of  
28 garbage, clearing debris or hazardous material, and implementing  
29 safety improvements where hazards exist to the traveling public and  
30 department employees. The department may use these funds to either  
31 reimburse local law enforcement costs or the Washington state patrol  
32 if they are participating as part of a state or local government  
33 agreement to provide enhanced safety related activities along state  
34 highway rights-of-way.

35 (b) Beginning October 1, 2021, and semiannually thereafter, the  
36 Washington state patrol and the department of transportation must  
37 jointly submit a report to the governor and the house and senate  
38 transportation committees of the legislature on the status of these  
39 efforts, including:

1 (i) A detailed breakout of the size, location, risk level  
2 categorization, and number of encampments on or near department-owned  
3 rights-of-way, compared to the levels during the quarter being  
4 reported;

5 (ii) A summary of the activities in that quarter related to  
6 addressing these encampments, including information on arrangements  
7 with local governments or other entities related to these activities;

8 (iii) A description of the planned activities in the ensuing  
9 quarter to further address the emergency hazards and risks along  
10 state highway rights-of-way; and

11 (iv) Recommendations for executive branch or legislative action  
12 to achieve the desired outcome of reduced emergency hazards and risks  
13 along state highway rights-of-way.

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

16	Motor Vehicle Account—State Appropriation . . . . .	\$74,406,000
17	Motor Vehicle Account—Federal Appropriation . . . . .	\$2,050,000
18	Motor Vehicle Account—Private/Local Appropriation . . . . .	\$250,000
19	State Route Number 520 Corridor Account—State	
20	Appropriation. . . . .	\$225,000
21	Tacoma Narrows Toll Bridge Account—State	
22	Appropriation . . . . .	\$40,000
23	Alaskan Way Viaduct Replacement Project Account—	
24	State Appropriation. . . . .	\$1,112,000
25	Interstate 405 and State Route Number 167 Express	
26	Toll Lanes Account—State Appropriation . . . . .	\$20,000
27	TOTAL APPROPRIATION. . . . .	\$78,103,000

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

30 (1) \$6,000,000 of the motor vehicle account—state appropriation  
31 is provided solely for low-cost enhancements. The department shall  
32 give priority to low-cost enhancement projects that improve safety or  
33 provide congestion relief. By December 15th of each odd-numbered  
34 year, the department shall provide a report to the legislature  
35 listing all low-cost enhancement projects completed in the prior  
36 fiscal biennium.

37 (2) (a) During the 2021-2023 fiscal biennium, the department shall  
38 continue a pilot program that expands private transportation



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

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

30 (c) The department shall expand the high occupancy vehicle lane  
31 access pilot program to organ transport vehicles transporting a time  
32 urgent organ for an organ procurement organization as defined in RCW  
33 68.64.010. Under the pilot program, when the department reserves a  
34 portion of a highway based on the number of passengers in a vehicle,  
35 organ transport vehicles that are clearly and identifiably marked as  
36 such on all sides of the vehicle are considered emergency vehicles  
37 and must be authorized to use the reserved portion of the highway.

38 (d) The department shall expand the high occupancy vehicle lane  
39 access pilot program to private, for hire vehicles regulated under  
40 chapter 81.72 RCW that have been specially manufactured, designed, or

1 modified for the transportation of a person who has a mobility  
2 disability and uses a wheelchair or other assistive device. Under the  
3 pilot program, when the department reserves a portion of a highway  
4 based on the number of passengers in a vehicle, wheelchair-accessible  
5 taxicabs that are clearly and identifiably marked as such on all  
6 sides of the vehicle are considered public transportation vehicles  
7 and must be authorized to use the reserved portion of the highway.

8 (e) The department shall expand the high occupancy vehicle lane  
9 access pilot program to for hire nonemergency medical transportation  
10 vehicles, when in use for medical purposes, as described in section  
11 208 of this act. Under the pilot program, when the department  
12 reserves a portion of a highway based on the number of passengers in  
13 a vehicle, nonemergency medical transportation vehicles that meet the  
14 requirements identified in section 208 of this act must be authorized  
15 to use the reserved portion of the highway.

16 (f) Nothing in this subsection (2) is intended to exempt these  
17 vehicles from paying tolls when they do not meet the occupancy  
18 requirements established by the department for express toll lanes.

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

21	Motor Vehicle Account—State Appropriation . . . . .	\$37,361,000
22	Motor Vehicle Account—Federal Appropriation . . . . .	\$780,000
23	Motor Vehicle Account—Private/Local Appropriation . . . . .	\$500,000
24	Multimodal Transportation Account—State	
25	Appropriation . . . . .	\$5,129,000
26	State Route Number 520 Corridor Account—State	
27	Appropriation. . . . .	\$186,000
28	Tacoma Narrows Toll Bridge Account—State	
29	Appropriation. . . . .	\$150,000
30	Alaskan Way Viaduct Replacement Project Account—	
31	State Appropriation. . . . .	\$121,000
32	Interstate 405 and State Route Number 167 Express	
33	Toll Lanes Account—State Appropriation. . . . .	\$77,000
34	TOTAL APPROPRIATION. . . . .	\$44,304,000

35 The appropriations in this section are subject to the following  
36 conditions and limitations: \$4,000,000 of the multimodal  
37 transportation account—state appropriation is provided solely for  
38 efforts to increase diversity in the transportation construction

1 workforce through: (1) The preapprenticeship support services (PASS)  
 2 program, which aims to increase diversity in the highway construction  
 3 workforce and prepare individuals interested in entering the highway  
 4 construction workforce. In addition to the services allowed by RCW  
 5 47.01.435, the PASS program may provide housing assistance for youth  
 6 aging out of the foster care and juvenile rehabilitation systems in  
 7 order to support the participation of these youth in a  
 8 transportation-related preapprenticeship program; (2) assisting  
 9 minority and women-owned businesses to perform work in the highway  
 10 construction industry. This assistance shall include technical  
 11 assistance, business training, counseling, guidance, prime to  
 12 subcontractor relationship building, and a capacity building  
 13 mentorship program. At a minimum, \$1,000,000 of the total  
 14 appropriation in this subsection shall be directed toward the efforts  
 15 outlined in subsection (2) of this section. The provider(s) chosen to  
 16 complete the work in this subsection shall be selected through a  
 17 competitive bidding process. The program shall be administered by the  
 18 Washington state department of transportation's office of equal  
 19 opportunity.

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

22	Motor Vehicle Account—State Appropriation . . . . .	\$27,057,000
23	Motor Vehicle Account—Federal Appropriation . . . . .	\$34,865,000
24	Motor Vehicle Account—Private/Local Appropriation. . . . .	\$400,000
25	Multimodal Transportation Account—State Appropriation . . . . .	\$919,000
26	Multimodal Transportation Account—Federal	
27	Appropriation . . . . .	\$2,809,000
28	Multimodal Transportation Account—Private/Local	
29	Appropriation . . . . .	\$100,000
30	State Route Number 520 Corridor Account—State	
31	Appropriation. . . . .	\$406,000
32	Interstate 405 and State Route Number 167 Express Toll Lanes	
33	Account—State Appropriation. . . . .	\$2,879,000
34	TOTAL APPROPRIATION. . . . .	\$69,435,000

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

37 (1) \$4,080,000 of the motor vehicle account—federal appropriation  
 38 is provided solely for the Forward Drive road usage charge research

1 project overseen by the transportation commission using a portion of  
2 the amount of the federal grant award. The purpose of the Forward  
3 Drive road usage charge research project is to advance research in  
4 key policy areas related to road usage charge including assessing  
5 impacts of future mobility shifts on road usage charge revenues,  
6 conducting an equity analysis, updating and assessing emerging  
7 mileage reporting methods, determining opportunities to reduce cost  
8 of collection, conducting small-scale pilot tests, and identifying a  
9 long-term, detailed phase-in plan.

10 (2) \$2,879,000 of the Interstate 405 and state route number 167  
11 express toll lanes account—state appropriation is provided solely for  
12 completion of updating the state route number 167 master plan.

13 (3) \$250,000 of the multimodal transportation account—state  
14 appropriation is provided solely for the department to partner with  
15 the department of commerce in developing vehicle miles traveled  
16 targets for the counties in Washington state with (a) a population  
17 density of at least 100 people per square mile and a population of at  
18 least 200,000; or (b) a population density of at least 75 people per  
19 square mile and an annual growth rate of at least 1.75 percent as  
20 determined by the office of financial management. Given land use  
21 patterns are key factors in travel demand and should be taken into  
22 consideration when developing the targets, the department and the  
23 department of commerce shall partner with local jurisdictions,  
24 regional transportation planning organizations and other stakeholders  
25 to inventory existing laws and rules that promote transportation and  
26 land use, identify gaps and make recommendations for changes in laws,  
27 rules and agency guidance, and establish a framework for considering  
28 underserved and rural communities in the evaluation. The department  
29 and the department of commerce shall provide an initial technical  
30 report by December 31, 2021, an interim report by June 22, 2022, and  
31 a final report to the governor and appropriate committees of the  
32 legislature by June 30, 2023, that includes a process for  
33 establishing vehicle miles traveled reduction targets, a recommended  
34 suite of options for local jurisdictions to achieve the targets, and  
35 funding requirements for state and local jurisdictions.

36 (4) \$406,000 of the state route number 520 corridor account—state  
37 appropriation is provided solely for the department to contract with  
38 the University of Washington department of mechanical engineering, to  
39 study measures to reduce noise impacts from the state route number

1 520 bridge expansion joints. The field testing shall be scheduled  
2 during existing construction, maintenance, or other scheduled  
3 closures to minimize impacts. The testing must also ensure safety of  
4 the traveling public. The study shall examine testing methodologies  
5 and project timelines and costs. A final report must be submitted to  
6 the transportation committees of the legislature and the governor by  
7 March 1, 2022.

8 (5) \$5,900,000 of the motor vehicle account—federal appropriation  
9 and \$400,000 of the motor vehicle account—private/local appropriation  
10 are provided solely for delivery of the department's state planning  
11 and research work program and pooled fund research projects, provided  
12 that the department may not expend any amounts provided in this  
13 section on a long-range plan or corridor scenario analysis for I-5  
14 from Tumwater to Marysville. This is not intended to reference or  
15 impact: The existing I-5 corridor from Mounts road to Tumwater design  
16 and operations alternatives analysis; design studies related to HOV  
17 lanes or operations; or where it is necessary to continue design and  
18 operations analysis related to projects already under development.

19 (6) \$800,000 of the motor vehicle account—state appropriation is  
20 provided solely for WSDOT to do a corridor study of SR 302 (Victor  
21 Area) to recommend safety and infrastructure improvements to address  
22 current damage and prevent future roadway collapse and landslides  
23 that have caused road closures.

24 (7) \$1,000,000 of the motor vehicle account—state appropriation  
25 is provided solely for a study on the need for additional  
26 connectivity in the area between SR 161, SR 7, SR 507, and I-5 in  
27 South Pierce County.

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

30	Aeronautics Account—State Appropriation. . . . .	\$1,000
31	Transportation Partnership Account—State Appropriation. . . . .	\$23,000
32	Motor Vehicle Account—State Appropriation . . . . .	\$99,515,000
33	Puget Sound Ferry Operations Account—State Appropriation. . . . .	\$220,000
34	State Route Number 520 Corridor Account—State Appropriation. . . . .	\$26,000
35	Connecting Washington Account—State Appropriation. . . . .	\$184,000
36	Multimodal Transportation Account—State	
37	Appropriation . . . . .	\$4,795,000
38	Tacoma Narrows Toll Bridge Account—State Appropriation. . . . .	\$19,000

1	Alaskan Way Viaduct Replacement Project Account—State	
2	Appropriation. . . . .	\$14,000
3	Interstate 405 and State Route Number 167 Express	
4	Toll Lanes Account—State Appropriation. . . . .	\$15,000
5	TOTAL APPROPRIATION. . . . .	\$104,812,000

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

8 (1) Consistent with existing protocol and practices, for any  
9 negotiated settlement of a claim against the state for the department  
10 that exceeds five million dollars, the department, in conjunction  
11 with the attorney general and the department of enterprise services,  
12 shall notify the director of the office of financial management and  
13 the transportation committees of the legislature.

14 (2) Beginning October 1, 2021, and semiannually thereafter, the  
15 department, in conjunction with the attorney general and the  
16 department of enterprise services, shall provide a report with  
17 judgments and settlements dealing with the Washington state ferry  
18 system to the director of the office of financial management and the  
19 transportation committees of the legislature. The report must include  
20 information on: (a) The number of claims and settlements by type; (b)  
21 the average claim and settlement by type; (c) defense costs  
22 associated with those claims and settlements; and (d) information on  
23 the impacts of moving legal costs associated with the Washington  
24 state ferry system into the statewide self-insurance pool.

25 (3) Beginning October 1, 2021, and semiannually thereafter, the  
26 department, in conjunction with the attorney general and the  
27 department of enterprise services, shall provide a report with  
28 judgments and settlements dealing with the nonferry operations of the  
29 department to the director of the office of financial management and  
30 the transportation committees of the legislature. The report must  
31 include information on: (a) The number of claims and settlements by  
32 type; (b) the average claim and settlement by type; and (c) defense  
33 costs associated with those claims and settlements.

34 (4) When the department identifies significant legal issues that  
35 have potential transportation budget implications, the department  
36 must initiate a briefing for appropriate legislative members or staff  
37 through the office of the attorney general and its legislative  
38 briefing protocol.

1        NEW SECTION.    **Sec. 220.    FOR THE DEPARTMENT OF TRANSPORTATION—**

2    **PUBLIC TRANSPORTATION—PROGRAM V**

3	State Vehicle Parking Account—State Appropriation . . . . .	\$784,000
4	Regional Mobility Grant Program Account—State	
5	Appropriation . . . . .	\$104,478,000
6	Rural Mobility Grant Program Account—State	
7	Appropriation . . . . .	\$33,168,000
8	Multimodal Transportation Account—State	
9	Appropriation . . . . .	\$131,150,000
10	Multimodal Transportation Account—Federal	
11	Appropriation . . . . .	\$3,574,000
12	Multimodal Transportation Account—Local	
13	Appropriation . . . . .	\$100,000
14	TOTAL APPROPRIATION. . . . .	\$273,254,000

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

17        (1) \$67,821,000 of the multimodal transportation account—state  
18 appropriation is provided solely for a grant program for special  
19 needs transportation provided by transit agencies and nonprofit  
20 providers of transportation. Of this amount:

21        (a) \$15,568,000 of the multimodal transportation account—state  
22 appropriation is provided solely for grants to nonprofit providers of  
23 special needs transportation. Grants for nonprofit providers must be  
24 based on need, including the availability of other providers of  
25 service in the area, efforts to coordinate trips among providers and  
26 riders, and the cost effectiveness of trips provided. Fuel type may  
27 not be a factor in the grant selection process.

28        (b) \$52,253,000 of the multimodal transportation account—state  
29 appropriation is provided solely for grants to transit agencies to  
30 transport persons with special transportation needs. To receive a  
31 grant, the transit agency must, to the greatest extent practicable,  
32 have a maintenance of effort for special needs transportation that is  
33 no less than the previous year's maintenance of effort for special  
34 needs transportation. Grants for transit agencies must be prorated  
35 based on the amount expended for demand response service and route  
36 deviated service in calendar year 2019 as reported in the "Summary of  
37 Public Transportation - 2019" published by the department of  
38 transportation. No transit agency may receive more than thirty

1 percent of these distributions. Fuel type may not be a factor in the  
2 grant selection process.

3 (2) \$33,168,000 of the rural mobility grant program account—state  
4 appropriation is provided solely for grants to aid small cities in  
5 rural areas as prescribed in RCW 47.66.100. Fuel type may not be a  
6 factor in the grant selection process.

7 (3) \$2,000,000 of the multimodal transportation account—state  
8 appropriation is provided solely for a vanpool grant program for: (a)  
9 Public transit agencies to add vanpools or replace vans; and (b)  
10 incentives for employers to increase employee vanpool use. The grant  
11 program for public transit agencies may cover capital costs only;  
12 operating costs for public transit agencies are not eligible for  
13 funding under this grant program. Additional employees may not be  
14 hired from the funds provided in this section for the vanpool grant  
15 program, and supplanting of transit funds currently funding vanpools  
16 is not allowed. The department shall encourage grant applicants and  
17 recipients to leverage funds other than state funds. Fuel type may  
18 not be a factor in the grant selection process.

19 (4) \$26,800,000 of the regional mobility grant program account—  
20 state appropriation is reappropriated and provided solely for the  
21 regional mobility grant projects identified in LEAP Transportation  
22 Document 2021-2 ALL PROJECTS as developed April 23, 2021, Program -  
23 Public Transportation Program (V).

24 (5) (a) \$77,679,000 of the regional mobility grant program account  
25 —state appropriation is provided solely for the regional mobility  
26 grant projects identified in LEAP Transportation Document 2021-2 ALL  
27 PROJECTS as developed April 23, 2021, Program - Public Transportation  
28 Program (V). The department shall review all projects receiving grant  
29 awards under this program at least semiannually to determine whether  
30 the projects are making satisfactory progress. Any project that has  
31 been awarded funds, but does not report activity on the project  
32 within one year of the grant award, must be reviewed by the  
33 department to determine whether the grant should be terminated. The  
34 department shall promptly close out grants when projects have been  
35 completed, and any remaining funds must be used only to fund projects  
36 identified in the LEAP transportation document referenced in this  
37 subsection. The department shall provide annual status reports on  
38 December 15, 2021, and December 15, 2022, to the office of financial  
39 management and the transportation committees of the legislature



1 regarding the projects receiving the grants. It is the intent of the  
2 legislature to appropriate funds through the regional mobility grant  
3 program only for projects that will be completed on schedule. A  
4 grantee may not receive more than twenty-five percent of the amount  
5 appropriated in this subsection. Additionally, when allocating  
6 funding for the 2023-2025 biennium, no more than thirty percent of  
7 the total grant program may directly benefit or support one grantee.  
8 The department shall not approve any increases or changes to the  
9 scope of a project for the purpose of a grantee expending remaining  
10 funds on an awarded grant. Fuel type may not be a factor in the grant  
11 selection process.

12 (b) In order to be eligible to receive a grant under (a) of this  
13 subsection during the 2021-2023 fiscal biennium, a transit agency  
14 must establish a process for private transportation providers to  
15 apply for the use of park and ride facilities. For purposes of this  
16 subsection, (i) "private transportation provider" means: An auto  
17 transportation company regulated under chapter 81.68 RCW; a passenger  
18 charter carrier regulated under chapter 81.70 RCW, except marked or  
19 unmarked stretch limousines and stretch sport utility vehicles as  
20 defined under department of licensing rules; a private nonprofit  
21 transportation provider regulated under chapter 81.66 RCW; or a  
22 private employer transportation service provider; and (ii) "private  
23 employer transportation service" means regularly scheduled, fixed-  
24 route transportation service that is offered by an employer for the  
25 benefit of its employees.

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

29 (7) \$6,500,000 of the multimodal transportation account—state  
30 appropriation and \$784,000 of the state vehicle parking account—state  
31 appropriation are provided solely for CTR grants and activities. Fuel  
32 type may not be a factor in the grant selection process. Of this  
33 amount:

34 (a) \$30,000 of the state vehicle parking account—state  
35 appropriation is provided solely for the STAR pass program for state  
36 employees residing in Mason and Grays Harbor Counties. Use of the  
37 pass is for public transportation between Mason County and Thurston  
38 County, and Grays Harbor and Thurston County. The pass may also be  
39 used within Grays Harbor County. The STAR pass commute trip reduction

1 program is open to any state employee who expresses intent to commute  
2 to his or her assigned state worksite using a public transit system  
3 currently participating in the STAR pass program.

4 (b) \$800,000 of the multimodal transportation account—state  
5 appropriation is provided solely for continuation of the first mile/  
6 last mile connections grant program. Eligible grant recipients  
7 include cities, businesses, nonprofits, and transportation network  
8 companies with first mile/last mile solution proposals. Transit  
9 agencies are not eligible. The commute trip reduction board shall  
10 develop grant parameters, evaluation criteria, and evaluate grant  
11 proposals. The commute trip reduction board shall provide the  
12 transportation committees of the legislature a report on the  
13 effectiveness of this grant program and best practices for continuing  
14 the program.

15 (8) Except as provided otherwise in this subsection, \$28,263,000  
16 of the multimodal transportation account—state appropriation is  
17 provided solely for connecting Washington transit projects identified  
18 in LEAP Transportation Document 2021-2 ALL PROJECTS as developed  
19 April 23, 2021. It is the intent of the legislature that entities  
20 identified to receive funding in the LEAP document referenced in this  
21 subsection receive the amounts specified in the time frame specified  
22 in that LEAP document. If an entity has already completed a project  
23 in the LEAP document referenced in this subsection before the time  
24 frame identified, the entity may substitute another transit project  
25 or projects that cost a similar or lesser amount.

26 (9) The department shall not require more than a ten percent  
27 match from nonprofit transportation providers for state grants.

28 (10) \$21,858,000 of the multimodal transportation account—state  
29 appropriation is provided solely for the green transportation capital  
30 grant program established in chapter 287, Laws of 2019 (advancing  
31 green transportation adoption).

32 (11) \$555,000 of the multimodal transportation account—state  
33 appropriation is provided solely for an interagency transfer to the  
34 Washington State University extension energy program to establish and  
35 administer a technical assistance and education program for public  
36 agencies on the use of alternative fuel vehicles. The Washington  
37 State University extension energy program shall prepare a report  
38 regarding the utilization of the program and provide this report to

1 the transportation committees of the legislature by November 15,  
2 2021.

3 (12) The department must provide telework assistance to employers  
4 as part of its CTR activities. The objectives of telework assistance  
5 include improving transportation system performance, supporting  
6 economic vitality, and increasing equity and access to opportunity.

7 (13) \$150,000 of the multimodal transportation account—state  
8 appropriation is provided solely for Intercity Transit for the Dash  
9 shuttle program.

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

11 **MARINE—PROGRAM X**

12	Puget Sound Ferry Operations Account—State	
13	Appropriation . . . . .	\$416,614,000
14	Puget Sound Ferry Operations Account—Federal	
15	Appropriation . . . . .	\$124,000,000
16	Puget Sound Ferry Operations Account—Private/Local	
17	Appropriation . . . . .	\$121,000
18	TOTAL APPROPRIATION. . . . .	\$540,735,000

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

21 (1) The office of financial management budget instructions  
22 require agencies to recast enacted budgets into activities. The  
23 Washington state ferries shall include a greater level of detail in  
24 its 2021-2023 supplemental and 2023-2025 omnibus transportation  
25 appropriations act requests, as determined jointly by the office of  
26 financial management, the Washington state ferries, and the  
27 transportation committees of the legislature. This level of detail  
28 must include the administrative functions in the operating as well as  
29 capital programs. The data in the tables in the report must be  
30 supplied in a digital file format.

31 (2) For the 2021-2023 fiscal biennium, the department may enter  
32 into a distributor controlled fuel hedging program and other methods  
33 of hedging approved by the fuel hedging committee, which must include  
34 a representative of the department of enterprise services.

35 (3) \$17,000,000 of the Puget Sound ferry operations account—  
36 federal appropriation and \$53,794,000 of the Puget Sound ferry  
37 operations account—state appropriation are provided solely for auto  
38 ferry vessel operating fuel in the 2021-2023 fiscal biennium, which

1 reflect cost savings from a reduced biodiesel fuel requirement and,  
2 therefore, is contingent upon the enactment of section 703 of this  
3 act. The amount provided in this subsection represents the fuel  
4 budget for the purposes of calculating any ferry fare fuel surcharge.  
5 The department shall review future use of alternative fuels and dual  
6 fuel configurations, including hydrogen.

7 (4) \$500,000 of the Puget Sound ferry operations account—state  
8 appropriation is provided solely for operating costs related to  
9 moving vessels for emergency capital repairs. Funds may only be spent  
10 after approval by the office of financial management.

11 (5) \$2,400,000 of the Puget Sound ferry operations account—state  
12 appropriation is provided solely for staffing and overtime expenses  
13 incurred by engine and deck crewmembers. The department must provide  
14 updated staffing cost estimates for fiscal years 2022 and 2023 with  
15 its annual budget submittal and updated estimates by January 1, 2022.

16 (6) \$688,000 of the Puget Sound ferry operations account—state  
17 appropriation is provided solely for new employee training. The  
18 department must work to increase its outreach and recruitment of  
19 populations underrepresented in maritime careers and continue working  
20 to expand apprenticeship and internship programs, with an emphasis on  
21 programs that are shown to improve recruitment for positions with the  
22 state ferry system.

23 (7) The department must request reimbursement from the federal  
24 transit administration for the maximum amount of ferry operating  
25 expenses eligible for reimbursement under federal law.

26 (8) \$1,978,000 of the Puget Sound ferry operations account—state  
27 appropriation is provided solely for restoration of service to  
28 reflect increased ridership, availability of crewing and available  
29 revenues. Expenditures may be made to resume service to Sidney,  
30 British Columbia, including any service to the San Juans; to provide  
31 Saturday service on the Fauntleroy-Vashon-Southworth route; and to  
32 resume late night service on other routes in the system.

33 (9) Within amounts provided in this section, the department shall  
34 contract with uniformed officers for additional traffic control  
35 assistance at the Kingston ferry terminal during peak ferry travel  
36 times, with a particular focus on Sundays and holiday weekends.  
37 Traffic control methods should include, but not be limited to,  
38 holding traffic on the shoulder at Lindvog Road until space opens for  
39 cars at the tollbooths and dock, and management of traffic on Highway

1 104 in order to ensure Kingston residents and business owners have  
2 access to businesses, roads, and driveways.

3 (10) \$336,000 of the Puget Sound ferry operations account—state  
4 appropriation is provided solely for evacuation slide training.

5 (11) \$336,000 of the Puget Sound ferry operations account—state  
6 appropriation is provided solely for fall restraint labor and  
7 industries inspections.

8 (12) \$735,000 of the Puget Sound ferry operations account—state  
9 appropriation is provided solely for familiarization for new  
10 assignments of engine crew and terminal staff.

11 (13) \$160,000 of the Puget Sound ferry operations account—state  
12 appropriation is provided solely for electronic navigation training.

13 NEW SECTION. **Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION—**  
14 **RAIL—PROGRAM Y—OPERATING**

15	Multimodal Transportation Account—State	
16	Appropriation . . . . .	\$80,704,000
17	Multimodal Transportation Account—Private/Local	
18	Appropriation . . . . .	\$46,000
19	Multimodal Transportation Account—Federal	
20	Appropriation . . . . .	\$500,000
21	TOTAL APPROPRIATION. . . . .	\$81,250,000

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

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

35 (2) Consistent with the ongoing planning and service improvement  
36 for the intercity passenger rail program, \$500,000 of the multimodal  
37 transportation account—state is provided solely for the Cascades  
38 service development plan. This funding is to be used to analyze

1 current and future market conditions and to develop a structured  
2 assessment of service options and goals based on anticipated demand  
3 and the results of the state and federally required 2019 state rail  
4 plan, including identifying implementation alternatives to meet the  
5 future service goals for the Amtrak Cascades route. The work must be  
6 consistent with federal railroad administration guidance and  
7 direction on developing service development plans. It must also  
8 leverage the \$500,000 in federal funding appropriated for development  
9 of a service development plan and comply with the planning and grant  
10 award obligations of the consolidated rail infrastructure and safety  
11 improvements (CRISI) program. A status report must be provided to the  
12 transportation committees of the legislature by June 30, 2022.

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

15	Motor Vehicle Account—State Appropriation . . . . .	\$11,954,000
16	Motor Vehicle Account—Federal Appropriation . . . . .	\$2,567,000
17	Multiuse Roadway Safety Account—State Appropriation . . . . .	\$900,000
18	TOTAL APPROPRIATION. . . . .	\$15,421,000

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

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

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

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

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

33 (2) \$1,023,000 of the motor vehicle account—state appropriation  
34 is provided solely for the department, from amounts set aside out of  
35 statewide fuel taxes distributed to counties according to RCW  
36 46.68.120(3), to contract with the Washington state association of  
37 counties to:

1 (a) In coordination with stakeholders, identify county-owned fish  
2 passage barriers, and assess which barriers share the same stream  
3 system as state-owned fish passage barriers;

4 (b) Streamline and update the county road administration board's  
5 data dashboard, county reporting systems, and program management  
6 software to provide a more detailed, more transparent, and user-  
7 friendly platform for data management, reporting, and research by the  
8 public and other interested parties; and

9 (c) Conduct a study of the use of county road right-of-way as a  
10 potential source of revenue for county road operating and maintenance  
11 needs with recommendations on their feasibility statewide.

12 (3)(a) By October 1, 2021, the department must report to the  
13 office of financial management and the transportation committees with  
14 recommendations regarding:

15 (i) Modifications to the agreement with Wahkiakum county  
16 regarding future state reimbursement for the Wahkiakum ferry  
17 operating and maintenance deficit; and

18 (ii) Cost-sharing models for operating and maintenance costs,  
19 which recognize the benefit of the ferry route to both Washington and  
20 Oregon.

21 (b) The reimbursement recommendations must reflect a mutual  
22 agreement with Wahkiakum county, which considers future county ferry  
23 operating loss projections. The report may address the importance of  
24 the ferry route to the state highway system and whether there is a  
25 need for an increased role for the state department of transportation  
26 in the finance or operation of the ferry route.

27 **TRANSPORTATION AGENCIES—CAPITAL**

28 NEW SECTION. **Sec. 301. FOR THE FREIGHT MOBILITY STRATEGIC**  
29 **INVESTMENT BOARD**

30 Freight Mobility Investment Account—State

31 Appropriation . . . . .	\$16,577,000
32 Freight Mobility Multimodal Account—State	
33 Appropriation. . . . .	\$15,195,000
34 TOTAL APPROPRIATION. . . . .	\$31,772,000

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

1 (1) Except as otherwise provided in this section, the entire  
2 appropriations in this section are provided solely for the projects  
3 by amount, as listed in the LEAP Transportation Document 2021-2 ALL  
4 PROJECTS as developed April 23, 2021, Freight Mobility Strategic  
5 Investment Board (FMSIB).

6 (2) Until directed by the legislature, the board may not initiate  
7 a new call for projects.

8 (3) It is the intent of the legislature to continue to make  
9 strategic investments in a statewide freight mobility transportation  
10 system with the help of the freight mobility strategic investment  
11 board, including projects that mitigate the impact of freight  
12 movement on local communities. To that end, and in coordination with  
13 WSDOT as it updates its federally-compliant freight plan, the board  
14 is directed to identify the highest priority freight investments for  
15 the state, across freight modes, state and local jurisdictions, and  
16 regions of the state. By December 1, 2021, the board must submit a  
17 preliminary report providing a status update on the process and  
18 methodology for identifying and prioritizing investments. By December  
19 1, 2022, the board must submit a prioritized list of freight  
20 investments that are geographically balanced across the state and can  
21 proceed to construction in a timely manner. The prioritized freight  
22 project list for the state portion of national highway freight  
23 program funds must first address shortfalls in funding for connecting  
24 Washington act projects.

25 (4) (a) For the 2021-2023 project appropriations, unless otherwise  
26 provided in this act, the director of the office of financial  
27 management may authorize a transfer of appropriation authority  
28 between projects managed by the freight mobility strategic investment  
29 board in order for the board to manage project spending and support  
30 the efficient and timely delivery of all projects in the program. The  
31 office of financial management may authorize a transfer of  
32 appropriation authority between projects under the following  
33 conditions and limitations:

34 (i) Transfers from a project may not be made as a result of the  
35 reduction of the scope of a project or be made to support increases  
36 in the scope of a project;

37 (ii) Each transfer between projects may only occur if the  
38 director of the office of financial management finds that any  
39 resulting change will not hinder the completion of the projects on  
40 the LEAP Transportation Document 2021-2 ALL PROJECT list;



1 (iii) Transfers between projects may be made by the board without  
2 the formal written approval provided under this subsection (3)(a),  
3 provided that the transfer amount does not exceed \$250,000 or 10  
4 percent of the total project, whichever is less. These transfers must  
5 be reported to the director of the office of financial management and  
6 the chairs of the house of representatives and senate transportation  
7 committees; and

8 (iv) Except for transfers made under (a)(iii) of this subsection,  
9 transfers may only be made in fiscal year 2023.

10 (b) At the time the board submits a request to transfer funds  
11 under this section, a copy of the request must be submitted to the  
12 chairs and ranking members of the transportation committees of the  
13 legislature.

14 (c) Before approval, the office of financial management shall  
15 work with legislative staff of the house of representatives and  
16 senate transportation committees to review the requested transfers in  
17 a timely manner and consider any concerns raised by the chairs and  
18 ranking members of the transportation committees.

19 (d) No fewer than 10 days after the receipt of a project transfer  
20 request, the director of the office of financial management must  
21 provide written notification to the board of any decision regarding  
22 project transfers, with copies submitted to the transportation  
23 committees of the legislature.

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

25 State Patrol Highway Account—State Appropriation . . . . \$4,196,000

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

28 (1) \$695,000 of the state patrol highway account—state  
29 appropriation is provided solely for roof replacement.

30 (2) \$3,501,000 of the state patrol highway account—state  
31 appropriation is provided solely for the following projects:

32 (a) \$250,000 for emergency repairs;

33 (b) \$350,000 for fuel tank decommissioning;

34 (c) \$750,000 for generator and electrical replacement;

35 (d) \$195,000 for the exterior envelope of the Yakima office;

36 (e) \$466,000 for equipment shelters;

37 (f) \$650,000 for the weatherization projects;

38 (g) \$200,000 for roof replacements reappropriation; and

1 (h) \$640,000 for water and fire suppression systems  
2 reappropriation.

3 (3) The Washington state patrol may transfer funds between  
4 projects specified in this subsection to address cash flow  
5 requirements. If a project specified in this subsection is completed  
6 for less than the amount provided, the remainder may be transferred  
7 to another project specified in this subsection not to exceed the  
8 total appropriation provided in this subsection.

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

10	Rural Arterial Trust Account—State Appropriation . . . . .	\$55,028,000
11	Motor Vehicle Account—State Appropriation . . . . .	\$1,456,000
12	County Arterial Preservation Account—State	
13	Appropriation . . . . .	\$37,379,000
14	TOTAL APPROPRIATION. . . . .	\$93,863,000

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

16	Small City Pavement and Sidewalk Account—State	
17	Appropriation . . . . .	\$4,100,000
18	Transportation Improvement Account—State	
19	Appropriation . . . . .	\$201,000,000
20	Complete Streets Grant Program Account—State	
21	Appropriation . . . . .	\$14,670,000
22	TOTAL APPROPRIATION. . . . .	\$219,770,000

23 The appropriations in this section are subject to the following  
24 conditions and limitations: \$2,500,000 of the transportation  
25 improvement account—state appropriation is provided solely for the  
26 Relight Washington Program. The transportation improvement board  
27 shall conduct a comparative analysis of expanding the Relight  
28 Washington Program to all cities that are not currently eligible  
29 compared to utilizing the same funding amount for other preservation  
30 programs administered by the transportation improvement board. If  
31 needed to perform this analysis, the transportation improvement board  
32 shall gather additional information on the demand and return on  
33 investment from a follow up survey to cities currently ineligible for  
34 the Relight Washington Program. The transportation improvement board  
35 shall report the results of the analysis to the governor and the  
36 transportation committees of the legislature by January 1, 2022.

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

4	Motor Vehicle Account—State Appropriation . . . . .	\$10,852,000
5	Connecting Washington Account—State Appropriation . . . . .	\$3,289,000
6	TOTAL APPROPRIATION. . . . .	\$14,141,000

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

9        (1)    \$3,289,000 of the connecting Washington account—state  
10 appropriation is provided solely for a new Olympic region maintenance  
11 and administration facility to be located on the department-owned  
12 site at the intersection of Marvin Road and 32nd Avenue in Lacey,  
13 Washington.

14        (2) (a)    \$4,325,000 of the motor vehicle account—state  
15 appropriation is provided solely for payments of a financing contract  
16 issued pursuant to chapter 39.94 RCW for the department facility  
17 located at 15700 Dayton Ave N in Shoreline.

18        (b)    Payments from the department of ecology pursuant to the  
19 agreement with the department to pay a share of the financing  
20 contract in (a) of this subsection must be deposited into the motor  
21 vehicle account.

22        NEW SECTION.    **Sec. 306.    FOR THE DEPARTMENT OF TRANSPORTATION—**  
23 **IMPROVEMENTS—PROGRAM I**

24	Transportation 2003 Account (Nickel Account)—State	
25	Appropriation . . . . .	\$149,000
26	Transportation Partnership Account—State	
27	Appropriation . . . . .	\$119,053,000
28	Motor Vehicle Account—State Appropriation . . . . .	\$89,717,000
29	Motor Vehicle Account—Federal Appropriation . . . . .	\$388,903,000
30	Coronavirus State Fiscal Recovery Fund—Federal	
31	Appropriation. . . . .	\$400,000,000
32	Motor Vehicle Account—Private/Local Appropriation . . . . .	\$48,628,000
33	Connecting Washington Account—State	
34	Appropriation . . . . .	\$2,881,033,000
35	Special Category C Account—State Appropriation . . . . .	\$105,363,000
36	Multimodal Transportation Account—State	
37	Appropriation . . . . .	\$10,784,000

1	State Route Number 520 Corridor	
2	Account—State Appropriation. . . . .	\$15,940,000
3	Interstate 405 and State Route Number 167 Express	
4	Toll Lanes Account—State Appropriation. . . . .	\$30,308,000
5	TOTAL APPROPRIATION. . . . .	\$4,089,878,000

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 connecting Washington account—state appropriation and the entire  
10 transportation partnership account—state appropriation are provided  
11 solely for the projects and activities as listed by fund, project,  
12 and amount in LEAP Transportation Document 2021-1 as developed April  
13 23, 2021, Program - Highway Improvements Program (I). However,  
14 limited transfers of specific line-item project appropriations may  
15 occur between projects for those amounts listed subject to the  
16 conditions and limitations in section 601 of this act.

17 (2) Except as provided otherwise in this section, the entire  
18 motor vehicle account—state appropriation and motor vehicle account—  
19 federal appropriation are provided solely for the projects and  
20 activities listed in LEAP Transportation Document 2021-2 ALL PROJECTS  
21 as developed April 23, 2021, Program - Highway Improvements Program  
22 (I). Any federal funds gained through efficiencies, adjustments to  
23 the federal funds forecast, or the federal funds redistribution  
24 process must then be applied to highway and bridge preservation  
25 activities or fish passage barrier corrections (OBI4001).

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

35 (4) The connecting Washington account—state appropriation  
36 includes up to \$2,230,636,000 in proceeds from the sale of bonds  
37 authorized in RCW 47.10.889.

1 (5) The special category C account—state appropriation includes  
2 up to \$82,475,000 in proceeds from the sale of bonds authorized in  
3 RCW 47.10.812.

4 (6) The transportation partnership account—state appropriation  
5 includes up to \$28,411,000 in proceeds from the sale of bonds  
6 authorized in RCW 47.10.873.

7 (7) \$60,450,000 of the transportation partnership account—state  
8 appropriation, \$2,258,000 of the motor vehicle account—private/local  
9 appropriation, and \$984,000 of the multimodal transportation account—  
10 state appropriation are provided solely for the SR 99/Alaskan Way  
11 Viaduct Replacement project (809936Z). It is the intent of the  
12 legislature that any legal damages paid to the state as a result of a  
13 lawsuit related to contractual provisions for construction and  
14 delivery of the Alaskan Way viaduct replacement project be used to  
15 repay project cost increases paid from the transportation partnership  
16 account—state funds.

17 (8) \$193,699,000 of the connecting Washington account—state  
18 appropriation is provided solely for the US 395 North Spokane  
19 Corridor project (M00800R).

20 (9) (a) \$14,827,000 of the Interstate 405 and state route number  
21 167 express toll lanes account—state appropriation is provided solely  
22 for the I-405/SR 522 to I-5 Capacity Improvements project (L2000234)  
23 for activities related to adding capacity on Interstate 405 between  
24 state route number 522 and Interstate 5, with the goals of increasing  
25 vehicle throughput and aligning project completion with the  
26 implementation of bus rapid transit in the vicinity of the project.

27 (b) The department may advance the I-405/SR 522 to I-5 Capacity  
28 Improvements project (L2000234) and construct the project earlier  
29 than is scheduled in the LEAP transportation document referenced in  
30 subsection (2) of this section if additional funding is identified  
31 and submitted through the existing unanticipated receipts process by  
32 September 1, 2021. The department and the state treasurer shall  
33 pursue alternatives to toll revenue funding including but not limited  
34 to federal loan and grant programs. The department shall explore  
35 phasing and modifying the project to attempt to align project  
36 completion with the anticipated deployment of bus rapid transit on  
37 the corridor in the 2023-2025 biennium. The department shall report  
38 back to the transportation committees of the legislature on this work  
39 by September 15, 2021.

1 (10) (a) \$492,349,000 of the connecting Washington account—state  
2 appropriation and \$355,000 of the motor vehicle account—private/local  
3 appropriation are provided solely for the SR 520 Seattle Corridor  
4 Improvements - West End project (M00400R).

5 (b) Upon completion of the Montlake Phase of the West End project  
6 (current anticipated contract completion of 2023), the department  
7 shall sell that portion of the property not used for permanent  
8 transportation improvements and initiate a process to convey that  
9 surplus property to a subsequent owner.

10 (11) \$382,880,000 of the connecting Washington account—state  
11 appropriation, \$4,800,000 of the multimodal transportation account—  
12 state appropriation, \$17,869,000 of the motor vehicle account—  
13 private/local appropriation, and \$82,165,000 of the motor vehicle  
14 account—federal appropriation are provided solely for the SR 167/SR  
15 509 Puget Sound Gateway project (M00600R).

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

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

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

36 (d) Of the amounts provided in this subsection, \$2,300,000 of the  
37 multimodal transportation account—state appropriation is provided  
38 solely for the design phase of the Puyallup to Tacoma multiuse trail  
39 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 (e) Of the amounts provided in this subsection, \$2,500,000 of the  
4 multimodal transportation account—state appropriation is provided  
5 solely for segment 2 of the state route number 167 completion project  
6 shared-use path to provide connections to the interchange of state  
7 route number 167 at 54th to the intersection of state route number  
8 509 and Taylor Way in Tacoma.

9 (12) (a) \$26,928,000 of the motor vehicle account—state  
10 appropriation and \$1,671,000 of the motor vehicle account—private/  
11 local appropriation are provided solely to support a project office  
12 and the continued work toward the I-5 Interstate Bridge Replacement  
13 project (L2000370).

14 (b) The project office must also study the possible different  
15 governance structures for a bridge authority that would provide for  
16 the joint administration of the bridges over the Columbia river  
17 between Oregon and Washington. As part of this study, the project  
18 office must examine the feasibility and necessity of an interstate  
19 compact in conjunction with the national center for interstate  
20 compacts.

21 (c) During the 2021-2023 biennium, the department shall have as a  
22 goal to:

23 (i) Conduct all work necessary to prepare and publish a draft  
24 SEIS;

25 (ii) Coordinate with regulatory agencies to begin the process of  
26 obtaining environmental approvals and permits;

27 (iii) Identify a locally preferred alternative; and

28 (iv) Begin preparing a final SEIS.

29 The department shall aim to provide progress reports on these  
30 activities to the governor and the transportation committees of the  
31 legislature by December 1, 2021, June 1, 2022, and December 1, 2022.

32 (13) (a) \$400,000,000 of the coronavirus state fiscal recovery  
33 fund—federal appropriation, \$529,577,000 of the connecting Washington  
34 account—state appropriation, \$194,959,000 of the motor vehicle  
35 account—federal appropriation, and \$1,849,000 of the motor vehicle  
36 account—state appropriation are provided solely for the Fish Passage  
37 Barrier Removal project (OBI4001) with the intent of fully complying  
38 with the federal *U.S. v. Washington* court injunction by 2030. Of the  
39 amounts provided in this subsection, \$400,000,000 of the connecting

1 Washington account—state appropriation must be initially placed in  
2 unallotted status during the 2021-2023 fiscal biennium, and may only  
3 be released by the office of financial management for allotment by  
4 the department if it is determined that the Fish Passage Barrier  
5 Removal project (OBI4001) is not an eligible use of amounts received  
6 by the state pursuant to the federal American rescue plan act of  
7 2021.

8 (b) The department shall coordinate with the Brian Abbott fish  
9 passage barrier removal board to use a watershed approach by  
10 replacing both state and local culverts guided by the principle of  
11 providing the greatest fish habitat gain at the earliest time. The  
12 department shall deliver high habitat value fish passage barrier  
13 corrections that it has identified, guided by the following factors:  
14 Opportunity to bundle projects, tribal priorities, ability to  
15 leverage investments by others, presence of other barriers, project  
16 readiness, culvert conditions, other transportation projects in the  
17 area, and transportation impacts. The department and Brian Abbott  
18 fish barrier removal board must provide updates on the implementation  
19 of the statewide culvert remediation plan to the legislature by  
20 November 1, 2021, and June 1, 2022.

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

24 (d) Of the amount provided in this subsection, \$142,923,000 of  
25 the motor vehicle account—federal appropriation reflects the  
26 department's portion of the unrestricted funds from the coronavirus  
27 response and relief supplemental appropriations act of 2021. If the  
28 final amount from this act changes while the legislature is not in  
29 session, the department shall follow the existing unanticipated  
30 receipt process and adjust the list referenced in subsection (1) of  
31 this section accordingly, supplanting state funds with federal funds  
32 if possible as directed in section 601 of this act.

33 (14) \$14,669,000 of the connecting Washington account—state  
34 appropriation and \$3,037,000 of the motor vehicle account—private/  
35 local appropriation are provided solely for the I-90/Barker to  
36 Harvard - Improve Interchanges & Local Roads project (L2000122). The  
37 connecting Washington account appropriation for the improvements that  
38 fall within the city of Liberty Lake may only be expended if the city  
39 of Liberty Lake agrees to cover any project costs within the city of



1 Liberty Lake above the \$20,900,000 of state appropriation provided  
2 for the total project on the list referenced in subsection (1) of  
3 this section.

4 (15) \$15,189,000 of the motor vehicle account—federal  
5 appropriation, \$259,000 of the motor vehicle account—state  
6 appropriation, and \$15,481,000 of the Interstate 405 and state route  
7 number 167 express toll lanes account—state appropriation are  
8 provided solely for the SR 167/SR 410 to SR 18 - Congestion  
9 Management project (316706C).

10 (16) \$18,914,000 of the Special Category C account—state  
11 appropriation is provided solely for the SR 18 Widening - Issaquah/  
12 Hobart Rd to Raging River project (L1000199) for improving and  
13 widening state route number 18 to four lanes from Issaquah-Hobart  
14 Road to Raging River.

15 (17) \$1,000,000 of the connecting Washington account—state  
16 appropriation is provided solely for the North Lewis County  
17 transportation study. The study shall examine new, alternate routes  
18 for vehicular and truck traffic at the Harrison interchange (Exit 82)  
19 in North Centralia and shall allow for a site and configuration to be  
20 selected and feasibility to be conducted for final design,  
21 permitting, and construction of the I-5/North Lewis county  
22 Interchange project (L2000204).

23 (18) \$1,090,000 of the motor vehicle account—state appropriation  
24 is provided solely for the US 101/East Sequim Corridor Improvements  
25 project (L2000343).

26 (19) \$12,139,000 of the motor vehicle account—state appropriation  
27 and \$9,104,000 of the connecting Washington account—state  
28 appropriation are provided solely for the SR 522/Paradise Lk Rd  
29 Interchange & Widening on SR 522 (Design/Engineering) project  
30 (NPARADI).

31 (20) \$1,378,000 of the motor vehicle account—federal  
32 appropriation is provided solely for the US 101/Morse Creek Safety  
33 Barrier project (L1000247).

34 (21) \$915,000 of the motor vehicle account—state appropriation is  
35 provided solely for the SR 162/410 Interchange Design and Right of  
36 Way project (L1000276).

37 (22) \$6,581,000 of the connecting Washington account—state  
38 appropriation is provided solely for the US Hwy 2 Safety project  
39 (N00200R).

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

7 (24) Any advisory group that the department convenes during the  
8 2021-2023 fiscal biennium must consider the interests of the entire  
9 state of Washington.

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

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

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

35 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION—**  
36 **PRESERVATION—PROGRAM P**

37 Recreational Vehicle Account—State Appropriation . . . . \$1,520,000  
38 Transportation 2003 Account (Nickel Account)—State

1	Appropriation . . . . .	\$49,105,000
2	Transportation Partnership Account—State	
3	Appropriation . . . . .	\$15,183,000
4	Motor Vehicle Account—State Appropriation . . . . .	\$85,444,000
5	Motor Vehicle Account—Federal Appropriation . . . . .	\$489,602,000
6	Motor Vehicle Account—Private/Local	
7	Appropriation . . . . .	\$10,792,000
8	Connecting Washington Account—State Appropriation . . . . .	\$159,043,000
9	State Route Number 520 Corridor Account—State	
10	Appropriation . . . . .	\$1,891,000
11	Tacoma Narrows Toll Bridge Account—State	
12	Appropriation . . . . .	\$9,730,000
13	Alaskan Way Viaduct Replacement Project Account—State	
14	Appropriation. . . . .	\$314,000
15	Interstate 405 and State Route Number 167 Express	
16	Toll Lanes Account—State Appropriation. . . . .	\$26,039,000
17	TOTAL APPROPRIATION. . . . .	\$848,663,000

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

20 (1) Except as provided otherwise in this section, the entire  
21 connecting Washington account—state appropriation and the entire  
22 transportation partnership account—state appropriation are provided  
23 solely for the projects and activities as listed by fund, project,  
24 and amount in LEAP Transportation Document 2021-1 as developed April  
25 23, 2021, Program - Highway Preservation Program (P). However,  
26 limited transfers of specific line-item project appropriations may  
27 occur between projects for those amounts listed subject to the  
28 conditions and limitations in section 601 of this act.

29 (2) Except as provided otherwise in this section, the entire  
30 motor vehicle account—state appropriation and motor vehicle account—  
31 federal appropriation are provided solely for the projects and  
32 activities listed in LEAP Transportation Document 2021-2 ALL PROJECTS  
33 as developed April 23, 2021, Program - Highway Preservation Program  
34 (P). Any federal funds gained through efficiencies, adjustments to  
35 the federal funds forecast, or the federal funds redistribution  
36 process must then be applied to highway and bridge preservation  
37 activities or fish passage barrier corrections (OBI4001).

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

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

8 (4) \$5,166,000 of the connecting Washington account—state  
9 appropriation is provided solely for the land mobile radio upgrade  
10 (G2000055) and is subject to the conditions, limitations, and review  
11 provided in section 701 of this act. The land mobile radio project is  
12 subject to technical oversight by the office of the chief information  
13 officer. The department, in collaboration with the office of the  
14 chief information officer, shall identify where existing or proposed  
15 mobile radio technology investments should be consolidated, identify  
16 when existing or proposed mobile radio technology investments can be  
17 reused or leveraged to meet multiagency needs, increase mobile radio  
18 interoperability between agencies, and identify how redundant  
19 investments can be reduced over time. The department shall also  
20 provide quarterly reports to the technology services board on project  
21 progress.

22 (5) \$5,000,000 of the motor vehicle account—state appropriation  
23 is provided solely for extraordinary costs incurred from litigation  
24 awards, settlements, or dispute mitigation activities not eligible  
25 for funding from the self-insurance fund (L2000290). The amount  
26 provided in this subsection must be held in unallotted status until  
27 the department submits a request to the office of financial  
28 management that includes documentation detailing litigation-related  
29 expenses. The office of financial management may release the funds  
30 only when it determines that all other funds designated for  
31 litigation awards, settlements, and dispute mitigation activities  
32 have been exhausted. No funds provided in this subsection may be  
33 expended on any legal fees related to the SR 99/Alaskan Way viaduct  
34 replacement project (809936Z).

35 (6) \$11,679,000 of the motor vehicle account—federal  
36 appropriation is provided solely for preservation projects within  
37 project L1100071 that ensure the reliable movement of freight on the  
38 national highway freight system. The department shall give priority  
39 to those projects that can be advertised by September 30, 2021.

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

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

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

Motor Vehicle Account—State Appropriation . . . . .	\$8,273,000
Motor Vehicle Account—Federal Appropriation . . . . .	\$5,289,000
Motor Vehicle Account—Private/Local Appropriation . . . . .	\$500,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation. . . . .	\$900,000
TOTAL APPROPRIATION. . . . .	\$14,962,000

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

- (1) \$579,000 of the motor vehicle account—state appropriation is provided solely for the SR 99 Aurora Bridge ITS project (L2000338).
- (2) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for the Challenge Seattle project (000009Q). The department shall provide a progress report on this project to the transportation committees of the legislature by January 15, 2022.

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

Puget Sound Capital Construction Account—State Appropriation . . . . .	\$128,759,000
Puget Sound Capital Construction Account—Federal Appropriation . . . . .	\$139,188,000
Puget Sound Capital Construction Account—Private/Local Appropriation . . . . .	\$312,000
Transportation Partnership Account—State Appropriation . . . . .	\$8,410,000

1	Connecting Washington Account—State Appropriation . . . .	\$75,640,000
2	Capital Vessel Replacement Account—State	
3	Appropriation. . . . .	\$152,453,000
4	TOTAL APPROPRIATION. . . . .	\$504,762,000

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

7 (1) Except as provided otherwise in this section, the entire  
8 appropriations in this section are provided solely for the projects  
9 and activities as listed in LEAP Transportation Document 2021-2 ALL  
10 PROJECTS as developed April 23, 2021, Program - Washington State  
11 Ferries Capital Program (W). No funds appropriated in this act or  
12 additional funds received through the unanticipated receipt process  
13 may be allocated or expended for terminal electrification purposes  
14 this biennium.

15 (2) For the 2021-2023 biennium, the marine division shall provide  
16 to the office of financial management and the legislative  
17 transportation committees the following reports on ferry capital  
18 projects:

19 (a) On a semiannual basis the report must include a status update  
20 on projects with funding provided in subsections (4), (5), (6), and  
21 (8) of this section including, but not limited to, the following:

- 22 (i) Anticipated cost increases and cost savings;
- 23 (ii) Anticipated cash flow and schedule changes; and
- 24 (iii) Explanations for the changes.

25 (b) On an annual basis the report must include a status update on  
26 vessel and terminal preservation and improvement plans including, but  
27 not limited to, the following:

- 28 (i) What work has been done;
- 29 (ii) How have schedules shifted; and
- 30 (iii) Associated changes in funding among projects, accompanied  
31 by explanations for the changes.

32 (c) On an annual basis the report must include an update on the  
33 implementation of the maintenance management system with  
34 recommendations for using the system to improve the efficiency of  
35 project reporting under this subsection.

36 (3) \$5,000,000 of the Puget Sound capital construction account—  
37 state appropriation is provided solely for emergency capital repair  
38 costs (999910K). Funds may only be spent after approval by the office  
39 of financial management.

1 (4) \$1,277,000 of the Puget Sound capital construction account—  
2 state appropriation is provided solely for the ORCA card next  
3 generation project (L2000300). The ferry system shall work with  
4 Washington technology solutions and the tolling division on the  
5 development of a new, interoperable ticketing system.

6 (5) \$24,750,000 of the Puget Sound capital construction account—  
7 state appropriation is provided solely for the conversion of up to  
8 two Jumbo Mark II vessels to electric hybrid propulsion (G2000084).  
9 The department shall seek additional funds for the purposes of this  
10 subsection. The department may spend from the Puget Sound capital  
11 construction account—state appropriation in this section only as much  
12 as the department receives in Volkswagen settlement funds for the  
13 purposes of this subsection.

14 (6) \$152,453,000 of the capital vessel replacement account—state  
15 appropriation is provided solely for the acquisition of a 144-car  
16 hybrid-electric vessel (L2000329). In 2019 the legislature amended  
17 RCW 47.60.810 to direct the department to modify an existing vessel  
18 construction contract to provide for an additional five ferries. As  
19 such, it is the intent of the legislature that the department award  
20 the contract for the hybrid electric Olympic class vessel  
21 #5(L2000329) in a timely manner. In addition, the legislature intends  
22 to minimize costs and maximize construction efficiency by providing  
23 sufficient funding for construction of all five vessels, including  
24 funding for long lead time materials procured at the lowest possible  
25 prices. The commencement of construction of new vessels for the ferry  
26 system is important not only for safety reasons, but also to keep  
27 skilled marine construction jobs in the Puget Sound region and to  
28 sustain the capacity of the region to meet the ongoing construction  
29 and preservation needs of the ferry system fleet of vessels. The  
30 legislature has determined that the current vessel procurement  
31 process must move forward with all due speed, balancing the interests  
32 of both the taxpayers and shipyards. To accomplish construction of  
33 vessels in accordance with RCW 47.60.810, the prevailing shipbuilder,  
34 for vessels initially funded after July 1, 2020, is encouraged to  
35 follow the historical practice of subcontracting the construction of  
36 ferry superstructures to a separate nonaffiliated contractor located  
37 within the Puget Sound region, that is qualified in accordance with  
38 RCW 47.60.690.

1 (7) The capital vessel replacement account—state appropriation  
2 includes up to \$152,453,000 in proceeds from the sale of bonds  
3 authorized in RCW 47.10.873.

4 (8) \$4,200,000 of the connecting Washington account—state  
5 appropriation and \$2,200,000 of the Puget Sound operating account—  
6 federal appropriation are provided solely for ferry vessel and  
7 terminal preservation (L2000110). The funds provided in this  
8 subsection must be used for unplanned preservation needs before  
9 shifting funding from other preservation projects.

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

12	Essential Rail Assistance Account—State Appropriation . . .	\$550,000
13	Transportation Infrastructure Account—State	
14	Appropriation . . . . .	\$5,456,000
15	Multimodal Transportation Account—State	
16	Appropriation . . . . .	\$82,493,000
17	Multimodal Transportation Account—Federal	
18	Appropriation . . . . .	\$41,219,000
19	TOTAL APPROPRIATION. . . . .	\$129,718,000

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

22 (1) Except as provided otherwise in this section, the entire  
23 appropriations in this section are provided solely for the projects  
24 and activities as listed by project and amount in LEAP Transportation  
25 Document 2021-2 ALL PROJECTS as developed April 23, 2021, Program -  
26 Rail Program (Y).

27 (2) \$5,089,000 of the transportation infrastructure account—state  
28 appropriation is provided solely for new low-interest loans approved  
29 by the department through the freight rail investment bank (FRIB)  
30 program. The department shall issue FRIB program loans with a  
31 repayment period of no more than ten years, and charge only so much  
32 interest as is necessary to recoup the department's costs to  
33 administer the loans. The department shall report annually to the  
34 transportation committees of the legislature and the office of  
35 financial management on all FRIB loans issued. FRIB program loans may  
36 be recommended by the department for 2022 supplemental transportation  
37 appropriations up to the amount provided in this appropriation that  
38 has not been provided for the projects listed in 2021-2 ALL PROJECTS,



1 as referenced in subsection (1) of this section. The department shall  
2 submit a prioritized list for any loans recommended to the office of  
3 financial management and the transportation committees of the  
4 legislature by November 15, 2021.

5 (3) \$6,817,000 of the multimodal transportation account—state  
6 appropriation is provided solely for new statewide emergent freight  
7 rail assistance projects identified in the LEAP transportation  
8 document referenced in subsection (1) of this section.

9 (4) \$367,000 of the transportation infrastructure account—state  
10 appropriation and \$1,100,000 of the multimodal transportation account  
11 —state appropriation are provided solely to reimburse Highline Grain,  
12 LLC for approved work completed on Palouse River and Coulee City  
13 (PCC) railroad track in Spokane county between the BNSF Railway  
14 Interchange at Cheney and Geiger Junction and must be administered in  
15 a manner consistent with freight rail assistance program projects.  
16 The value of the public benefit of this project is expected to meet  
17 or exceed the cost of this project in: Shipper savings on  
18 transportation costs; jobs saved in rail-dependent industries; and/or  
19 reduced future costs to repair wear and tear on state and local  
20 highways due to fewer annual truck trips (reduced vehicle miles  
21 traveled). The amounts provided in this subsection are not a  
22 commitment for future legislatures, but it is the legislature's  
23 intent that future legislatures will work to approve biennial  
24 appropriations until the full \$7,337,000 cost of this project is  
25 reimbursed.

26 (5) (a) \$550,000 of the essential rail assistance account—state  
27 appropriation is provided solely for the purpose of the  
28 rehabilitation and maintenance of the Palouse river and Coulee City  
29 railroad line (F01111B).

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

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

35 (ii) Revenues from trackage rights agreement fees paid by  
36 shippers; and

37 (iii) Revenues and transfers transferred from the miscellaneous  
38 program account to the essential rail assistance account, pursuant to

1 RCW 47.76.360, for the purpose of sustaining the grain train program  
2 by maintaining the Palouse river and Coulee City railroad.

3 (6) The department shall issue a call for projects for the  
4 freight rail assistance program, and shall evaluate the applications  
5 in a manner consistent with past practices as specified in section  
6 309, chapter 367, Laws of 2011. By November 15, 2022, the department  
7 shall submit a prioritized list of recommended projects to the office  
8 of financial management and the transportation committees of the  
9 legislature.

10 (7) \$33,964,000 of the multimodal transportation account—state  
11 appropriation and \$37,500,000 of the multimodal transportation  
12 account—federal appropriation are provided solely for Passenger Rail  
13 Equipment Replacement (project 700010C.) The appropriations in this  
14 subsection include insurance proceeds received by the state. The  
15 department must use these funds only to purchase replacement  
16 equipment that has been competitively procured and for service  
17 recovery needs and corrective actions related to the December 2017  
18 derailment.

19 (8) \$223,000 of the multimodal transportation account—state  
20 appropriation is provided solely for contingency funding for emergent  
21 freight rail assistance projects funded in subsection (3) of this  
22 section. Project sponsors may apply to the department for contingency  
23 funds needed due to unforeseeable cost increases. The department  
24 shall submit a report of any contingency funds provided under this  
25 subsection as part of the department's annual budget submittal.

26 (9) It is the intent of the legislature to encourage the  
27 department to pursue federal grant opportunities leveraging up to  
28 \$6,696,000 in connecting Washington programmed funds to be used as a  
29 state match to improve the state-owned Palouse river and Coulee City  
30 system. The amount listed in this subsection is not a commitment for  
31 future legislatures, but is the legislature's intent that future  
32 legislatures will work to approve biennial appropriations up to a  
33 state match share not to exceed \$6,696,000 of a grant award.

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

36 Highway Infrastructure Account—State Appropriation . . . . .	\$793,000
37 Highway Infrastructure Account—Federal Appropriation . . . . .	\$1,600,000
38 Transportation Partnership Account—State	

1	Appropriation . . . . .	\$750,000
2	Motor Vehicle Account—State Appropriation . . . . .	\$11,064,000
3	Motor Vehicle Account—Federal Appropriation . . . . .	\$55,751,000
4	Motor Vehicle Account—Private/Local Appropriation . . . . .	\$6,600,000
5	Connecting Washington Account—State Appropriation . . . . .	\$123,292,000
6	Multimodal Transportation Account—State	
7	Appropriation . . . . .	\$71,615,000
8	TOTAL APPROPRIATION. . . . .	\$271,465,000

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

11 (1) Except as provided otherwise in this section, the entire  
12 appropriations in this section are provided solely for the projects  
13 and activities as listed by project and amount in LEAP Transportation  
14 Document 2021-2 ALL PROJECTS as developed April 23, 2021, Program -  
15 Local Programs Program (Z).

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

19 (a) \$32,613,000 of the multimodal transportation account—state  
20 appropriation is provided solely for pedestrian and bicycle safety  
21 program projects (L2000188).

22 (b) \$19,344,000 of the motor vehicle account—federal  
23 appropriation and \$17,397,000 of the multimodal transportation  
24 account—state appropriation are provided solely for safe routes to  
25 school projects (L2000189). The department may consider the special  
26 situations facing high-need areas, as defined by schools or project  
27 areas in which the percentage of the children eligible to receive  
28 free and reduced-price meals under the national school lunch program  
29 is equal to, or greater than, the state average as determined by the  
30 department, when evaluating project proposals against established  
31 funding criteria while ensuring continued compliance with federal  
32 eligibility requirements.

33 (3) The department shall submit a report to the transportation  
34 committees of the legislature by December 1, 2021, and December 1,  
35 2022, on the status of projects funded as part of the pedestrian  
36 safety/safe routes to school grant program. The report must include,  
37 but is not limited to, a list of projects selected and a brief  
38 description of each project's status. In its December 1, 2021, report  
39 the department must also include recommended changes to the

1 pedestrian safety/safe routes to school grant program application and  
2 selection processes to increase utilization by a greater diversity of  
3 jurisdictions.

4 (4) \$6,561,000 of the multimodal transportation account—state  
5 appropriation is provided solely for bicycle and pedestrian projects  
6 listed in the LEAP transportation document referenced in subsection  
7 (1) of this section.

8 (5) It is the expectation of the legislature that the department  
9 will be administering a local railroad crossing safety grant program  
10 for \$7,000,000 in federal funds during the 2021-2023 fiscal biennium.

11 (6) \$12,500,000 of the motor vehicle account—federal  
12 appropriation is provided solely for national highway freight network  
13 projects identified on the project list submitted in accordance with  
14 section 218(4)(b), chapter 14, Laws of 2016 on October 31, 2016  
15 (L1000169).

16 (7) When the department updates its federally-compliant freight  
17 plan, it shall consult the freight mobility strategic investment  
18 board on the freight plan update and on the investment plan component  
19 that describes how the estimated funding allocation for the national  
20 highway freight program for federal fiscal years 2022-2025 will be  
21 invested and matched. The investment plan component for the state  
22 portion of national highway freight program funds must first address  
23 shortfalls in funding for connecting Washington act projects. The  
24 department shall complete the freight plan update in compliance with  
25 federal requirements and deadlines and shall provide an update on the  
26 development of the freight plan, including the investment plan  
27 component, when submitting its 2022 supplemental appropriations  
28 request.

29 (8) \$11,679,000 of the motor vehicle account—federal  
30 appropriation is provided solely for acceleration of local  
31 preservation projects that ensure the reliable movement of freight on  
32 the national highway freight system (G2000100). The department will  
33 identify projects through its current national highway system asset  
34 management call for projects with applications due in February 2021.  
35 The department shall give priority to those projects that can be  
36 obligated by September 30, 2021.

37 NEW SECTION.     **Sec. 312.     ANNUAL REPORTING REQUIREMENTS FOR**  
38 **CAPITAL PROGRAM**

1 (1) As part of its annual budget submittal, the department of  
2 transportation shall provide an update to the report provided to the  
3 legislature in the prior fiscal year that: (a) Compares the original  
4 project cost estimates approved in the 2003, 2005, and 2015 revenue  
5 package project lists to the completed cost of the project, or the  
6 most recent legislatively approved budget and total project costs for  
7 projects not yet completed; (b) identifies highway projects that may  
8 be reduced in scope and still achieve a functional benefit; (c)  
9 identifies highway projects that have experienced scope increases and  
10 that can be reduced in scope; (d) identifies highway projects that  
11 have lost significant local or regional contributions that were  
12 essential to completing the project; (e) identifies risk reserves and  
13 contingency amounts allocated to projects; and (f) lists the nickel,  
14 TPA, and connecting Washington projects charging to the  
15 Nickel/TPA/CWA Environmental Mitigation Reserve (OBI4ENV) and the  
16 Nickel/TPA Projects Completed with Minor Ongoing Expenditures project  
17 (OBI100B), and the amount each project is charging.

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

23 NEW SECTION. **Sec. 313. QUARTERLY REPORTING REQUIREMENTS FOR**  
24 **CAPITAL PROGRAM**

25 On a quarterly basis, the department of transportation shall  
26 provide to the office of financial management and the legislative  
27 transportation committees a report for all capital projects, except  
28 for ferry projects subject to the reporting requirements established  
29 in section 309 of this act, that must include:

30 (1) A TEIS version containing actual capital expenditures for all  
31 projects consistent with the structure of the most recently enacted  
32 budget;

33 (2) Anticipated cost savings, cost increases, reappropriations,  
34 and schedule adjustments for all projects consistent with the  
35 structure of the most recently enacted budget;

36 (3) The award amount, the engineer's estimate, and the number of  
37 bidders for all active projects consistent with the structure of the  
38 most recently enacted budget; and

1 (4) Risk reserves and contingency amounts for all projects  
2 consistent with the structure of the most recently enacted budget.

3 NEW SECTION. **Sec. 314. FEDERAL FUNDS RECEIVED FOR CAPITAL**  
4 **PROJECT EXPENDITURES**

5 To the greatest extent practicable, the department of  
6 transportation shall expend federal funds received for capital  
7 project expenditures before state funds.

8 NEW SECTION. **Sec. 315. NOTIFICATION REQUIREMENTS FOR PAUSES AND**  
9 **CANCELLATIONS**

10 (1) The department shall notify the transportation committees of  
11 the legislature when it intends to pause for a significant length of  
12 time or not proceed with operating items or capital projects included  
13 as budget provisos or on project lists. When feasible, this  
14 notification shall be provided prior to the pause or cancellation and  
15 at least seven days in advance of any public announcement related to  
16 such a pause or cancellation.

17 (2) At the time of notification, the department shall provide an  
18 explanation for the reason or reasons for the pause or cancellation  
19 for each operating budget item and capital project. The explanation  
20 shall include specific reasons for each pause or cancellation, in  
21 addition to a statement of the broad rationale for the pause or  
22 cancellation.

23 (3) When feasible, the department shall make best efforts to keep  
24 the transportation committees of the legislature informed of an  
25 evaluation process underway for selecting operating budget items and  
26 capital projects to be paused or cancelled, providing updates as its  
27 selection efforts proceed.

28 (4) When exigent circumstances prevent prior notice of a pause or  
29 cancellation from being provided to the transportation committees of  
30 the legislature, the department shall provide the information  
31 required under this section to the transportation committees of the  
32 legislature as soon as is practicable.

33 **TRANSFERS AND DISTRIBUTIONS**

34 NEW SECTION. **Sec. 401. FOR THE STATE TREASURER—BOND RETIREMENT**  
35 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**

1 **BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND**  
2 **TRANSPORTATION FUND REVENUE**

3	Transportation Partnership Account—State Appropriation. . . . .	\$904,000
4	Connecting Washington Account—State Appropriation. . . . .	\$11,153,000
5	Special Category C Account—State Appropriation. . . . .	\$412,000
6	Highway Bond Retirement Account—State	
7	Appropriation. . . . .	\$1,483,793,000
8	Ferry Bond Retirement Account—State Appropriation. . . . .	\$17,150,000
9	Transportation Improvement Board Bond Retirement	
10	Account—State Appropriation. . . . .	\$11,770,000
11	Nondebt-Limit Reimbursable Bond Retirement	
12	Account—State Appropriation. . . . .	\$29,323,000
13	Toll Facility Bond Retirement Account—State	
14	Appropriation. . . . .	\$76,376,000
15	TOTAL APPROPRIATION. . . . .	\$1,630,881,000

16 NEW SECTION. **Sec. 402. FOR THE STATE TREASURER—BOND RETIREMENT**  
17 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**  
18 **BOND SALE EXPENSES AND FISCAL AGENT CHARGES**

19	Transportation Partnership Account—State	
20	Appropriation. . . . .	\$181,000
21	Connecting Washington Account—State Appropriation. . . . .	\$2,231,000
22	Special Category C Account—State Appropriation. . . . .	\$82,000
23	TOTAL APPROPRIATION. . . . .	\$2,494,000

24 NEW SECTION. **Sec. 403. FOR THE STATE TREASURER—STATE REVENUES**  
25 **FOR DISTRIBUTION**

26	Motor Vehicle Account—State Appropriation: For motor	
27	vehicle fuel tax statutory distributions to	
28	cities and counties. . . . .	\$467,390,000
29	Multimodal Transportation Account—State	
30	Appropriation: For distribution to cities and	
31	counties. . . . .	\$26,786,000
32	Motor Vehicle Account—State Appropriation: For	
33	distribution to cities and counties. . . . .	\$23,438,000

34 NEW SECTION. **Sec. 404. FOR THE STATE TREASURER—TRANSFERS**

35 Motor Vehicle Account—State Appropriation: For motor

1 vehicle fuel tax refunds and statutory transfers. \$1,974,599,000

2 NEW SECTION. **Sec. 405. FOR THE DEPARTMENT OF LICENSING—**

3 **TRANSFERS**

4 Motor Vehicle Account—State Appropriation: For motor  
5 vehicle fuel tax refunds and transfers. . . . . \$235,675,000

6 NEW SECTION. **Sec. 406. FOR THE STATE TREASURER—ADMINISTRATIVE**

7 **TRANSFERS**

8 (1) Highway Safety Account—State Appropriation:  
9 For transfer to the State Patrol Highway  
10 Account—State. . . . . \$47,000,000

11 (2) (a) Transportation Partnership Account—State  
12 Appropriation: For transfer to the Capital Vessel  
13 Replacement Account—State. . . . . \$152,453,000

14 (b) The amount transferred in this subsection represents proceeds  
15 from the sale of bonds authorized in RCW 47.10.873.

16 (3) (a) Transportation Partnership Account—State  
17 Appropriation: For transfer to the Tacoma Narrows Toll Bridge Account  
18 —State. . . . . \$30,293,000

19 (b) It is the intent of the legislature that this transfer is  
20 temporary, for the purpose of minimizing the impact of toll  
21 increases. An equivalent reimbursing transfer is to occur after the  
22 debt service and deferred sales tax on the Tacoma Narrows bridge  
23 construction costs are fully repaid in accordance with chapter 195,  
24 Laws of 2018.

25 (4) (a) Motor Vehicle Account—State Appropriation:  
26 For transfer to Alaskan Way Viaduct Account  
27 —State. . . . . \$6,000,000

28 (b) The funds provided in (a) of this subsection are a loan to  
29 the Alaskan Way viaduct replacement project account—state, and the  
30 legislature assumes that these funds will be reimbursed to the motor  
31 vehicle account—state at a later date when traffic on the toll  
32 facility has recovered from the COVID-19 pandemic.

33 (5) Motor Vehicle Account—State Appropriation:  
34 For transfer to the County Arterial Preservation  
35 Account—State. . . . . \$7,666,000

36 (6) Motor Vehicle Account—State Appropriation:  
37 For transfer to the Freight Mobility Investment



1 Account—State. . . . . \$5,511,000  
2 (7) Motor Vehicle Account—State Appropriation:  
3 For transfer to the Rural Arterial Trust Account—State. . . \$9,331,000  
4 (8) Motor Vehicle Account—State Appropriation:  
5 For transfer to the Transportation Improvement  
6 Account—State. . . . . \$9,688,000  
7 (9) Rural Mobility Grant Program Account—State  
8 Appropriation: For transfer to the Multimodal  
9 Transportation Account—State. . . . . \$3,000,000  
10 (10) (a) State Route Number 520 Civil Penalties  
11 Account—State Appropriation: For transfer to the  
12 Motor Vehicle Account—State  
13 . . . . . \$2,000,000  
14 (b) The transfer in this subsection is to repay moneys loaned to  
15 the state route number 520 civil penalties account in the 2019-2021  
16 fiscal biennium.  
17 (11) State Route Number 520 Civil Penalties  
18 Account—State Appropriation: For transfer to the  
19 State Route Number 520 Corridor Account—State. . . . . \$1,532,000  
20 (12) Capital Vessel Replacement Account—State  
21 Appropriation: For transfer to the Connecting  
22 Washington Account—State. . . . . \$35,000,000  
23 (13) (a) Capital Vessel Replacement Account—State  
24 Appropriation: For transfer to the Transportation  
25 Partnership Account—State. . . . . \$10,305,000  
26 (b) The amount transferred in this subsection represents  
27 repayment of debt service incurred for the construction of the Hybrid  
28 Electric Olympic Class (144-auto) Vessel #5 project (L2000329).  
29 (14) Multimodal Transportation Account—State  
30 Appropriation: For transfer to the Complete Streets  
31 Grant Program Account—State. . . . . \$14,670,000  
32 (15) Multimodal Transportation Account—State  
33 Appropriation: For transfer to the Connecting  
34 Washington Account—State. . . . . \$200,000,000  
35 (16) Multimodal Transportation Account—State  
36 Appropriation: For transfer to the Freight Mobility  
37 Multimodal Account—State. . . . . \$4,011,000  
38 (17) Multimodal Transportation Account—State  
39 Appropriation: For transfer to the Ignition Interlock

1 Device Revolving Account—State. . . . . \$600,000  
 2 (18) Multimodal Transportation Account—State  
 3 Appropriation: For transfer to the Pilotage  
 4 Account—State. . . . . \$1,500,000  
 5 (19) Multimodal Transportation Account—State  
 6 Appropriation: For transfer to the Puget Sound  
 7 Capital Construction Account—State. . . . . \$60,000,000  
 8 (20) Multimodal Transportation Account—State  
 9 Appropriation: For transfer to the Regional Mobility  
 10 Grant Program Account—State. . . . . \$27,679,000  
 11 (21) Multimodal Transportation Account—State  
 12 Appropriation: For transfer to the Rural Mobility  
 13 Grant Program Account—State. . . . . \$15,223,000  
 14 (22) (a) Alaskan Way Viaduct Replacement Project  
 15 Account—State Appropriation: For transfer to the  
 16 Transportation Partnership Account—State. . . . . \$22,884,000  
 17 (b) The amount transferred in this subsection represents  
 18 repayment of debt service incurred for the construction of the SR 99/  
 19 Alaskan Way Viaduct Replacement project (809936Z).  
 20 (23) Tacoma Narrows Toll Bridge Account—State  
 21 Appropriation: For transfer to the Motor Vehicle  
 22 Account—State. . . . . \$950,000  
 23 (24) Puget Sound Ferry Operations Account—State  
 24 Appropriation: For transfer to the Puget Sound  
 25 Capital Construction Account—State. . . . . \$60,000,000  
 26 (25) (a) General Fund Account—State  
 27 Appropriation: For transfer to the State Patrol  
 28 Highway Account—State. . . . . \$625,000  
 29 (b) The state treasurer shall transfer the funds only after  
 30 receiving notification from the Washington state patrol under section  
 31 207(2) of this act.

32 **NEW SECTION. Sec. 407. FOR THE STATE TREASURER—BOND RETIREMENT**  
 33 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**  
 34 **DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE**

35 Toll Facility Bond Retirement Account—Federal  
 36 Appropriation . . . . . \$199,129,000  
 37 Toll Facility Bond Retirement Account—State  
 38 Appropriation . . . . . \$25,372,000

1 TOTAL APPROPRIATION. . . . . \$224,501,000

2 NEW SECTION. **Sec. 408. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**  
3 **AMERICAN RESCUE PLAN ACT REVENUE LOSS DEPOSITS**

4 Coronavirus State Fiscal Recovery Fund—Federal  
5 Appropriation . . . . . \$600,000,000

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

8 (1) The appropriation is provided solely for expenditure into  
9 accounts in the amounts specified in subsection (2) of this section.  
10 These amounts are intended to compensate accounts for revenue losses  
11 in state fiscal years 2020 and 2021 relative to revenues collected in  
12 state fiscal year 2019 and shall be used to maintain government  
13 services pursuant to the federal American rescue plan act of 2021.

14 (2) The appropriation must be distributed to the following  
15 accounts in the amounts designated:

16	Multimodal Transportation Account—State. . . . .	\$115,611,000
17	Motor Vehicle Account—State. . . . .	\$99,416,000
18	Puget Sound Ferry Operations Account—State. . . . .	\$85,966,000
19	Connecting Washington Account—State. . . . .	\$67,663,000
20	Transportation Partnership Account—State. . . . .	\$39,547,000
21	State Route Number 520 Corridor Account—State. . . . .	\$59,567,000
22	Transportation 2003 Account (Nickel Account)—State. . . . .	\$28,681,000
23	State Patrol Highway Account—State. . . . .	\$12,358,000
24	Highway Safety Account—State. . . . .	\$8,219,000
25	Tacoma Narrows Toll Bridge Account—State. . . . .	\$15,707,000
26	Interstate 405 and State Route Number 167 Express Toll	
27	Lanes Account—State. . . . .	\$32,893,000
28	Transportation Improvement Account—State. . . . .	\$15,844,000
29	Rural Arterial Trust Account—State. . . . .	\$3,092,000
30	County Arterial Preservation Account—State. . . . .	\$1,939,000
31	State Route Number 520 Civil Penalties Account—State. . . . .	\$5,442,000
32	Special Category C Account—State. . . . .	\$3,975,000
33	Puget Sound Capital Construction Account—State. . . . .	\$2,892,000
34	Aeronautics Account—State. . . . .	\$777,000
35	School Zone Safety Account—State. . . . .	\$393,000
36	Motorcycle Safety Education Account—State. . . . .	\$18,000

1 **COMPENSATION**

2 NEW SECTION. **Sec. 501. COLLECTIVE BARGAINING AGREEMENTS NOT**  
3 **IMPAIRED**

4 Nothing in this act prohibits the expenditure of any funds by an  
5 agency or institution of the state for benefits guaranteed by any  
6 collective bargaining agreement in effect on the effective date of  
7 this section.

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

9 Sections 503 through 520 of this act represent the results of the  
10 2021-2023 collective bargaining process required under chapters  
11 41.80, 47.64, and 41.56 RCW. Provisions of the collective bargaining  
12 agreements contained in sections 503 through 520 of this act are  
13 described in general terms. Only major economic terms are included in  
14 the descriptions. These descriptions do not contain the complete  
15 contents of the agreements. The collective bargaining agreements  
16 contained in sections 503 through 520 of this act may also be funded  
17 by expenditures from nonappropriated accounts. If positions are  
18 funded with lidded grants or dedicated fund sources with insufficient  
19 revenue, additional funding from other sources is not provided.

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

22 An agreement has been reached between the governor and the office  
23 and professional employees international union local eight (OPEIU)  
24 pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium.  
25 Funding is provided to fund the agreement, which does not include  
26 wage increases but does include furloughs. The agreement provides  
27 that positions designated by the employer as not requiring backfill  
28 take 24 furlough days during the biennium. In addition, the following  
29 positions are not subject to the furlough requirement: Bid  
30 administrator, dispatch, dispatch coordinator, and relief positions.

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

33 An agreement has been reached between the governor and the ferry  
34 agents, supervisors, and project administrators association pursuant  
35 to chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is  
36 provided to fund the agreement, which does not include wage increases

1 but does include furloughs. The agreement provides that positions  
2 designated by the employer as not requiring backfill take 24 furlough  
3 days during the biennium.

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

6 An agreement has been reached between the governor and the  
7 service employees international union local 6 pursuant to chapter  
8 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to  
9 fund the agreement, which does not include wage increases but does  
10 include furloughs. The agreement provides that positions designated  
11 by the employer as not requiring backfill take 24 furlough days  
12 during the biennium.

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

15 An agreement has been reached between the governor and the  
16 Pacific Northwest regional council of carpenters pursuant to chapter  
17 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to  
18 fund the agreement, which does not include wage increases but does  
19 include furloughs. The agreement provides that positions designated  
20 by the employer as not requiring backfill take 24 furlough days  
21 during the biennium.

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

24 An agreement has been reached between the governor and the Puget  
25 Sound metal trades council through an interest arbitration award  
26 pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium. The  
27 arbitration award imposed and funding is provided to implement a 1.9%  
28 general wage decrease from July 1, 2021, through June 30, 2022, and  
29 exempted these employees from the furlough requirement.

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

32 An agreement has been reached between the governor and the marine  
33 engineers' beneficial association unlicensed engine room employees  
34 pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium.

1 Funding is provided to fund the agreement, which does not include  
2 either wage increases or the furlough requirement.

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

5 An agreement has been reached between the governor and the marine  
6 engineers' beneficial association licensed engineer officers pursuant  
7 to chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is  
8 provided to fund the agreement, which does not include either wage  
9 increases or the furlough requirement.

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

12 An agreement has been reached between the governor and the marine  
13 engineers' beneficial association port engineers pursuant to chapter  
14 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to  
15 fund the agreement, which does not include wage increases but does  
16 include furloughs. The agreement provides that positions designated  
17 by the employer as not requiring backfill take 24 furlough days  
18 during the biennium.

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

21 An agreement has been reached between the governor and the  
22 masters, mates, and pilots - mates pursuant to chapter 47.64 RCW for  
23 the 2021-2023 fiscal biennium. Funding is provided to fund the  
24 agreement, which includes a two percent wage increase for second  
25 mates, and does not include the furlough requirement.

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

28 An agreement has been reached between the governor and the  
29 masters, mates, and pilots - masters pursuant to chapter 47.64 RCW  
30 for the 2021-2023 fiscal biennium. Funding is provided to fund the  
31 agreement, which does not include either wage increases or the  
32 furlough requirement.

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

4           An agreement has been reached between the governor and the  
5 masters, mates, and pilots - watch center supervisors pursuant to  
6 chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is  
7 provided to fund the agreement, which does not include wage increases  
8 but does include furloughs only for the following positions: Fleet  
9 facility security officers and workforce development leads.

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

12           An agreement has been reached between the governor and the  
13 inlandboatmen's union of the Pacific pursuant to chapter 47.64 RCW  
14 through an interest arbitration award for the 2021-2023 fiscal  
15 biennium. Funding is provided to fund the agreement, which does not  
16 include wage increases, but does include furlough days for employees  
17 in positions that do not require the position to be backfilled.

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

19           An agreement has been reached between the governor and the  
20 Washington federation of state employees under the provisions of  
21 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is  
22 provided to fund the agreement, which does not include wage  
23 increases, but does include 24 furlough days for employees in  
24 position that do not require the position to be backfilled.

25           NEW SECTION.       **Sec. 516. COLLECTIVE BARGAINING AGREEMENT—PTE**  
26 **LOCAL 17**

27           An agreement has been reached between the governor and the  
28 professional and technical employees local 17 under the provisions of  
29 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is  
30 provided to fund the agreement, which does not include wage  
31 increases, but does include 24 furlough days for employees in  
32 position that do not require the position to be backfilled.

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

34           An agreement has been reached between the governor and the  
35 Washington public employees association under the provisions of

1 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is  
2 provided to fund the agreement, which does not include wage  
3 increases, but does include 24 furlough days for employees in  
4 positions that do not require the position to be backfilled.

5 NEW SECTION. **Sec. 518. COLLECTIVE BARGAINING AGREEMENT—**  
6 **COALITION OF UNIONS**

7 An agreement has been reached for the 2019-2021 biennium between  
8 the governor and the coalition of unions under the provisions of  
9 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is  
10 provided to fund the agreement, which includes 24 furlough days for  
11 employees in position that do not require the position to be  
12 backfilled. The agreement includes and funding is provided for a 2.5  
13 percent wage increase for fiscal year 2022 and a 2.5 percent wage  
14 increase for fiscal year 2023 for the department of corrections  
15 marine vessel operators.

16 NEW SECTION. **Sec. 519. COLLECTIVE BARGAINING AGREEMENT—WSP**  
17 **TROOPERS ASSOCIATION**

18 An agreement has been reached between the governor and the  
19 Washington state patrol troopers association under the provisions of  
20 chapter 41.56 RCW for the 2021-2023 fiscal biennium. Funding is  
21 provided to fund the agreement, which does not include general wages  
22 increases but does provide the ability to request to reopen the  
23 compensation article for the purpose of bargaining base rate of pay  
24 for fiscal year 2023.

25 NEW SECTION. **Sec. 520. COLLECTIVE BARGAINING AGREEMENT—WSP**  
26 **LIEUTENANTS AND CAPTAINS ASSOCIATION**

27 An agreement has been reached between the governor and the  
28 Washington state patrol lieutenants and captains association under  
29 the provisions of chapter 41.56 RCW for the 2021-2023 fiscal  
30 biennium. Funding is provided to fund the agreement, which does not  
31 include general wages increases but does provide the ability to  
32 request to reopen the compensation article for the purpose of  
33 bargaining base rate of pay for fiscal year 2023.

34 NEW SECTION. **Sec. 521. COMPENSATION—REPRESENTED EMPLOYEES—**  
35 **HEALTH CARE—COALITION—INSURANCE BENEFITS**



1 An agreement was reached for the 2021-2023 biennium between the  
2 governor and the health care coalition under the provisions of  
3 chapter 41.80 RCW. Appropriations in this act for state agencies,  
4 including institutions of higher education, are sufficient to  
5 implement the provisions of the 2021-2023 collective bargaining  
6 agreement, which maintains the provisions of the 2019-2021 agreement,  
7 and are subject to the following conditions and limitations:

8 The monthly employer funding rate for insurance benefit premiums,  
9 public employees' benefits board administration, and the uniform  
10 medical plan, shall not exceed \$936 per eligible employee for fiscal  
11 year 2022. For fiscal year 2023, the monthly employer funding rate  
12 shall not exceed \$1091 per eligible employee.

13 The board shall collect a \$25 per month surcharge payment from  
14 members who use tobacco products and a surcharge payment of not less  
15 than \$50 per month from members who cover a spouse or domestic  
16 partner where the spouse or domestic partner has chosen not to enroll  
17 in another employer-based group health insurance that has benefits  
18 and premiums with an actuarial value of not less than 95 percent of  
19 the actuarial value of the public employees' benefits board plan with  
20 the largest enrollment. The surcharge payments shall be collected in  
21 addition to the member premium payment if directed by the  
22 legislature.

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

25 Appropriations for state agencies in this act are sufficient for  
26 represented employees outside the coalition for health benefits, and  
27 are subject to the following conditions and limitations: The monthly  
28 employer funding rate for insurance benefit premiums, public  
29 employees' benefits board administration, and the uniform medical  
30 plan, may not exceed \$936 per eligible employee for fiscal year 2022.  
31 For fiscal year 2023, the monthly employer funding rate may not  
32 exceed \$1091 per eligible employee.

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

35 Appropriations for state agencies in this act are sufficient for  
36 nonrepresented state employee health benefits for state agencies,  
37 including institutions of higher education, and are subject to the

1 following conditions and limitations: The employer monthly funding  
2 rate for insurance benefit premiums, public employees' benefits board  
3 administration, and the uniform medical plan, shall not exceed \$936  
4 per eligible employee for fiscal year 2022. For fiscal year 2023, the  
5 monthly employer funding rate shall not exceed \$1091 per eligible  
6 employee.

7 NEW SECTION. **Sec. 524. COMPENSATION—REVISE PENSION CONTRIBUTION**  
8 **RATES**

9 The appropriations in this act for school districts and state  
10 agencies, including institutions of higher education, are subject to  
11 the following conditions and limitations: Appropriations are adjusted  
12 to reflect changes to agency appropriations to reflect pension  
13 contribution rates adopted by the pension funding council and the law  
14 enforcement officers' and firefighters' retirement system plan 2  
15 board.

16 NEW SECTION. **Sec. 525. JUNETEENTH HOLIDAY**

17 Specific funding is provided in agency budgets for the cost to  
18 agencies of additional staff necessary to provide coverage in  
19 positions that require continual presence, as a result of  
20 implementing chapter . . . (Substitute House Bill No. 1016), Laws of  
21 2021 (making Juneteenth a legal holiday). If chapter . . .  
22 (Substitute House Bill No. 1016), Laws of 2021 is not enacted by June  
23 30, 2021, this section has no force and effect.

24 NEW SECTION. **Sec. 526. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**  
25 **INLANDBOATMEN'S UNION OF THE PACIFIC**

26 Puget Sound Ferry Operations Account—State  
27 Appropriation . . . . . \$2,798,000

28 The appropriations in this section are subject to the following  
29 conditions and limitations: Funding is provided solely for  
30 eliminating the furlough days in the agreement reached with the  
31 inlandboatmen's union of the Pacific and approved in part V of this  
32 act. Expenditure of the amounts provided for this purpose is  
33 contingent upon execution of an appropriate memorandum of  
34 understanding between the governor or the governor's designee and the  
35 exclusive bargaining representative, consistent with the terms of  
36 this section. Appropriations for state agencies are increased by the

1 amounts specified in LEAP Transportation Document 2021 -  
2 Compensation, dated April 23, 2021, to fund the provisions of this  
3 section upon execution of the memorandum of understanding.

4 NEW SECTION. **Sec. 527. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**  
5 **PACIFIC NORTHWEST REGIONAL COUNCIL OF CARPENTERS**

6 Puget Sound Ferry Operations Account—State  
7 Appropriation . . . . . \$156,000

8 The appropriations in this section are subject to the following  
9 conditions and limitations: Funding is provided solely for  
10 eliminating the furlough days in the agreement reached with the  
11 Pacific Northwest regional council of carpenters and approved in part  
12 V of this act. Expenditure of the amounts provided for this purpose  
13 is contingent upon execution of an appropriate memorandum of  
14 understanding between the governor or the governor's designee and the  
15 exclusive bargaining representative, consistent with the terms of  
16 this section. Appropriations for state agencies are increased by the  
17 amounts specified in LEAP Transportation Document 2021 -  
18 Compensation, dated April 23, 2021, to fund the provisions of this  
19 section upon execution of the memorandum of understanding.

20 NEW SECTION. **Sec. 528. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**  
21 **OFFICE AND PROFESSIONAL EMPLOYEES INTERNATIONAL UNION LOCAL 8**

22 Puget Sound Ferry Operations Account—State Appropriation . . \$344,000

23 The appropriations in this section are subject to the following  
24 conditions and limitations: Funding is provided solely for  
25 eliminating the furlough days in the agreement reached with the  
26 office and professional employees international union local 8 and  
27 approved in part V of this act. Expenditure of the amounts provided  
28 for this purpose is contingent upon execution of an appropriate  
29 memorandum of understanding between the governor or the governor's  
30 designee and the exclusive bargaining representative, consistent with  
31 the terms of this section. Appropriations for state agencies are  
32 increased by the amounts specified in LEAP Transportation Document  
33 2021 - Compensation, dated April 23, 2021, to fund the provisions of  
34 this section upon execution of the memorandum of understanding.

35 NEW SECTION. **Sec. 529. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**  
36 **FERRY AGENTS, SUPERVISORS, AND PROJECT ADMINISTRATORS ASSOCIATION**

1 Puget Sound Ferry Operations Account—State Appropriation . . \$344,000

2 The appropriations in this section are subject to the following  
3 conditions and limitations: Funding is provided solely for  
4 eliminating the furlough days in the agreement reached with the ferry  
5 agents, supervisors, and project administrators association and  
6 approved in part V of this act. Expenditure of the amounts provided  
7 for this purpose is contingent upon execution of an appropriate  
8 memorandum of understanding between the governor or the governor's  
9 designee and the exclusive bargaining representative, consistent with  
10 the terms of this section. Appropriations for state agencies are  
11 increased by the amounts specified in LEAP Transportation Document  
12 2021 - Compensation, dated April 23, 2021, to fund the provisions of  
13 this section upon execution of the memorandum of understanding.

14 NEW SECTION. **Sec. 530. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**  
15 **SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 6**

16 Puget Sound Ferry Operations Account—State Appropriation . . \$24,000

17 The appropriations in this section are subject to the following  
18 conditions and limitations: Funding is provided solely for  
19 eliminating the furlough days in the agreement reached with the  
20 service employees international union local 6 and approved in part V  
21 of this act. Expenditure of the amounts provided for this purpose is  
22 contingent upon execution of an appropriate memorandum of  
23 understanding between the governor or the governor's designee and the  
24 exclusive bargaining representative, consistent with the terms of  
25 this section. Appropriations for state agencies are increased by the  
26 amounts specified in LEAP Transportation Document 2021 -  
27 Compensation, dated April 23, 2021, to fund the provisions of this  
28 section upon execution of the memorandum of understanding.

29 NEW SECTION. **Sec. 531. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**  
30 **MASTERS, MATES, AND PILOTS—WATCH CENTER SUPERVISORS**

31 Puget Sound Ferry Operations Account—State Appropriation . . \$150,000

32 The appropriations in this section are subject to the following  
33 conditions and limitations: Funding is provided solely for  
34 eliminating the furlough days in the agreement reached with the  
35 masters, mates, and pilots - watch center supervisors and approved in  
36 part V of this act. Expenditure of the amounts provided for this

1 purpose is contingent upon execution of an appropriate memorandum of  
2 understanding between the governor or the governor's designee and the  
3 exclusive bargaining representative, consistent with the terms of  
4 this section. Appropriations for state agencies are increased by the  
5 amounts specified in LEAP Transportation Document 2021 -  
6 Compensation, dated April 23, 2021, to fund the provisions of this  
7 section upon execution of the memorandum of understanding.

8 NEW SECTION. **Sec. 532. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**  
9 **MARINE ENGINEERS' BENEFICIAL ASSOCIATION PORT ENGINEERS**

10 Puget Sound Ferry Operations Account—State Appropriation . . \$84,000

11 The appropriations in this section are subject to the following  
12 conditions and limitations: Funding is provided solely for  
13 eliminating the furlough days in the agreement reached with the  
14 marine engineers' beneficial association port engineers and approved  
15 in part V of this act. Expenditure of the amounts provided for this  
16 purpose is contingent upon execution of an appropriate memorandum of  
17 understanding between the governor or the governor's designee and the  
18 exclusive bargaining representative, consistent with the terms of  
19 this section. Appropriations for state agencies are increased by the  
20 amounts specified in LEAP Transportation Document 2021 -  
21 Compensation, dated April 23, 2021, to fund the provisions of this  
22 section upon execution of the memorandum of understanding.

23 NEW SECTION. **Sec. 533. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**  
24 **WASHINGTON FEDERATION OF STATE EMPLOYEES**

25 Motor Vehicle Account—State Appropriation . . . . . \$15,891,000  
26 Highway Safety Account—State Appropriation . . . . . \$4,111,000  
27 State Patrol Highway Account—State Appropriation . . . . . \$1,661,000  
28 Other Appropriated Funds . . . . . \$1,038,000  
29 TOTAL APPROPRIATION. . . . . \$22,701,000

30 The appropriations in this section are subject to the following  
31 conditions and limitations: Funding is provided solely for  
32 eliminating the furlough days in the agreement reached with the  
33 Washington federation of state employees and approved in part V of  
34 this act. Expenditure of the amounts provided for this purpose is  
35 contingent upon execution of an appropriate memorandum of  
36 understanding between the governor or the governor's designee and the  
37 exclusive bargaining representative, consistent with the terms of

1 this section. Appropriations for state agencies are increased by the  
2 amounts specified in LEAP Transportation Document 2021 -  
3 Compensation, dated April 23, 2021, to fund the provisions of this  
4 section upon execution of the memorandum of understanding.

5 NEW SECTION. **Sec. 534. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**  
6 **WASHINGTON PUBLIC EMPLOYEES ASSOCIATION GENERAL GOVERNMENT**

7	Motor Vehicle Account—State Appropriation . . . . .	\$88,000
8	State Patrol Highway Account—State Appropriation . . . . .	\$907,000
9	State Patrol Highway Account—Federal Appropriation . . . . .	\$68,000
10	TOTAL APPROPRIATION. . . . .	\$1,063,000

11 The appropriations in this section are subject to the following  
12 conditions and limitations: Funding is provided solely for  
13 eliminating the furlough days in the agreement reached with the  
14 Washington public employees association general government and  
15 approved in part V of this act. Expenditure of the amounts provided  
16 for this purpose is contingent upon execution of an appropriate  
17 memorandum of understanding between the governor or the governor's  
18 designee and the exclusive bargaining representative, consistent with  
19 the terms of this section. Appropriations for state agencies are  
20 increased by the amounts specified in LEAP Transportation Document  
21 2021 - Compensation, dated April 23, 2021, to fund the provisions of  
22 this section upon execution of the memorandum of understanding.

23 NEW SECTION. **Sec. 535. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**  
24 **PROFESSIONAL AND TECHNICAL EMPLOYEES LOCAL 17**

25	Motor Vehicle Account—State Appropriation . . . . .	\$2,105,000
26	Highway Safety Account—State Appropriation . . . . .	\$2,108,000
27	State Patrol Highway Account—State Appropriation . . . . .	\$918,000
28	Other Appropriated Funds . . . . .	\$802,000
29	TOTAL APPROPRIATION. . . . .	\$5,933,000

30 The appropriations in this section are subject to the following  
31 conditions and limitations: Funding is provided solely for  
32 eliminating the furlough days in the agreement reached with the  
33 professional and technical employees local 17 and approved in part V  
34 of this act. Expenditure of the amounts provided for this purpose is  
35 contingent upon execution of an appropriate memorandum of  
36 understanding between the governor or the governor's designee and the  
37 exclusive bargaining representative, consistent with the terms of

1 this section. Appropriations for state agencies are increased by the  
2 amounts specified in LEAP Transportation Document 2021 -  
3 Compensation, dated April 23, 2021, to fund the provisions of this  
4 section upon execution of the memorandum of understanding.

5 NEW SECTION. **Sec. 536. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**  
6 **THE COALITION OF UNIONS**

7 State Patrol Highway Account—State Appropriation . . . . .	\$212,000
8 State Patrol Highway Account—Federal Appropriation . . . . .	\$18,000
9 TOTAL APPROPRIATION. . . . .	\$230,000

10 The appropriations in this section are subject to the following  
11 conditions and limitations: Funding is provided solely for  
12 eliminating the furlough days in the agreement reached with the  
13 coalition of unions and approved in part V of this act. Expenditure  
14 of the amounts provided for this purpose is contingent upon execution  
15 of an appropriate memorandum of understanding between the governor or  
16 the governor's designee and the exclusive bargaining representative,  
17 consistent with the terms of this section. Appropriations for state  
18 agencies are increased by the amounts specified in LEAP  
19 Transportation Document 2021 - Compensation, dated April 23, 2021, to  
20 fund the provisions of this section upon execution of the memorandum  
21 of understanding.

22 NEW SECTION. **Sec. 537. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**  
23 **PUGET SOUND METAL TRADES COUNCIL**

24 Puget Sound Ferry Operations Account—State 25 Appropriation . . . . .	\$130,000
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26 The appropriations in this section are subject to the following  
27 conditions and limitations: Funding is provided solely for  
28 eliminating the general wage deduction in the agreement reached  
29 through an interest arbitration award with the Puget Sound metal  
30 trades council and approved in part V of this act. Expenditure of the  
31 amounts provided for this purpose is contingent upon execution of an  
32 appropriate memorandum of understanding between the governor or the  
33 governor's designee and the exclusive bargaining representative,  
34 consistent with the terms of this section. Appropriations for state  
35 agencies are increased by the amounts specified in LEAP  
36 Transportation Document 2021 - Compensation, dated April 23, 2021, to

1 fund the provisions of this section upon execution of the memorandum  
2 of understanding.

3 NEW SECTION.      **Sec. 538.      COLLECTIVE BARGAINING AGREEMENTS—**  
4 **ELIMINATING FURLOUGH DAYS**

5 Appropriations in this act provide sufficient funding to  
6 eliminate the furlough days required in the following collective  
7 bargaining agreements for the 2021-2023 biennium:

- 8 (1) Office and professional employees international union local  
9 8;
- 10 (2) Ferry agents, supervisors, and project administrators  
11 association;
- 12 (3) Service employees international union local 6;
- 13 (4) Pacific Northwest regional council of carpenters;
- 14 (5) Marine engineers' beneficial association port engineers;
- 15 (6) Masters, mates, and pilots - watch center supervisors;
- 16 (7) Inlandboatmen's union of the Pacific;
- 17 (8) Washington public employees association general government;
- 18 (9) Washington federation of state employees;
- 19 (10) Professional and technical employees local 17; and
- 20 (11) The coalition of unions.

21 Expenditure of the amounts provided for this purpose is  
22 contingent upon execution of an appropriate memorandum of  
23 understanding between the governor or the governor's designee and the  
24 exclusive bargaining representative, consistent with the terms of  
25 this section.

26 NEW SECTION.      **Sec. 539.      COLLECTIVE BARGAINING AGREEMENTS—**  
27 **ELIMINATING GENERAL WAGE DECREASE**

28 Appropriations in this act provide sufficient funding solely for  
29 the purpose of eliminating the 1.9 percent wage reduction from July  
30 1, 2021, to June 30, 2022, provided in the arbitration award for the  
31 Puget Sound metal trades council. Expenditure of the amounts provided  
32 for this purpose is contingent upon execution of an appropriate  
33 modification of the agreement between the governor or the governor's  
34 designee and the exclusive bargaining representative, consistent with  
35 the terms of this section.

36 NEW SECTION.      **Sec. 540.      FORGONE GENERAL WAGE INCREASES**



1 Appropriations in this act for state agencies, including  
2 institutions of higher education, are sufficient to provide a three  
3 percent or two percent general wage increase, effective July 1, 2021,  
4 for employees that were scheduled to receive a general wage increase  
5 of either of those amounts on July 1, 2020, that was forgone due to  
6 COVID-19 emergency.

7 **IMPLEMENTING PROVISIONS**

8 NEW SECTION. **Sec. 601. MANAGEMENT OF TRANSPORTATION FUNDS WHEN**  
9 **THE LEGISLATURE IS NOT IN SESSION**

10 (1) The 2005 transportation partnership projects or improvements  
11 and 2015 connecting Washington projects or improvements are listed in  
12 the LEAP Transportation Document 2021-1 as developed April 23, 2021,  
13 which consists of a list of specific projects by fund source and  
14 amount over a sixteen-year period. Current fiscal biennium funding  
15 for each project is a line-item appropriation, while the outer year  
16 funding allocations represent a sixteen-year plan. The department of  
17 transportation is expected to use the flexibility provided in this  
18 section to assist in the delivery and completion of all  
19 transportation partnership account and connecting Washington account  
20 projects on the LEAP transportation document referenced in this  
21 subsection. For the 2021-2023 project appropriations, unless  
22 otherwise provided in this act, the director of the office of  
23 financial management may provide written authorization for a transfer  
24 of appropriation authority between projects funded with  
25 transportation partnership account appropriations or connecting  
26 Washington account appropriations to manage project spending and  
27 efficiently deliver all projects in the respective program under the  
28 following conditions and limitations:

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

31 (b) Transfers from a project may not be made as a result of the  
32 reduction of the scope of a project or be made to support increases  
33 in the scope of a project;

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

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

1 (e) Transfers to a project may not occur if that project is a  
2 programmatic funding item described in broad general terms on the  
3 applicable project list without referencing a specific state route  
4 number;

5 (f) Transfers may not be made while the legislature is in  
6 session;

7 (g) Transfers to a project may not be made with funds designated  
8 as attributable to practical design savings as described in RCW  
9 47.01.480;

10 (h) Except for transfers made under (l) of this subsection,  
11 transfers may only be made in fiscal year 2023;

12 (i) The total amount of transfers under this section may not  
13 exceed \$50,000,000;

14 (j) Except as otherwise provided in (l) of this subsection,  
15 transfers made to a single project may not cumulatively total more  
16 than \$20,000,000 per biennium;

17 (k) Each transfer between projects may only occur if the director  
18 of the office of financial management finds that any resulting change  
19 will not hinder the completion of the projects as approved by the  
20 legislature; and

21 (l) Transfers between projects may be made by the department of  
22 transportation without the formal written approval provided under  
23 this subsection (1), provided that the transfer amount to a single  
24 project does not exceed two hundred fifty thousand dollars or ten  
25 percent of the total project per biennium, whichever is less. These  
26 transfers must be reported quarterly to the director of the office of  
27 financial management and the chairs of the house of representatives  
28 and senate transportation committees.

29 (2) The department of transportation must submit quarterly all  
30 transfers authorized under this section in the transportation  
31 executive information system. The office of financial management must  
32 maintain a legislative baseline project list identified in the LEAP  
33 transportation documents referenced in this act, and update that  
34 project list with all authorized transfers under this section,  
35 including any effects to the total project budgets and schedules  
36 beyond the current biennium.

37 (3) At the time the department submits a request to transfer  
38 funds under this section, a copy of the request must be submitted to  
39 the chairs and ranking members of the transportation committees of  
40 the legislature.

1 (4) Before approval, the office of financial management shall  
2 work with legislative staff of the house of representatives and  
3 senate transportation committees to review the requested transfers in  
4 a timely manner and address any concerns raised by the chairs and  
5 ranking members of the transportation committees.

6 (5) No fewer than ten days after the receipt of a project  
7 transfer request, the director of the office of financial management  
8 must provide written notification to the department of any decision  
9 regarding project transfers, with copies submitted to the  
10 transportation committees of the legislature.

11 (6) The department must submit annually as part of its budget  
12 submittal a report detailing all transfers made pursuant to this  
13 section, including any effects to the total project budgets and  
14 schedules beyond the current biennium.

15 (7)(a) If the department of transportation receives federal  
16 funding not appropriated in this act, the department shall apply such  
17 funds to any of the following activities in lieu of state funds, if  
18 compliant with federal funding restrictions, and in the order that  
19 most reduces administrative burden and minimizes the use of bond  
20 proceeds:

21 (i) Projects on LEAP Transportation Document 2021-2 ALL PROJECTS  
22 as developed April 23, 2021; or

23 (ii) Other department of transportation operating or capital  
24 expenditures funded by appropriations from state accounts in this  
25 act.

26 (b) However, if the funds received may not be used for any of the  
27 purposes enumerated in this section and must be obligated before the  
28 next regular legislative session, then the department may program the  
29 funds for other transportation-related activities, provided that  
30 these actions do not initiate any new programs, policies, or  
31 expenditure levels requiring additional one-time or ongoing state  
32 funds that have not been expressly authorized by the legislature. The  
33 department shall follow the existing unanticipated receipt process to  
34 notify the legislative standing committees on transportation and the  
35 office of financial management of the amount of federal funds  
36 received in addition to those appropriated in this act and the  
37 projects or activities receiving funding through this process.

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

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

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

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

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

22 (1) As part of its 2022 supplemental budget submittal, the  
23 department of transportation shall provide a report to the  
24 legislature and the office of financial management that:

25 (a) Identifies, by capital project, the amount of state funding  
26 that has been reappropriated from the 2019-2021 fiscal biennium into  
27 the 2021-2023 fiscal biennium; and

28 (b) Identifies, for each project, the amount of cost savings or  
29 increases in funding that have been identified as compared to the  
30 2017 enacted omnibus transportation appropriations act.

31 (2) As part of the agency request for capital programs, the  
32 department shall load reappropriations separately from funds that  
33 were assumed to be required for the 2021-2023 fiscal biennium into  
34 budgeting systems.

35 NEW SECTION. **Sec. 605. WEBSITE REPORTING REQUIREMENTS**

36 (1) The department of transportation shall post on its website  
37 every report that is due from the department to the legislature

1 during the 2021-2023 fiscal biennium on one web page. The department  
2 must post both completed reports and planned reports on a single web  
3 page.

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

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

9 (1) By November 15th of each year, the department of  
10 transportation must report on amounts expended to benefit transit,  
11 bicycle, or pedestrian elements within all connecting Washington  
12 projects in programs I, P, and Z identified in LEAP Transportation  
13 Document 2021-2 ALL PROJECTS as developed April 23, 2021. The report  
14 must address each modal category separately and identify if  
15 eighteenth amendment protected funds have been used and, if not, the  
16 source of funding.

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

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

22 (1) During the 2021-2023 fiscal biennium, while the legislature  
23 is not in session, the director of the office of financial management  
24 may approve project scope change requests to connecting Washington  
25 projects in the highway improvements program, provided that the  
26 requests meet the criteria outlined in RCW 47.01.480 and are subject  
27 to the limitations in this section.

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

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

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

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

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

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

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

15 **MISCELLANEOUS 2021-2023 FISCAL BIENNIUM**

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

17 (1) Agencies must apply to the office of financial management and  
18 the office of the state chief information officer for approval before  
19 beginning a project or proceeding with each discrete stage of a  
20 project subject to this section. At each stage, the office of the  
21 state chief information officer must certify that the project has an  
22 approved technology budget and investment plan, complies with state  
23 information technology and security requirements, and other policies  
24 defined by the office of the state chief information officer. The  
25 office of financial management must notify the fiscal committees of  
26 the legislature of the receipt of each application and may not  
27 approve a funding request for ten business days from the date of  
28 notification.

29 (2) (a) Each project must have a technology budget. The technology  
30 budget must have the detail by fiscal month for the 2021-2023 fiscal  
31 biennium. The technology budget must use a method similar to the  
32 state capital budget, identifying project costs, each fund source,  
33 and anticipated deliverables through each stage of the entire project  
34 investment and across fiscal periods and biennia from project onset  
35 through implementation and close out, as well as at least five years  
36 of maintenance and operations costs.

1 (b) As part of the development of a technology budget and at each  
2 request for funding, the agency shall submit an updated technology  
3 budget, if changes occurred, to include detailed financial  
4 information to the office of financial management and the office of  
5 the chief information officer. The technology budget must describe  
6 the total cost of the project, as well as maintenance and operations  
7 costs, to include and identify at least:

8 (i) Fund sources;

9 (ii) Full time equivalent staffing level to include job  
10 classification assumptions;

11 (iii) Discrete financial budget codes to include at least the  
12 appropriation index and program index;

13 (iv) Object and subobject codes of expenditures;

14 (v) Anticipated deliverables;

15 (vi) Historical budget and expenditure detail by fiscal year; and

16 (vii) Maintenance and operations costs by fiscal year for at  
17 least five years as a separate worksheet.

18 (c) If a project technology budget changes and a revised  
19 technology budget is completed, a comparison of the revised  
20 technology budget to the last approved technology budget must be  
21 posted to the dashboard, to include a narrative rationale on what  
22 changed, why, and how that impacts the project in scope, budget, and  
23 schedule.

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

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

27 (ii) The office of the chief information officer staff assigned  
28 to the project;

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

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

35 (v) Ongoing maintenance and operations cost of the project post  
36 implementation and close out delineated by agency staffing,  
37 contracted staffing, and service level agreements; and

38 (vi) Financial budget coding to include at least discrete  
39 financial coding for the project.

1 (4) Projects with estimated costs greater than \$100,000,000 from  
2 initiation to completion and implementation may be divided into  
3 discrete subprojects as determined by the office of the state chief  
4 information officer. Each subproject must have a technology budget  
5 and investment plan as provided in this section.

6 (5) (a) The office of the chief information officer shall maintain  
7 an information technology project dashboard that provides updated  
8 information each fiscal month on projects subject to this section.  
9 This includes, at least:

10 (i) Project changes each fiscal month;

11 (ii) Noting if the project has a completed market requirements  
12 document, and when it was completed;

13 (iii) Financial status of information technology projects under  
14 oversight;

15 (iv) Coordination with agencies;

16 (v) Monthly quality assurance reports, if applicable;

17 (vi) Monthly office of the chief information officer status  
18 reports;

19 (vii) Historical project budget and expenditures through fiscal  
20 year 2021;

21 (viii) Budget and expenditures each fiscal month;

22 (ix) Estimated annual maintenance and operations costs by fiscal  
23 year; and

24 (x) Posting monthly project status assessments on scope,  
25 schedule, budget, and overall by the:

26 (A) Office of the chief information officer;

27 (B) Agency project team; and

28 (C) Quality assurance vendor, if applicable to the project.

29 (b) The dashboard must retain a roll up of the entire project  
30 cost, including all subprojects, that can display subproject detail.  
31 This includes coalition projects that are active.

32 (6) If the project affects more than one agency:

33 (a) A separate technology budget and investment plan must be  
34 prepared for each agency; and

35 (b) The dashboard must contain a statewide project technology  
36 budget roll up that includes each affected agency at the subproject  
37 level.

38 (7) For any project that exceeds \$2,000,000 in total funds to  
39 complete, requires more than one biennium to complete, or is financed  
40 through financial contracts, bonds, or other indebtedness:



1 (a) Quality assurance for the project must report independently  
2 to the office of the chief information officer;

3 (b) The office of the chief information officer must review, and,  
4 if necessary, revise the proposed project to ensure it is flexible  
5 and adaptable to advances in technology;

6 (c) The technology budget must specifically identify the uses of  
7 any financing proceeds. No more than 30 percent of the financing  
8 proceeds may be used for payroll-related costs for state employees  
9 assigned to project management, installation, testing, or training;

10 (d) The agency must consult with the office of the state  
11 treasurer during the competitive procurement process to evaluate  
12 early in the process whether products and services to be solicited  
13 and the responsive bids from a solicitation may be financed; and

14 (e) The agency must consult with the contracting division of the  
15 department of enterprise services for a review of all contracts and  
16 agreements related to the project's information technology  
17 procurements.

18 (8) The office of the chief information officer must evaluate the  
19 project at each stage and certify whether the project is planned,  
20 managed, and meeting deliverable targets as defined in the project's  
21 approved technology budget and investment plan.

22 (9) The office of the chief information officer may suspend or  
23 terminate a project at any time if it determines that the project is  
24 not meeting or not expected to meet anticipated performance and  
25 technology outcomes. Once suspension or termination occurs, the  
26 agency shall unallot any unused funding and shall not make any  
27 expenditure for the project without the approval of the office of  
28 financial management. The office of the chief information officer  
29 must report on July 1st and December 1st each calendar year any  
30 suspension or termination of a project in the previous six-month  
31 period to the legislative fiscal committees.

32 (10) The office of the chief information officer, in consultation  
33 with the office of financial management, may identify additional  
34 projects to be subject to this section, including projects that are  
35 not separately identified within an agency budget. The office of the  
36 chief information officer must report on July 1st and December 1st  
37 each calendar year any additional projects to be subjected to this  
38 section that were identified in the previous six-month period to the  
39 legislative fiscal committees.

1 (11) The following transportation projects are subject to the  
2 conditions, limitations, and review provided in this section:

3 (a) For the Washington state patrol: Aerial criminal  
4 investigation tools;

5 (b) For the department of licensing: Website accessibility and  
6 usability; and

7 (c) For the department of transportation: Maintenance management  
8 system, land mobile radio system replacement, new csc system and  
9 operator, PROPEL - WSDOT support of one Washington, and capital  
10 systems replacement.

11 NEW SECTION. **Sec. 702. ACQUISITION OF PROPERTIES AND FACILITIES**  
12 **THROUGH FINANCIAL CONTRACTS**

13 (1) The department of transportation is authorized, subject to  
14 the conditions in section 305(2) of this act, to enter into a  
15 financing contract pursuant to chapter 39.94 RCW through the state  
16 treasurer's lease-purchase program for the purposes indicated. The  
17 department may use any funds, appropriated or nonappropriated, in not  
18 more than the principal amounts indicated, plus financing expenses  
19 and required reserves, if any. Expenditures made by the department of  
20 transportation for the indicated purposes before the issue date of  
21 the authorized financing contract and any certificates of  
22 participation therein may be reimbursed from proceeds of the  
23 financing contract and any certificates of participation therein to  
24 the extent provided in the agency's financing plan approved by the  
25 state finance committee.

26 (2) Department of transportation: Enter into a financing contract  
27 for up to \$32,500,000 plus financing expenses and required reserves  
28 pursuant to chapter 39.94 RCW to renovate the existing office  
29 building at 15700 Dayton Ave N, Shoreline. If the department of  
30 transportation has entered into a financing agreement for the  
31 purposes specified in this subsection prior to June 30, 2021, this  
32 subsection has no force and effect.

33 **Sec. 703.** RCW 43.19.642 and 2019 c 416 s 703 are each amended to  
34 read as follows:

35 (1) Effective June 1, 2006, for agencies complying with the  
36 ultra-low sulfur diesel mandate of the United States environmental  
37 protection agency for on-highway diesel fuel, agencies shall use  
38 biodiesel as an additive to ultra-low sulfur diesel for lubricity,

1 provided that the use of a lubricity additive is warranted and that  
2 the use of biodiesel is comparable in performance and cost with other  
3 available lubricity additives. The amount of biodiesel added to the  
4 ultra-low sulfur diesel fuel shall be not less than two percent.

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

10 (3) All state agencies using biodiesel fuel shall, beginning on  
11 July 1, 2016, file annual reports with the department of enterprise  
12 services documenting the use of the fuel and a description of how any  
13 problems encountered were resolved.

14 (4) By December 1, 2009, the department of enterprise services  
15 shall:

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

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

21 (5) During the (~~2017-2019 and~~) 2019-2021 and 2021-2023 fiscal  
22 biennia, the Washington state ferries is required to use a minimum of  
23 five percent biodiesel as compared to total volume of all diesel  
24 purchases made by the Washington state ferries for the operation of  
25 the Washington state ferries diesel-powered vessels, as long as the  
26 price of a B5 or B10 biodiesel blend does not exceed the price of  
27 conventional diesel fuel by five percent or more.

28 **Sec. 704.** RCW 46.20.745 and 2019 c 416 s 704 are each amended to  
29 read as follows:

30 (1) The ignition interlock device revolving account program is  
31 created within the department to assist in covering the monetary  
32 costs of installing, removing, and leasing an ignition interlock  
33 device, and applicable licensing, for indigent persons who are  
34 required under RCW 46.20.385, 46.20.720, and 46.61.5055 to install an  
35 ignition interlock device in all vehicles owned or operated by the  
36 person. For purposes of this subsection, "indigent" has the same  
37 meaning as in RCW 10.101.010, as determined by the department. During  
38 the 2019-2021 and 2021-2023 fiscal (~~biennium~~) biennia, the ignition

1 interlock device revolving account program also includes ignition  
2 interlock enforcement work conducted by the Washington state patrol.

3 (2) A pilot program is created within the ignition interlock  
4 device revolving account program for the purpose of monitoring  
5 compliance by persons required to use ignition interlock devices and  
6 by ignition interlock companies and vendors.

7 (3) The department, the state patrol, and the Washington traffic  
8 safety commission shall coordinate to establish a compliance pilot  
9 program that will target at least one county from eastern Washington  
10 and one county from western Washington, as determined by the  
11 department, state patrol, and Washington traffic safety commission.

12 (4) At a minimum, the compliance pilot program shall:

13 (a) Review the number of ignition interlock devices that are  
14 required to be installed in the targeted county and the number of  
15 ignition interlock devices actually installed;

16 (b) Work to identify those persons who are not complying with  
17 ignition interlock requirements or are repeatedly violating ignition  
18 interlock requirements; and

19 (c) Identify ways to track compliance and reduce noncompliance.

20 (5) As part of monitoring compliance, the Washington traffic  
21 safety commission shall also track recidivism for violations of RCW  
22 46.61.502 and 46.61.504 by persons required to have an ignition  
23 interlock driver's license under RCW 46.20.385 and 46.20.720.

24 **Sec. 705.** RCW 82.21.030 and 2020 c 20 s 1483 are each amended to  
25 read as follows:

26 (1)(a) A tax is imposed on the privilege of possession of  
27 hazardous substances in this state. Except as provided in (b) of this  
28 subsection, the rate of the tax is seven-tenths of one percent  
29 multiplied by the wholesale value of the substance. Moneys collected  
30 under this subsection (1)(a) must be deposited in the model toxics  
31 control capital account.

32 (b) Beginning July 1, 2019, the rate of the tax on petroleum  
33 products is one dollar and nine cents per barrel. The tax collected  
34 under this subsection (1)(b) on petroleum products must be deposited  
35 as follows, after first depositing the tax as provided in (c) of this  
36 subsection ((1)), except that during the 2021-2023 biennium the  
37 deposit as provided in (c) of this subsection may be prorated equally  
38 across each month of the biennium:

1 (i) Sixty percent to the model toxics control operating account  
2 created under RCW 70A.305.180;

3 (ii) Twenty-five percent to the model toxics control capital  
4 account created under RCW 70A.305.190; and

5 (iii) Fifteen percent to the model toxics control stormwater  
6 account created under RCW 70A.305.200.

7 (c) Until the beginning of the ensuing biennium after the  
8 enactment of an additive transportation funding act, fifty million  
9 dollars per biennium to the motor vehicle fund to be used exclusively  
10 for transportation stormwater activities and projects. For purposes  
11 of this subsection, "additive transportation funding act" means an  
12 act in which the combined total of new revenues deposited into the  
13 motor vehicle fund and the multimodal transportation account exceed  
14 two billion dollars per biennium attributable solely to an increase  
15 in revenue from the enactment of the act.

16 (d) The department must compile a list of petroleum products that  
17 are not easily measured on a per barrel basis. Petroleum products  
18 identified on the list are subject to the rate under (a) of this  
19 subsection in lieu of the volumetric rate under (b) of this  
20 subsection. The list will be made in a form and manner prescribed by  
21 the department and must be made available on the department's  
22 internet website. In compiling the list, the department may accept  
23 technical assistance from persons that sell, market, or distribute  
24 petroleum products and consider any other resource the department  
25 finds useful in compiling the list.

26 (2) Chapter 82.32 RCW applies to the tax imposed in this chapter.  
27 The tax due dates, reporting periods, and return requirements  
28 applicable to chapter 82.04 RCW apply equally to the tax imposed in  
29 this chapter.

30 (3) Beginning July 1, 2020, and every July 1st thereafter, the  
31 rate specified in subsection (1)(b) of this section must be adjusted  
32 to reflect the percentage change in the implicit price deflator for  
33 nonresidential structures as published by the United States  
34 department of commerce, bureau of economic analysis for the most  
35 recent twelve-month period ending December 31st of the prior year.

36 **Sec. 706.** RCW 46.68.060 and 2019 c 416 s 705 are each amended to  
37 read as follows:

38 There is hereby created in the state treasury a fund to be known  
39 as the highway safety fund to the credit of which must be deposited

1 all moneys directed by law to be deposited therein. This fund must be  
2 used for carrying out the provisions of law relating to driver  
3 licensing, driver improvement, financial responsibility, cost of  
4 furnishing abstracts of driving records and maintaining such case  
5 records, and to carry out the purposes set forth in RCW 43.59.010,  
6 and chapters 46.72 and 46.72A RCW. During the 2013-2015 and 2015-2017  
7 fiscal biennia, the legislature may transfer from the highway safety  
8 fund to the Puget Sound ferry operations account, the motor vehicle  
9 fund, and the multimodal transportation account such amounts as  
10 reflect the excess fund balance of the highway safety fund. During  
11 the ~~((and the))~~ 2017-2019, 2019-2021, and 2021-2023 fiscal biennia,  
12 the legislature may direct the state treasurer to make transfers of  
13 moneys in the highway safety fund to the multimodal transportation  
14 account and the state patrol highway account.

15 **Sec. 707.** RCW 47.12.370 and 2003 c 187 s 1 are each amended to  
16 read as follows:

17 (1) The department may enter into exchange agreements with local,  
18 state, or federal agencies, tribal governments, or private nonprofit  
19 nature conservancy corporations as defined in RCW 64.04.130, to  
20 convey properties under the jurisdiction of the department that serve  
21 as environmental mitigation sites, as full or part consideration for  
22 the grantee assuming all future maintenance and operation obligations  
23 and costs required to maintain and operate the environmental  
24 mitigation site in perpetuity.

25 (2) ~~((Tribal))~~ (a) Except as provided in (b) of this subsection,  
26 tribal governments shall only be eligible to participate in an  
27 exchange agreement if they:

28 ~~((a))~~ (i) Provide the department with a valid waiver of their  
29 tribal sovereign immunity from suit. The waiver must allow the  
30 department to enforce the terms of the exchange agreement or  
31 quitclaim deed in state court; and

32 ~~((b))~~ (ii) Agree that the property shall not be placed into  
33 trust status.

34 (b) During the 2021-2023 fiscal biennium, the restrictions in (a)  
35 of this subsection do not apply to any exchange agreement with a  
36 tribal government for the acquisition of real property required by  
37 the department for the SR 167/SR 509 Puget Sound Gateway project.

38 (3) The conveyances must be by quitclaim deed, or other form of  
39 conveyance, executed by the secretary of transportation, and must

1 expressly restrict the use of the property to a mitigation site  
2 consistent with preservation of the functions and values of the site,  
3 and must provide for the automatic reversion to the department if the  
4 property is not used as a mitigation site or is not maintained in a  
5 manner that complies with applicable permits, laws, and regulations  
6 pertaining to the maintenance and operation of the mitigation site.

7 **Sec. 708.** RCW 46.68.325 and 2019 c 416 s 708 are each amended to  
8 read as follows:

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

13 (2) Beginning September 2011, by the last day of September,  
14 December, March, and June of each year, the state treasurer shall  
15 transfer from the multimodal transportation account to the rural  
16 mobility grant program account two million five hundred thousand  
17 dollars.

18 (3) During the 2015-2017 fiscal biennium, the legislature may  
19 transfer from the rural mobility grant program account to the  
20 multimodal transportation account such amounts as reflect the excess  
21 fund balance of the rural mobility grant program account.

22 (4) During the 2017-2019 (~~and the~~), 2019-2021, and 2021-2023  
23 fiscal biennia, the legislature may direct the state treasurer to  
24 make transfers of moneys in the rural mobility grant program account  
25 to the multimodal transportation account.

26 **Sec. 709.** RCW 47.56.876 and 2019 c 416 s 710 are each amended to  
27 read as follows:

28 A special account to be known as the state route number 520 civil  
29 penalties account is created in the state treasury. All state route  
30 number 520 bridge replacement and HOV program civil penalties  
31 generated from the nonpayment of tolls on the state route number 520  
32 corridor must be deposited into the account, as provided under RCW  
33 47.56.870(4)(b)(vii). Moneys in the account may be spent only after  
34 appropriation. Expenditures from the account may be used to fund any  
35 project within the state route number 520 bridge replacement and HOV  
36 program, including mitigation. During the 2013-2015 and 2015-2017  
37 fiscal biennia, the legislature may transfer from the state route  
38 number 520 civil penalties account to the state route number 520

1 corridor account such amounts as reflect the excess fund balance of  
2 the state route number 520 civil penalties account. Funds transferred  
3 must be used solely for capital expenditures for the state route  
4 number 520 bridge replacement and HOV project. During the 2017-2019  
5 and the 2019-2021 fiscal biennia, the legislature may direct the  
6 state treasurer to make transfers of moneys in the state route number  
7 520 civil penalties account to the state route number 520 corridor  
8 account. During the 2021-2023 fiscal biennium, the legislature may  
9 direct the state treasurer to transfer moneys in the state route  
10 number 520 civil penalties account to the motor vehicle account.

11 **Sec. 710.** RCW 46.68.370 and 2019 c 416 s 713 are each amended to  
12 read as follows:

13 The license plate technology account is created in the state  
14 treasury. All receipts collected under RCW 46.17.015 must be  
15 deposited into this account. Expenditures from this account must  
16 support current and future license plate technology and systems  
17 integration upgrades for both the department and correctional  
18 industries. Moneys in the account (~~((fund))~~) may be spent only after  
19 appropriation. Additionally, the moneys in this account may be used  
20 to reimburse the motor vehicle account for any appropriation made to  
21 implement the digital license plate system. During the 2011-2013 and  
22 2013-2015 fiscal biennia, the legislature may transfer from the  
23 license plate technology account to the highway safety (~~((account~~  
24 ~~fund))~~) fund such amounts as reflect the excess fund balance of the  
25 license plate technology account. During the 2019-2021 (~~((biennium))~~)  
26 and 2021-2023 biennia, the account may also be used for the  
27 maintenance of recently modernized information technology systems for  
28 vehicle registrations.

29 **Sec. 711.** RCW 46.68.300 and 2019 c 416 s 714 are each amended to  
30 read as follows:

31 The freight mobility investment account is hereby created in the  
32 state treasury. Money in the account may be spent only after  
33 appropriation. Expenditures from the account may be used only for  
34 freight mobility projects that have been approved by the freight  
35 mobility strategic investment board in RCW 47.06A.020 and may include  
36 any principal and interest on bonds authorized for the projects or  
37 improvements. During the 2019-2021 and 2021-2023 fiscal (~~((biennium))~~)  
38 biennia, the expenditures from the account may also be used for the



1 administrative expenses of the freight mobility strategic investment  
2 board.

3 **Sec. 712.** RCW 47.60.322 and 2019 c 416 s 716 are each amended to  
4 read as follows:

5 (1) The capital vessel replacement account is created in the  
6 motor vehicle fund. All revenues generated from the vessel  
7 replacement surcharge under RCW 47.60.315(7) and service fees  
8 collected by the department of licensing or county auditor or other  
9 agent appointed by the director under RCW 46.17.040, 46.17.050, and  
10 46.17.060 must be deposited into the account. Moneys in the account  
11 may be spent only after appropriation. Expenditures from the account  
12 may be used only for the construction or purchase of ferry vessels  
13 and to pay the principal and interest on bonds authorized for the  
14 construction or purchase of ferry vessels. However, expenditures from  
15 the account must first be used to support the construction or  
16 purchase, including any applicable financing costs, of a ferry vessel  
17 with a carrying capacity of at least one hundred forty-four cars.

18 (2) The state treasurer may transfer moneys from the capital  
19 vessel replacement account to the transportation 2003 account (nickel  
20 account) for debt service on bonds issued for the construction of  
21 144-car class ferry vessels.

22 (3) The legislature may transfer from the capital vessel  
23 replacement account to the connecting Washington account created  
24 under RCW 46.68.395 such amounts as reflect the excess fund balance  
25 of the capital vessel replacement account to be used for ferry  
26 terminal construction and preservation.

27 (4) During the 2019-2021 and 2021-2023 fiscal (~~biennium~~)  
28 biennia, the legislature may direct the state treasurer to make  
29 transfers of moneys in the capital vessel replacement account to the  
30 transportation partnership account and the connecting Washington  
31 account.

32 **Sec. 713.** RCW 46.68.290 and 2020 c 219 s 705 are each amended to  
33 read as follows:

34 (1) The transportation partnership account is hereby created in  
35 the state treasury. All distributions to the account from RCW  
36 46.68.090 must be deposited into the account. Money in the account  
37 may be spent only after appropriation. Expenditures from the account  
38 must be used only for projects or improvements identified as 2005

1 transportation partnership projects or improvements in the omnibus  
2 transportation appropriations act, including any principal and  
3 interest on bonds authorized for the projects or improvements.

4 (2) The legislature finds that:

5 (a) Citizens demand and deserve accountability of transportation-  
6 related programs and expenditures. Transportation-related programs  
7 must continuously improve in quality, efficiency, and effectiveness  
8 in order to increase public trust;

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

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

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

17 (a) "Performance audit" means an objective and systematic  
18 assessment of a state agency or agencies or any of their programs,  
19 functions, or activities by the state auditor or designee in order to  
20 help improve agency efficiency, effectiveness, and accountability.  
21 Performance audits include economy and efficiency audits and program  
22 audits.

23 (b) "Transportation-related agency" means any state agency,  
24 board, or commission that receives funding primarily for  
25 transportation-related purposes. At a minimum, the department of  
26 transportation, the transportation improvement board or its successor  
27 entity, the county road administration board or its successor entity,  
28 and the traffic safety commission are considered transportation-  
29 related agencies. The Washington state patrol and the department of  
30 licensing shall not be considered transportation-related agencies  
31 under chapter 314, Laws of 2005.

32 (4) Within the authorities and duties under chapter 43.09 RCW,  
33 the state auditor shall establish criteria and protocols for  
34 performance audits. Transportation-related agencies shall be audited  
35 using criteria that include generally accepted government auditing  
36 standards as well as legislative mandates and performance objectives  
37 established by state agencies. Mandates include, but are not limited  
38 to, agency strategies, timelines, program objectives, and mission and  
39 goals as required in RCW 43.88.090.

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

5 (6) The audits may include:

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

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

11 (c) Analysis of gaps and overlaps in programs and services and  
12 recommendations for improving, dropping, blending, or separating  
13 functions to correct gaps or overlaps;

14 (d) Analysis and recommendations for pooling information  
15 technology systems used within the transportation-related agency, and  
16 evaluation of information processing and telecommunications policy,  
17 organization, and management;

18 (e) Analysis of the roles and functions of the transportation-  
19 related agency, its programs, and its services and their compliance  
20 with statutory authority and recommendations for eliminating or  
21 changing those roles and functions and ensuring compliance with  
22 statutory authority;

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

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

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

32 (i) Identification and recognition of best practices;

33 (j) Evaluation of planning, budgeting, and program evaluation  
34 policies and practices;

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

36 (l) Evaluation of purchasing operations and management policies  
37 and practices;

38 (m) Evaluation of organizational structure and staffing levels,  
39 particularly in terms of the ratio of managers and supervisors to  
40 nonmanagement personnel; and

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

4 (7) Within the authorities and duties under chapter 43.09 RCW,  
5 the state auditor must provide the preliminary performance audit  
6 reports to the audited state agency for comment. The auditor also may  
7 seek input on the preliminary report from other appropriate  
8 officials. Comments must be received within thirty days after receipt  
9 of the preliminary performance audit report unless a different time  
10 period is approved by the state auditor. The final performance audit  
11 report shall include the objectives, scope, and methodology; the  
12 audit results, including findings and recommendations; the agency's  
13 response and conclusions; and identification of best practices.

14 (8) The state auditor shall provide final performance audit  
15 reports to the citizens of Washington, the governor, the joint  
16 legislative audit and review committee, the appropriate legislative  
17 committees, and other appropriate officials. Final performance audit  
18 reports shall be posted on the internet.

19 (9) The audited transportation-related agency is responsible for  
20 follow-up and corrective action on all performance audit findings and  
21 recommendations. The audited agency's plan for addressing each audit  
22 finding and recommendation shall be included in the final audit  
23 report. The plan shall provide the name of the contact person  
24 responsible for each action, the action planned, and the anticipated  
25 completion date. If the audited agency does not agree with the audit  
26 findings and recommendations or believes action is not required, then  
27 the action plan shall include an explanation and specific reasons.

28 The office of financial management shall require periodic  
29 progress reports from the audited agency until all resolution has  
30 occurred. The office of financial management is responsible for  
31 achieving audit resolution. The office of financial management shall  
32 annually report by December 31st the status of performance audit  
33 resolution to the appropriate legislative committees and the state  
34 auditor. The legislature shall consider the performance audit results  
35 in connection with the state budget process.

36 The auditor may request status reports on specific audits or  
37 findings.

38 (10) For the period from July 1, 2005, until June 30, 2007, the  
39 amount of \$4,000,000 is appropriated from the transportation

1 partnership account to the state auditors office for the purposes of  
2 subsections (2) through (9) of this section.

3 (11) During the 2015-2017 fiscal biennium, the legislature may  
4 transfer from the transportation partnership account to the  
5 connecting Washington account such amounts as reflect the excess fund  
6 balance of the transportation partnership account.

7 (12) During (~~the 2017-2019 and~~) the 2019-2021 and 2021-2023  
8 fiscal biennia, the legislature may direct the state treasurer to  
9 make transfers of moneys in the transportation partnership account to  
10 the connecting Washington account, the motor vehicle fund, the Tacoma  
11 Narrows toll bridge account, and the capital vessel replacement  
12 account.

13 **Sec. 714.** RCW 46.68.063 and 2019 c 416 s 712 are each amended to  
14 read as follows:

15 The department of licensing technology improvement and data  
16 management account is created in the highway safety fund. All  
17 receipts from fees collected under RCW 46.12.630(5) must be deposited  
18 into the account. Expenditures from the account may be used only for  
19 investments in technology and data management at the department.  
20 During the 2019-2021 (~~biennium~~) and 2021-2023 biennia, the account  
21 may also be used for responding to public records requests. Moneys in  
22 the account may be spent only after appropriation.

23 **Sec. 715.** RCW 47.60.530 and 2017 c 313 s 714 are each amended to  
24 read as follows:

25 (1) The Puget Sound ferry operations account is created in the  
26 motor vehicle fund.

27 (2) The following funds must be deposited into the account:

28 (a) All moneys directed by law;

29 (b) All revenues generated from ferry fares; and

30 (c) All revenues generated from commercial advertising,  
31 concessions, parking, and leases as allowed under RCW 47.60.140.

32 (3) Moneys in the account may be spent only after appropriation.

33 (4) Expenditures from the account may be used only for the  
34 maintenance, administration, and operation of the Washington state  
35 ferry system.

36 (5) During the 2015-2017 fiscal biennium, the legislature may  
37 transfer from the Puget Sound ferry operations account to the

1 connecting Washington account such amounts as reflect the excess fund  
2 balance of the Puget Sound ferry operations account.

3 (6) During the 2017-2019 fiscal biennium, the legislature may  
4 direct the state treasurer to make transfers of moneys in the Puget  
5 Sound ferry operations account to the connecting Washington account.

6 (7) During the 2021-2023 fiscal biennium, the legislature may  
7 direct the state treasurer to make transfers of moneys in the Puget  
8 Sound ferry operations account to the Puget Sound capital  
9 construction account.

10 **Sec. 716.** RCW 47.60.315 and 2019 c 431 s 3 are each amended to  
11 read as follows:

12 (1) The commission shall adopt fares and pricing policies by  
13 rule, under chapter 34.05 RCW, according to the following schedule:

14 (a) Each year the department shall provide the commission a  
15 report of its review of fares and pricing policies, with  
16 recommendations for the revision of fares and pricing policies for  
17 the ensuing year;

18 (b) By September 1st of each year, beginning in 2008, the  
19 commission shall adopt by rule fares and pricing policies for the  
20 ensuing year.

21 (2) The commission may adopt by rule fares that are effective for  
22 more or less than one year for the purposes of transitioning to the  
23 fare schedule in subsection (1) of this section.

24 (3) The commission may increase ferry fares included in the  
25 schedule of charges adopted under this section by a percentage that  
26 exceeds the fiscal growth factor.

27 (4) The chief executive officer of the ferry system may authorize  
28 the use of promotional, discounted, and special event fares to the  
29 general public and commercial enterprises for the purpose of  
30 maximizing capacity use and the revenues collected by the ferry  
31 system. The department shall report to the commission a summary of  
32 the promotional, discounted, and special event fares offered during  
33 each fiscal year and the financial results from these activities.

34 (5) Fare revenues and other revenues deposited in the Puget Sound  
35 ferry operations account created in RCW 47.60.530 may not be used to  
36 support the Puget Sound capital construction account created in RCW  
37 47.60.505, unless the support for capital is separately identified in  
38 the fare or except as provided in section 715 of this act during the  
39 2021-2023 biennium.

1 (6) The commission may not raise fares until the fare rules  
2 contain pricing policies developed under RCW 47.60.290, or September  
3 1, 2009, whichever is later.

4 (7) The commission shall impose a vessel replacement surcharge of  
5 twenty-five cents on every one-way and round-trip ferry fare sold,  
6 including multiride and monthly pass fares. This surcharge must be  
7 clearly indicated to ferry passengers and drivers and, if possible,  
8 on the fare media itself.

9 (8) Except as provided in subsection (10) of this section,  
10 beginning May 1, 2020, the commission shall impose an additional  
11 vessel replacement surcharge in an amount sufficient to fund twenty-  
12 five year debt service on one 144-auto hybrid vessel taking into  
13 account funds provided in chapter 417, Laws of 2019 or chapter . . .  
14 (SSB 5419), Laws of 2019. The department of transportation shall  
15 provide to the commission vessel and debt service cost estimates.  
16 Information on vessels constructed or purchased with revenue from the  
17 surcharges must be publicly posted including, but not limited to, the  
18 commission web site.

19 (9) The vessel replacement surcharges imposed in this section may  
20 only be used for the construction or purchase of ferry vessels and to  
21 pay the principal and interest on bonds authorized for the  
22 construction or purchase of new ferry vessels.

23 (10) The commission shall not impose the additional vessel  
24 replacement surcharge in subsection (8) of this section if doing so  
25 would increase fares by more than ten percent.

26 **Sec. 717.** RCW 34.05.350 and 2011 1st sp.s. c 2 s 1 are each  
27 amended to read as follows:

28 (1) If an agency for good cause finds:

29 (a) That immediate adoption, amendment, or repeal of a rule is  
30 necessary for the preservation of the public health, safety, or  
31 general welfare, and that observing the time requirements of notice  
32 and opportunity to comment upon adoption of a permanent rule would be  
33 contrary to the public interest;

34 (b) That state or federal law or federal rule or a federal  
35 deadline for state receipt of federal funds requires immediate  
36 adoption of a rule; or

37 (c) In order to implement the requirements or reductions in  
38 appropriations enacted in any budget for fiscal year 2009, 2010,  
39 2011, 2012, (~~or~~) 2013, or in an omnibus transportation

1 appropriations act for the 2021-2023 biennium related to setting toll  
2 rates or ferry fares, which necessitates the need for the immediate  
3 adoption, amendment, or repeal of a rule, and that observing the time  
4 requirements of notice and opportunity to comment upon adoption of a  
5 permanent rule would be contrary to the fiscal needs or requirements  
6 of the agency,  
7 the agency may dispense with those requirements and adopt, amend, or  
8 repeal the rule on an emergency basis. The agency's finding and a  
9 concise statement of the reasons for its finding shall be  
10 incorporated in the order for adoption of the emergency rule or  
11 amendment filed with the office of the code reviser under RCW  
12 34.05.380 and with the rules review committee.

13 (2) An emergency rule adopted under this section takes effect  
14 upon filing with the code reviser, unless a later date is specified  
15 in the order of adoption, and may not remain in effect for longer  
16 than one hundred twenty days after filing. Identical or substantially  
17 similar emergency rules may not be adopted in sequence unless  
18 conditions have changed or the agency has filed notice of its intent  
19 to adopt the rule as a permanent rule, and is actively undertaking  
20 the appropriate procedures to adopt the rule as a permanent rule.  
21 This section does not relieve any agency from compliance with any law  
22 requiring that its permanent rules be approved by designated persons  
23 or bodies before they become effective.

24 (3) Within seven days after the rule is adopted, any person may  
25 petition the governor requesting the immediate repeal of a rule  
26 adopted on an emergency basis by any department listed in RCW  
27 43.17.010. Within seven days after submission of the petition, the  
28 governor shall either deny the petition in writing, stating his or  
29 her reasons for the denial, or order the immediate repeal of the  
30 rule. In ruling on the petition, the governor shall consider only  
31 whether the conditions in subsection (1) of this section were met  
32 such that adoption of the rule on an emergency basis was necessary.  
33 If the governor orders the repeal of the emergency rule, any sanction  
34 imposed based on that rule is void. This subsection shall not be  
35 construed to prohibit adoption of any rule as a permanent rule.

36 **Sec. 718.** 2019 c 396 s 2 (uncodified) is amended to read as  
37 follows:



1 (1) The state commercial aviation coordinating commission is  
2 created to carry out the functions of (~~this~~) chapter 396, Laws of  
3 2019. The commission shall consist of fifteen voting members.

4 (2) The governor shall appoint thirteen voting members to  
5 represent the following interests:

6 (a) Four as representatives of commercial service airports and  
7 ports, one of whom shall represent a port located in a county with a  
8 population of two million or more, one of whom shall represent a port  
9 in eastern Washington with an airport runway of at least thirteen  
10 thousand five hundred feet in length, one of whom shall represent a  
11 commercial service airport in eastern Washington located in a county  
12 with a population of four hundred thousand or more, and one  
13 representing an association of ports;

14 (b) Three as representatives from the airline industry and the  
15 private sector;

16 (c) Two citizen representatives with one appointed from eastern  
17 Washington and one appointed from western Washington. The citizen  
18 appointees must:

19 (i) Represent the public interests in the communities that are  
20 included in the commission's site research; and

21 (ii) Understand the impacts of a large commercial aviation  
22 facility on a community;

23 (d) A representative from the freight forwarding industry;

24 (e) A representative from the trucking industry;

25 (f) A representative from a community organization that  
26 understands the impacts of a large commercial aviation facility on a  
27 community; and

28 (g) A representative from a statewide environmental organization.

29 (3) The remaining two members shall consist of:

30 (a) A representative from the department of commerce; and

31 (b) A representative from the division of aeronautics of the  
32 department of transportation.

33 (4) The commission shall invite the following nonvoting members:

34 (a) A representative from the Washington state aviation alliance;

35 (b) A representative from the department of defense;

36 (c) Two members from the senate, with one member from each of the  
37 two largest caucuses in the senate, appointed by the president of the  
38 senate;

39 (d) Two members from the house of representatives, with one  
40 member from each of the two largest caucuses in the house of

1 representatives, appointed by the speaker of the house of  
2 representatives;

3 (e) A representative from the division of aeronautics of the  
4 department of transportation;

5 (f) A representative from an eastern Washington metropolitan  
6 planning organization;

7 (g) A representative from a western Washington metropolitan  
8 planning organization;

9 (h) A representative from an eastern Washington regional airport;  
10 and

11 (i) A representative from a western Washington regional airport.

12 (5) The governor may appoint additional nonvoting members as  
13 deemed appropriate.

14 (6) The commission shall select a chair from among its membership  
15 and shall adopt rules related to its powers and duties under ((this))  
16 chapter 396, Laws of 2019.

17 (7) Legislative members of the commission are reimbursed for  
18 travel expenses in accordance with RCW 44.04.120. Nonlegislative  
19 members are not entitled to be reimbursed for travel expenses if they  
20 are elected officials or are participating on behalf of an employer,  
21 governmental entity, or other organization. Any reimbursement for  
22 other nonlegislative members is subject to chapter 43.03 RCW. The  
23 commission has all powers necessary to carry out its duties as  
24 prescribed by ((this)) chapter 396, Laws of 2019.

25 (8) The department of transportation shall provide staff support  
26 for coordinating and administering the commission and technical  
27 assistance as requested by commission members. The department shall  
28 consider cost-saving options such as using online conferencing tools.  
29 Meetings shall be held in Olympia, Washington unless resources allow  
30 for alternative locations.

31 (9) At the direction of the commission, and as resources allow,  
32 the department of transportation is authorized to hire a consultant  
33 to assist with the review and research efforts of the commission. The  
34 contract is exempt from the competitive procurement requirements in  
35 chapter 39.26 RCW.

36 (10) The department of transportation shall convene the initial  
37 meeting of the commission as soon as practicable.

38 (11) This section expires ((July 1, 2022)) June 30, 2023.

1       **Sec. 719.** 2019 c 396 s 3 (uncodified) is amended to read as  
2 follows:

3       (1) The state commercial aviation coordinating commission will  
4 review existing data and conduct research to determine Washington's  
5 long-range commercial aviation facility needs and the site of a new  
6 primary commercial aviation facility. Research for each potential  
7 site must include the feasibility of constructing a commercial  
8 aviation facility in that location and its potential environmental,  
9 community, and economic impacts. Options for a new primary commercial  
10 aviation facility in Washington may include expansion of an existing  
11 airport facility but may not include siting a facility on or in the  
12 vicinity of a military installation that would be incompatible with  
13 the installation's ability to carry out its mission requirements. The  
14 work of the commission shall include the following:

15       (a) Recommendations to the legislature on future Washington state  
16 long-range commercial aviation facility needs including possible  
17 additional aviation facilities or expansion of current aviation  
18 facilities, excluding those located in a county with a population of  
19 two million or more, to meet anticipated commercial aviation, general  
20 aviation, and air cargo demands; (~~and~~)

21       (b) Identifying a preferred location for a new primary commercial  
22 aviation facility. The commission shall make recommendations and  
23 shall select a single preferred location by a sixty percent majority  
24 vote using the following process:

25       (i) Initiating a broad review of potential sites;

26       (ii) Recommending a final short list of no more than six  
27 locations by (~~January 1, 2021~~) February 15, 2022;

28       (iii) Identifying the top two locations from the final six  
29 locations by (~~September 1, 2021~~) October 15, 2022; and

30       (iv) Identifying a single preferred location for a new primary  
31 commercial aviation facility by (~~January 1, 2022~~) February 15,  
32 2023; and

33       (c) A projected timeline for the development of an additional  
34 commercial aviation facility that is completed and functional by  
35 2040.

36       (2) The commission shall submit a report of its findings and  
37 recommendations to the transportation committees of the legislature  
38 by (~~January 1, 2022~~) February 15, 2023. The commission must allow a  
39 minority report to be included with the commission report if  
40 requested by a voting member of the commission.

1       (3) Nothing in this section shall be construed to endorse, limit,  
2 or otherwise alter existing or future plans for capital development  
3 and capacity enhancement at existing commercial airports in  
4 Washington.

5       (4) This section expires (~~July 1, 2022~~) June 30, 2023.

6       **Sec. 720.** RCW 46.09.540 and 2013 2nd sp.s. c 23 s 10 are each  
7 amended to read as follows:

8       (1) The multiuse roadway safety account is created in the motor  
9 vehicle fund. All receipts from vehicle license fees under RCW  
10 46.17.350(1)(r) must be deposited into the account. Moneys in the  
11 account may be spent only after appropriation. Expenditures from the  
12 account may be used only for grants administered by the department of  
13 transportation to: (a) Counties to perform safety engineering  
14 analysis of mixed vehicle use on any road within a county; (b) local  
15 governments to provide funding to erect signs providing notice to the  
16 motoring public that (i) wheeled all-terrain vehicles are present or  
17 (ii) wheeled all-terrain vehicles may be crossing; (c) the state  
18 patrol or local law enforcement for purposes of defraying the costs  
19 of enforcement of chapter 23, Laws of 2013 2nd sp. sess.; (~~and~~) (d)  
20 law enforcement to investigate accidents involving wheeled all-  
21 terrain vehicles; and (e) during the 2021-2023 biennium grants may be  
22 made to counties to (i) enhance or maintain any segment of a road  
23 within the county in which the segment has been designated as part of  
24 a travel or tourism route for use by wheeled all-terrain vehicles;  
25 and (ii) purchase, print, develop, or use educational brochures or  
26 mapping technology that aids in the safety and direction of users of  
27 wheeled all-terrain vehicle routes.

28       (2) The department of transportation must prioritize grant awards  
29 in the following priority order:

30       (a) For the purpose of marking highway crossings with signs  
31 warning motorists that wheeled all-terrain vehicles may be crossing  
32 when an ORV recreation facility parking lot is on the other side of a  
33 public roadway from the actual ORV recreation facility; and

34       (b) For the purpose of marking intersections with signs where a  
35 wheeled all-terrain vehicle may cross a public road to advise  
36 motorists of the upcoming intersection. Such signs must conform to  
37 the manual on uniform traffic control devices.

1       **Sec. 721.** RCW 47.66.120 and 2019 c 287 s 18 are each amended to  
2 read as follows:

3       (1)(a) Subject to the availability of amounts appropriated for  
4 this specific purpose through the 2023-2025 biennium, the  
5 department's public transportation division shall establish a green  
6 transportation capital grant program. The purpose of the grant  
7 program is to aid any transit authority in funding cost-effective  
8 capital projects to reduce the carbon intensity of the Washington  
9 transportation system, examples of which include: Electrification of  
10 vehicle fleets, including battery and fuel cell electric vehicles;  
11 modification or replacement of capital facilities in order to  
12 facilitate fleet electrification and/or hydrogen refueling; necessary  
13 upgrades to electrical transmission and distribution systems; and  
14 construction of charging and fueling stations. The department's  
15 public transportation division shall identify projects and shall  
16 submit a prioritized list of all projects requesting funding to the  
17 legislature by December 1st of each even-numbered year.

18       (b) The department's public transportation division shall select  
19 projects based on a competitive process that considers the following  
20 criteria:

21       (i) The cost-effectiveness of the reductions in carbon emissions  
22 provided by the project; and

23       (ii) The benefit provided to transitioning the entire state to a  
24 transportation system with lower carbon intensity.

25       (2) The department's public transportation division must  
26 establish an advisory committee to assist in identifying projects  
27 under subsection (1) of this section. The advisory committee must  
28 include representatives from the department of ecology, the  
29 department of commerce, the utilities and transportation commission,  
30 and at least one transit authority.

31       (3) In order to receive green transportation capital grant  
32 program funding for a project, a transit authority must provide  
33 matching funding for that project that is at least equal to twenty  
34 percent of the total cost of the project.

35       (4) The department's public transportation division must report  
36 annually to the transportation committees of the legislature on the  
37 status of any grant projects funded by the program created under this  
38 section.

39       (5) For purposes of this section, "transit authority" means a  
40 city transit system under RCW 35.58.2721 or chapter 35.95A RCW, a

1 county public transportation authority under chapter 36.57 RCW, a  
2 metropolitan municipal corporation transit system under chapter 36.56  
3 RCW, a public transportation benefit area under chapter 36.57A RCW,  
4 an unincorporated transportation benefit area under RCW 36.57.100, a  
5 regional transit authority under chapter 81.112 RCW, or any special  
6 purpose district formed to operate a public transportation system.

7 (6) During the 2021-2023 fiscal biennium, the department may  
8 provide up to 20 percent of the total green transportation capital  
9 grant program funding for zero emissions capital transition planning  
10 projects.

11 **2019-2021 FISCAL BIENNIUM**

12 **GENERAL GOVERNMENT AGENCIES—OPERATING**

13 **Sec. 801.** 2019 c 416 s 101 (uncodified) is amended to read as  
14 follows:

15 **FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

16 Motor Vehicle Account—State Appropriation . . . . . (~~(\$545,000)~~)  
17 \$536,000

18 **Sec. 802.** 2020 c 219 s 101 (uncodified) is amended to read as  
19 follows:

20 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

21 Motor Vehicle Account—State Appropriation . . . . . (~~(\$1,419,000)~~)  
22 \$1,388,000  
23 Multimodal Transportation Account—State Appropriation. . . . \$300,000  
24 Puget Sound Ferry Operations Account—State Appropriation . . \$121,000  
25 TOTAL APPROPRIATION. . . . . (~~(\$1,840,000)~~)  
26 \$1,809,000

27 The appropriations in this section are subject to the following  
28 conditions and limitations: \$300,000 of the multimodal transportation  
29 account—state appropriation is provided solely for the office of  
30 financial management, in direct coordination with the office of state  
31 treasurer, to evaluate, coordinate, and assist in efforts by state  
32 agencies in developing cost recovery mechanisms for credit card and  
33 other financial transaction fees currently paid from state funds.  
34 This may include disbursing interagency reimbursements for the  
35 implementation costs incurred by the affected agencies. As part of

1 the first phase of this effort, the office of financial management,  
2 with the assistance of relevant agencies, must develop implementation  
3 plans and take all necessary steps to ensure that the actual cost-  
4 recovery mechanisms will be in place by January 1, 2020, for the  
5 vehicles and drivers programs of the department of licensing. By  
6 November 1, 2019, the office of financial management must provide a  
7 report to the joint transportation committee on the phase 1  
8 implementation plan and options to expand similar cost recovery  
9 mechanisms to other state agencies and programs, including the  
10 ferries division.

11 **Sec. 803.** 2020 c 219 s 102 (uncodified) is amended to read as  
12 follows:

13 **FOR THE DEPARTMENT OF AGRICULTURE**

14 Motor Vehicle Account—State Appropriation . . . . . (~~(\$1,359,000)~~)  
15 \$1,350,000

16 **Sec. 804.** 2019 c 416 s 106 (uncodified) is amended to read as  
17 follows:

18 **FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**

19 Motor Vehicle Account—State Appropriation . . . . . (~~(\$652,000)~~)  
20 \$647,000

21 **Sec. 805.** 2020 c 219 s 104 (uncodified) is amended to read as  
22 follows:

23 **FOR THE HOUSE OF REPRESENTATIVES**

24 Motor Vehicle Account—State Appropriation . . . . . (~~(\$3,082,000)~~)  
25 \$3,052,000

26 **Sec. 806.** 2020 c 219 s 105 (uncodified) is amended to read as  
27 follows:

28 **FOR THE SENATE**

29 Motor Vehicle Account—State Appropriation . . . . . \$2,999,000

30 **TRANSPORTATION AGENCIES—OPERATING**

31 **Sec. 901.** 2020 c 219 s 201 (uncodified) is amended to read as  
32 follows:

33 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

1	Highway Safety Account—State Appropriation . . . . .	(( <del>\$4,675,000</del> ))
2		<u>\$4,647,000</u>
3	Highway Safety Account—Federal Appropriation . . . . .	(( <del>\$27,051,000</del> ))
4		<u>\$26,943,000</u>
5	Highway Safety Account—Private/Local Appropriation . . . . .	\$118,000
6	School Zone Safety Account—State Appropriation . . . . .	\$850,000
7	TOTAL APPROPRIATION. . . . .	(( <del>\$32,694,000</del> ))
8		<u>\$32,558,000</u>

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

11 (1) \$150,000 of the highway safety account—state appropriation is  
12 provided solely for the implementation of chapter 54, Laws of 2019  
13 (Cooper Jones Active Transportation Safety Council). If chapter 54,  
14 Laws of 2019 is not enacted by June 30, 2019, the amount provided in  
15 this subsection lapses.

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

20 (a) Any programs authorized by the commission must be authorized  
21 by December 31, 2020.

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

27 (c) Any city administering a pilot program overseen by the  
28 traffic safety commission shall use the following guidelines to  
29 administer the program:

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

34 (ii) The law enforcement agency of the city or county government  
35 shall install two signs facing opposite directions within two hundred  
36 feet, or otherwise consistent with the uniform manual on traffic  
37 control devices, where the automated vehicle noise enforcement camera  
38 is used that state "Street Racing Noise Pilot Program in Progress";



1 (iii) Cities testing the use of automated vehicle noise  
2 enforcement cameras must post information on the city web site and  
3 notify local media outlets indicating the zones in which the  
4 automated vehicle noise enforcement cameras will be used;

5 (iv) A city may only issue a warning notice with no penalty for a  
6 violation detected by automated vehicle noise enforcement cameras in  
7 a Stay Out of Areas of Racing zone. Warning notices must be mailed to  
8 the registered owner of a vehicle within fourteen days of the  
9 detected violation;

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

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

23 (vii) By June 30, 2021, the participating cities shall provide a  
24 report to the commission and appropriate committees of the  
25 legislature regarding the use, public acceptance, outcomes, warnings  
26 issued, data retention and use, and other relevant issues regarding  
27 automated vehicle noise enforcement cameras demonstrated by the pilot  
28 projects.

29 (3) The Washington traffic safety commission may oversee a  
30 demonstration project in one county, coordinating with a public  
31 transportation benefit area (PTBA) and the department of  
32 transportation, to test the feasibility and accuracy of the use of  
33 automated enforcement technology for high occupancy vehicle (HOV)  
34 lane passenger compliance. All costs associated with the  
35 demonstration project must be borne by the participating public  
36 transportation benefit area. Any photograph, microphotograph, or  
37 electronic images of a driver or passengers are for the exclusive use  
38 of the PTBA in the determination of whether an HOV passenger  
39 violation has occurred to test the feasibility and accuracy of  
40 automated enforcement under this subsection and are not open to the

1 public and may not be used in a court in a pending action or  
2 proceeding. All photographs, microphotographs, and electronic images  
3 must be destroyed after determining a passenger count and no later  
4 than the completion of the demonstration project. No warnings or  
5 notices of infraction may be issued under the demonstration project.

6 For purposes of the demonstration project, an automated  
7 enforcement technology device may record an image of a driver and  
8 passenger of a motor vehicle. The county and PTBA must erect signs  
9 marking the locations where the automated enforcement for HOV  
10 passenger requirements is occurring.

11 The PTBA, in consultation with the Washington traffic safety  
12 commission, must provide a report to the transportation committees of  
13 the legislature with the number of violations detected during the  
14 demonstration project, whether the technology used was accurate and  
15 any recommendations for future use of automated enforcement  
16 technology for HOV lane enforcement by June 30, 2021.

17 (4) (a) The Washington traffic safety commission shall coordinate  
18 with each city that implements a pilot program as authorized in  
19 chapter 224, Laws of 2020 (automated traffic safety cameras) or  
20 chapter . . . (Substitute Senate Bill No. 5789), Laws of 2020  
21 (automated traffic safety cameras) to provide the transportation  
22 committees of the legislature with the following information by June  
23 30, 2021:

24 (i) The number of warnings and infractions issued to first-time  
25 violators under the pilot program;

26 (ii) The number of warnings and infractions issued to the  
27 registered owners of vehicles that are not registered with an address  
28 located in the city conducting the pilot program; and

29 (iii) The frequency with which warnings and infractions are  
30 issued on weekdays versus weekend days.

31 (b) If neither chapter 224, Laws of 2020 nor chapter . . .  
32 (Substitute Senate Bill No. 5789), Laws of 2020 is enacted by June  
33 30, 2020, the conditions of this subsection (4) have no force and  
34 effect.

35 **Sec. 902.** 2020 c 219 s 202 (uncodified) is amended to read as  
36 follows:

37 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

38 Rural Arterial Trust Account—State Appropriation . . . . \$1,137,000  
39 Motor Vehicle Account—State Appropriation . . . . . (~~(\$2,920,000)~~)



1 consider to address the identified transportation system investments;  
2 (c) recommendations on whether a revision to the statewide  
3 transportation policy goals in RCW 47.04.280 is warranted in light of  
4 the recommendations and options identified in (a) and (b) of this  
5 subsection; and (d) an analysis of the economic impacts of a range of  
6 future transportation investments. The assessment must be submitted  
7 to the transportation committees of the legislature by June 30, 2020.  
8 Starting July 1, 2020, and concluding by December 31, 2020, a  
9 committee-appointed commission or panel shall review the assessment  
10 and make final recommendations to the legislature for consideration  
11 during the 2021 legislative session on a realistic, achievable plan  
12 for funding transportation programs, projects, and services over the  
13 next ten years including a timeline for legislative action on funding  
14 the identified transportation system needs shortfall.

15 (2) (a) \$382,000 of the multimodal transportation account—state  
16 appropriation is for the joint transportation committee to conduct an  
17 analysis of the electrification of public fleets in Washington state.  
18 The study must include the following:

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

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

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

28 (C) Population greater than fifty thousand and up to and  
29 including one hundred thousand;

30 (D) Population greater than one hundred thousand;

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

35 (A) The average vehicle cost differential among the commercially  
36 available fuel options;

37 (B) A cost benefit analysis of the conversion of different  
38 vehicle classes; and

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

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

8 (A) Vehicle acquisition costs, charging and refueling  
9 infrastructure costs, and other associated costs;

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

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

14 (iv) Identification and analysis of financing mechanisms that  
15 could be used to finance the transition of publicly owned vehicles to  
16 battery and fuel cell electric vehicles. These mechanisms include,  
17 but are not limited to: Energy or carbon savings performance  
18 contracting, utility grants and rebates, revolving loan funds, state  
19 grant programs, private third-party financing, fleet management  
20 services, leasing, vehicle use optimization, and vehicle to grid  
21 technology; and

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

25 (b) In developing and implementing the study, the joint  
26 transportation committee must solicit input from representatives of  
27 the department of enterprise services, the department of  
28 transportation, the department of licensing, the department of  
29 commerce, the Washington state association of counties, the  
30 association of Washington cities, the Washington state transit  
31 association, transit agencies, and others as deemed appropriate.

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

35 (3) (a) (~~(\$250,000)~~) \$228,000 of the multimodal transportation  
36 account—state appropriation is for the joint transportation committee  
37 to conduct a study of the feasibility of an east-west intercity  
38 passenger rail system. The study must include the following elements:

39 (i) Projections of potential ridership;

40 (ii) Review of relevant planning studies;

1 (iii) Establishment of an advisory group and associated meetings;  
2 (iv) Development of a Stampede Pass corridor alignment to  
3 maximize ridership, revenue, and rationale, considering service to  
4 population centers: Auburn, Cle Elum, Yakima, Tri-Cities, Ellensburg,  
5 Toppenish, and Spokane;  
6 (v) Assessment of current infrastructure conditions, including  
7 station stop locations;  
8 (vi) Identification of equipment needs; and  
9 (vii) Identification of operator options.  
10 (b) A report of the study findings and recommendations is due to  
11 the transportation committees of the legislature by June 30, 2020.  
12 (4) (a) \$275,000 of the highway safety fund—state appropriation is  
13 for a study of vehicle subagents in Washington state. The study must  
14 consider and include recommendations, as necessary, on the following:  
15 (i) The relevant statutes, rules, and/or regulations authorizing  
16 vehicle subagents and any changes made to the relevant statutes,  
17 rules, and/or regulations;  
18 (ii) The current process of selecting and authorizing a vehicle  
19 subagent, including the change of ownership process and the  
20 identification of any barriers to entry into the vehicle subagent  
21 market;  
22 (iii) The annual business expenditures borne by each of the  
23 vehicle subagent businesses since fiscal year 2010 and identification  
24 of any materials, including office equipment and supplies, provided  
25 by the department of licensing to each vehicle subagent since fiscal  
26 year 2010. To accomplish this task, each vehicle subagent must  
27 provide expenditure data to the joint transportation committee for  
28 the purposes of this study;  
29 (iv) The oversight provided by the county auditors and/or the  
30 department of licensing over the vehicle subagent businesses;  
31 (v) The history of service fees, how increases to the service fee  
32 rate are made, and how the requested fee increase is determined;  
33 (vi) The online vehicle registration renewal process and any  
34 potential improvements to the online process;  
35 (vii) The department of licensing's ability to provide more  
36 vehicle licensing services directly, particularly taking into account  
37 the increase in online vehicle renewal transactions;  
38 (viii) The potential expansion of services that can be performed  
39 by vehicle subagents; and

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

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

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

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

12 (5) (a) \$235,000 of the multimodal transportation account—state  
13 appropriation is for the joint transportation committee to oversee a  
14 consultant study on rail safety governance best practices, by class  
15 of rail where applicable, and recommendations for the implementation  
16 of these best practices in Washington state. The study must assess  
17 rail safety governance for passenger and freight rail, including rail  
18 transit services, and must consider recommendations made by the  
19 national transportation safety board in its 2017 Amtrak passenger  
20 train 501 derailment accident report that are relevant to rail safety  
21 governance.

22 (b) The study must include the following components:

23 (i) (A) An assessment of rail safety oversight in Washington state  
24 that includes: (I) The rail safety oversight roles of federal, state,  
25 regional, and local agencies, including the extent to which federal  
26 and state laws govern these roles and the extent to which these roles  
27 would be modified should the suspended federal rules in 49 C.F.R.  
28 Part 270 take effect; (II) federal, state, regional, and local agency  
29 organizational structures and processes utilized to conduct rail  
30 safety oversight; and (III) coordination activities by federal,  
31 state, regional, and local agencies in conducting rail safety  
32 oversight;

33 (B) An examination of rail safety governance best practices by  
34 other states for the items identified in (a) of this subsection; and

35 (C) Recommendations for the implementation of best practices for  
36 rail safety governance in Washington state.

37 (ii) The study must address the extent to which additional safety  
38 oversight of rail project design and construction is used in other  
39 states and would be a recommended best practice for Washington state.

1 (c) The joint transportation committee shall consult with the  
2 Washington state department of transportation, the Washington state  
3 utilities and transportation commission, sound transit, the national  
4 transportation safety board, Amtrak, the federal railroad  
5 administration, BNSF railway company, one or more representatives of  
6 short line railroads, one or more representatives of labor, and other  
7 entities with rail safety expertise as necessary.

8 (d) The joint transportation committee must issue a report of its  
9 findings and recommendations on rail safety governance to the  
10 transportation committees of the legislature by January 6, 2021.

11 (6) (a) \$250,000 of the motor vehicle account—state appropriation  
12 is for the joint transportation committee to conduct a study of the  
13 feasibility of a private auto ferry between the state of Washington  
14 and British Columbia, Canada. The study must include the following  
15 elements:

16 (i) Expected impacts to ridership, revenue, and expenditures for  
17 Washington state ferries;

18 (ii) Expected impacts to ferry service provided to the San Juan  
19 Islands;

20 (iii) Possible terminal locations on Fidalgo Island;

21 (iv) Economic impacts to the Anacortes area if ferry service  
22 between the area and Vancouver Island ceases;

23 (v) Economic impacts to the San Juan Islands if ferry service or  
24 ferry tourism is reduced;

25 (vi) Expected impacts to family wage jobs in the marine industry  
26 for Washingtonians;

27 (vii) Expected impacts to ferry fares between the state of  
28 Washington and British Columbia, Canada;

29 (viii) Legal analysis of all state, federal, or Canadian laws or  
30 rules, including the Jones act and rules of the board of pilotage  
31 commissioners, that may apply to initiation of private service or  
32 cessation of state service; and

33 (ix) Options for encouraging private auto ferry service between  
34 the state of Washington and Vancouver Island, Canada.

35 (b) In conducting the study, the joint transportation committee  
36 must consult with the department of transportation, a representative  
37 of San Juan county, a representative of the city of Anacortes, a  
38 representative of the inland boatman's union, a representative of  
39 Puget Sound pilots, a representative of the port of Anacortes, a



1 representative of the economic development alliance of Skagit county,  
2 and interested private ferry operators in Washington state.

3 (c) A report of the study findings and options is due to the  
4 transportation committees of the legislature by February 15, 2021.

5 **Sec. 905.** 2020 c 219 s 205 (uncodified) is amended to read as  
6 follows:

7 **FOR THE TRANSPORTATION COMMISSION**

8 Motor Vehicle Account—State Appropriation . . . . . (~~(\$2,324,000)~~)  
9 \$1,861,000

10 Interstate 405 and State Route Number 167 Express Toll Lanes  
11 Account—State Appropriation. . . . . (~~(\$410,000)~~)  
12 \$406,000

13 State Route Number 520 Corridor Account—State  
14 Appropriation. . . . . (~~(\$271,000)~~)  
15 \$262,000

16 Tacoma Narrows Toll Bridge Account—State  
17 Appropriation. . . . . (~~(\$158,000)~~)  
18 \$152,000

19 Alaskan Way Viaduct Replacement Project  
20 Account—State Appropriation. . . . . (~~(\$136,000)~~)  
21 \$132,000

22 TOTAL APPROPRIATION. . . . . (~~(\$3,299,000)~~)  
23 \$2,813,000

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

26 (1)(a) The commission shall reconvene the road usage charge  
27 steering committee, with the same membership described in chapter  
28 297, Laws of 2018, and shall report at least once every three months  
29 to the steering committee with updates on report development for the  
30 completed road usage charge pilot project until the final report is  
31 submitted. The commission shall also report to the steering committee  
32 on any other activities undertaken in accordance with this subsection  
33 (1) as necessary to keep it apprised of new developments and to  
34 obtain input on its efforts. The final report on the road usage  
35 charge pilot project is due to the transportation committees of the  
36 legislature by January 1, 2020, and should include recommendations  
37 for necessary next steps to consider impacts to communities of color,  
38 low-income households, vulnerable populations, and displaced

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

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

10 (A) Create a framework for modeling the effects of a road usage  
11 charge on passenger and light-duty vehicles including, but not  
12 limited to, plug-in electric vehicles, autonomous vehicles, state  
13 fleets, and transportation network companies on a road usage charge  
14 system;

15 (B) Identify and measure potential disparate impacts of a road  
16 usage charge on designated populations, including communities of  
17 color, low-income households, vulnerable populations, and displaced  
18 communities;

19 (C) Incorporate emerging approaches to mileage reporting, such as  
20 in-vehicle telematics, improved smartphone apps, and use of private  
21 businesses to provide odometer verification and mileage reporting  
22 services, into a road usage charge system;

23 (D) Conduct a series of facilitated work sessions with other  
24 states and private sector firms to identify opportunities to reduce  
25 the cost of collections for a road usage charge;

26 (E) Develop a road usage charge phase-in plan that incorporates  
27 findings from (b) (i) (A) through (D) of this subsection;

28 (F) Carry out a limited scale demonstration to test new mileage  
29 reporting methods; equity policies; cost reduction techniques; and  
30 collecting a road usage charge from passenger and light-duty vehicles  
31 including, but not limited to, plug-in electric vehicles, autonomous  
32 vehicles, state fleets, transportation network companies, and other  
33 new mobility services; and

34 (G) Produce a final report with recommendations and a recommended  
35 roadmap that details how a road usage charge could be appropriately  
36 scaled to fit state circumstances and that includes a framework for  
37 evaluating policy choices related to the use of road usage charge  
38 revenue.

39 (ii) A year-end report on the status of any federally-funded  
40 project for which federal funding is secured must be provided to the

1 governor's office and the transportation committees of the  
2 legislature by January 1, 2020, and by January 1, 2021.

3 (c) \$150,000 of the motor vehicle account—state appropriation is  
4 provided solely for analysis of potential impacts of a road usage  
5 charge on communities of color, low-income households, vulnerable  
6 populations, and displaced communities. The analysis must include an  
7 assessment of potential mitigation measures to address these  
8 potential impacts. These funds must be held in unallotted status  
9 during the 2019-2021 fiscal biennium, and may only be used after the  
10 commission has provided notice to the office of financial management  
11 that it has exhausted all efforts to secure federal funds from the  
12 federal surface transportation system funding alternatives grant  
13 program under (b) of this subsection without successfully securing  
14 federal funding for the further study of a road usage charge. A year-  
15 end update on the status of this effort, if undertaken prior to the  
16 end of calendar year 2020, must be provided to the governor's office  
17 and the transportation committees of the legislature by January 1,  
18 2021.

19 (2) (a) \$250,000 of the Interstate 405 and state route number 167  
20 express toll lanes account—state appropriation is provided solely for  
21 the transportation commission to conduct a study, applicable to the  
22 Interstate 405 express toll lanes, of discounted tolls and other  
23 similar programs for low-income drivers that are provided by other  
24 states, countries, or other entities and how such a program could be  
25 implemented in the state of Washington. The transportation commission  
26 may contract with a consultant to conduct all or a portion of this  
27 study.

28 (b) In conducting this study, the transportation commission shall  
29 consult with both the department of transportation and the department  
30 of social and health services.

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

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

36 (ii) The most cost-effective way to implement a program given  
37 existing financial commitments, shared cost requirements across  
38 facilities, and technical requirements to execute and maintain a  
39 program;

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

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

5 (d) The transportation commission shall provide a report  
6 detailing the findings of this study and recommendations for  
7 implementing a discounted toll or other appropriate program in the  
8 state of Washington to the transportation committees of the  
9 legislature by June 30, 2021.

10 (3) \$160,000 of the Interstate 405 and state route number 167  
11 express toll lanes account—state appropriation, \$271,000 of the state  
12 route number 520 corridor account—state appropriation, \$158,000 of  
13 the Tacoma Narrows toll bridge account—state appropriation, and  
14 \$136,000 of the Alaskan Way viaduct replacement project account—state  
15 appropriation are provided solely for the transportation commission's  
16 proportional share of time spent supporting tolling operations for  
17 the respective tolling facilities.

18 (4) The legislature requests that the commission commence  
19 proceedings to name state route number 165 as The Glacier Highway to  
20 commemorate the significance of glaciers to the state of Washington.

21 **Sec. 906.** 2020 c 219 s 206 (uncodified) is amended to read as  
22 follows:

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

24 Freight Mobility Investment Account—State

25 Appropriation . . . . . ((~~\$772,000~~))  
26 \$766,000

27 **Sec. 907.** 2020 c 219 s 207 (uncodified) is amended to read as  
28 follows:

29 **FOR THE WASHINGTON STATE PATROL**

30 State Patrol Highway Account—State Appropriation . . . . . ((~~\$501,294,000~~))  
31 \$495,785,000

32 State Patrol Highway Account—Federal Appropriation . . . . . ((~~\$16,081,000~~))  
33 \$15,978,000

34 State Patrol Highway Account—Private/Local  
35 Appropriation . . . . . ((~~\$4,258,000~~))  
36 \$4,257,000

37 Highway Safety Account—State Appropriation . . . . . \$1,188,000

1	Ignition Interlock Device Revolving Account—State	
2	Appropriation . . . . .	\$7,010,000
3	Multimodal Transportation Account—State	
4	Appropriation . . . . .	((\$286,000))
5		<u>\$274,000</u>
6	Interstate 405 and State Route Number 167 Express	
7	Toll Lanes Account—State Appropriation. . . . .	\$1,182,000
8	State Route Number 520 Corridor Account—State	
9	Appropriation. . . . .	\$1,988,000
10	Tacoma Narrows Toll Bridge Account—State Appropriation. .	\$1,158,000
11	Alaskan Way Viaduct Replacement Project	
12	Account—State Appropriation. . . . .	\$996,000
13	TOTAL APPROPRIATION. . . . .	((\$535,441,000))
14		<u>\$529,816,000</u>

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

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

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

32       (3) \$1,424,000 of the state patrol highway account—state  
33 appropriation is provided solely to enter into an agreement for  
34 upgraded land mobile software, hardware, and equipment.

35       (4) \$2,582,000 of the state patrol highway account—state  
36 appropriation is provided solely for the replacement of radios and  
37 other related equipment.

38       (5) \$343,000 of the state patrol highway account—state  
39 appropriation is provided solely for aerial criminal investigation

1 tools, including software licensing and maintenance, and annual  
2 certification.

3 (6) (~~(\$2,342,000)~~) \$1,556,000 of the state patrol highway account  
4 —state appropriation is provided solely to address the increase in  
5 the number of toxicology cases from impaired driving and death  
6 investigations.

7 (7) \$580,000 of the state patrol highway account—state  
8 appropriation is provided solely for the operation of and  
9 administrative support to the license investigation unit to enforce  
10 vehicle registration laws in southwestern Washington. The Washington  
11 state patrol, in consultation with the department of revenue, shall  
12 maintain a running estimate of the additional vehicle registration  
13 fees, sales and use taxes, and local vehicle fees remitted to the  
14 state pursuant to activity conducted by the license investigation  
15 unit. Beginning October 1, 2019, and quarterly thereafter, the  
16 Washington state patrol shall submit a report detailing the  
17 additional revenue amounts generated since July 1, 2017, to the  
18 director of the office of financial management and the transportation  
19 committees of the legislature. At the end of the calendar quarter in  
20 which it is estimated that more than \$625,000 in state sales and use  
21 taxes have been remitted to the state since July 1, 2017, the  
22 Washington state patrol shall notify the state treasurer and the  
23 state treasurer shall transfer funds pursuant to section 406, chapter  
24 416, Laws of 2019.

25 (8) \$18,000 of the state patrol highway account—state  
26 appropriation is provided solely for the license investigation unit  
27 to procure an additional license plate reader and related costs.

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

36 (10) \$4,210,000 of the state patrol highway account—state  
37 appropriation is provided solely for a third arming and a third  
38 trooper basic training class. The cadet class is expected to graduate  
39 in June 2021.

1 (11) \$65,000 of the state patrol highway account—state  
2 appropriation is provided solely for the implementation of chapter  
3 440, Laws of 2019 (immigrants in the workplace). If chapter 440, Laws  
4 of 2019 is not enacted by June 30, 2019, the amount provided in this  
5 subsection lapses.

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

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

10 (ii) The number of transportation funded staff vacancies by major  
11 category;

12 (iii) The number of applicants for each of the positions by these  
13 categories;

14 (iv) The composition of workforce; and

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

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

23 (13) \$1,182,000 of the Interstate 405 and state route number 167  
24 express toll lanes account—state appropriation, \$1,988,000 of the  
25 state route number 520 corridor account—state appropriation,  
26 \$1,158,000 of the Tacoma Narrows toll bridge account—state  
27 appropriation, and \$996,000 of the Alaskan Way viaduct replacement  
28 project account—state appropriation are provided solely for the  
29 Washington state patrol's proportional share of time spent supporting  
30 tolling operations and enforcement for the respective tolling  
31 facilities.

32 (14) \$100,000 of the state patrol highway account—state  
33 appropriation is provided solely for the implementation of ((Senate  
34 Bill No. 6218)) chapter 97, Laws of 2020 (Washington state patrol  
35 retirement definition of salary), which reflects an increase in the  
36 Washington state patrol retirement system pension contribution rate  
37 of 0.15 percent for changes to the definition of salary. If ((Senate  
38 Bill No. 6218)) chapter 97, Laws of 2020 is not enacted by June 30,  
39 2020, the amount provided in this subsection lapses.

1        ~~((16))~~ (15) \$975,000 of the state patrol highway account—state  
2 appropriation is provided solely for communications officers at the  
3 King county public safety answering point.

4        ~~((17))~~ (16) \$830,000 of the state patrol highway account—state  
5 appropriation is provided solely for information technology security  
6 enhancements.

7        ~~((18))~~ (17) \$150,000 of the state patrol highway account is  
8 provided solely for the Washington state patrol to work with the  
9 department of enterprise services and office of minority and women's  
10 business enterprises to contract for a workforce diversity strategic  
11 action plan. The successful consultant must have demonstrated  
12 expertise in workforce diversity research and an established record  
13 of assisting organizations in implementing diversity initiatives. The  
14 plan must include:

15        (a) Current and past employment data on the composition of the  
16 state patrol workforce generally and of its protective service  
17 workers;

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

20        (c) Research on best practices for recruiting across the state  
21 and from communities historically underrepresented in the Washington  
22 state patrol workforce;

23        (d) Case studies of law enforcement and other agencies that have  
24 successfully diversified their workforce; and

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

29        **Sec. 908.** 2020 c 219 s 208 (uncodified) is amended to read as  
30 follows:

31 **FOR THE DEPARTMENT OF LICENSING**

32 Marine Fuel Tax Refund Account—State Appropriation . . . . .	\$34,000
33 Motorcycle Safety Education Account—State	
34     Appropriation . . . . .	<del>(\$5,052,000)</del>
35	<u>\$5,023,000</u>
36 State Wildlife Account—State Appropriation . . . . .	<del>(\$511,000)</del>
37	<u>\$510,000</u>
38 Highway Safety Account—State Appropriation . . . . .	<del>(\$242,965,000)</del>



1		<u>\$226,935,000</u>
2	Highway Safety Account—Federal Appropriation . . . . .	\$1,294,000
3	Motor Vehicle Account—State Appropriation . . . . .	( <del>(\$71,447,000)</del> )
4		<u>\$64,548,000</u>
5	Motor Vehicle Account—Federal Appropriation. . . . .	\$186,000
6	Motor Vehicle Account—Private/Local Appropriation . . . . .	\$10,008,000
7	Ignition Interlock Device Revolving Account—State	
8	Appropriation . . . . .	( <del>(\$5,779,000)</del> )
9		<u>\$5,265,000</u>
10	Department of Licensing Services Account—State	
11	Appropriation . . . . .	( <del>(\$7,696,000)</del> )
12		<u>\$7,685,000</u>
13	License Plate Technology Account—State	
14	Appropriation . . . . .	\$4,250,000
15	Abandoned Recreational Vehicle Account—State	
16	Appropriation. . . . .	\$2,925,000
17	Limousine Carriers Account—State Appropriation. . . . .	\$113,000
18	Electric Vehicle Account—State Appropriation. . . . .	\$264,000
19	DOL Technology Improvement & Data Management	
20	Account—State Appropriation. . . . .	\$2,250,000
21	Agency Financial Transaction Account—State	
22	Appropriation. . . . .	\$11,903,000
23	TOTAL APPROPRIATION. . . . .	( <del>(\$366,677,000)</del> )
24		<u>\$343,193,000</u>

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

27       (1) \$139,000 of the motorcycle safety education account—state  
28 appropriation is provided solely for the implementation of chapter  
29 65, Laws of 2019 (motorcycle safety). If chapter 65, Laws of 2019 is  
30 not enacted by June 30, 2019, the amount provided in this subsection  
31 lapses.

32       (2) \$25,000 of the motorcycle safety education account—state  
33 appropriation, \$4,000 of the state wildlife account—state  
34 appropriation, \$1,708,000 of the highway safety account—state  
35 appropriation, \$576,000 of the motor vehicle account—state  
36 appropriation, \$22,000 of the ignition interlock device revolving  
37 account—state appropriation, and \$28,000 of the department of  
38 licensing services account—state appropriation are provided solely

1 for the department to fund the appropriate staff and necessary  
2 equipment and software for data management, data analytics, and data  
3 compliance activities. The department must, in consultation with the  
4 office of the chief information officer, construct a framework with  
5 goals for providing better data stewardship and a plan to achieve  
6 those goals. The department must provide the framework and plan to  
7 the transportation committees of the legislature by December 31,  
8 2019, and an update by May 1, 2020.

9 (3) Appropriations provided for the cloud continuity of  
10 operations project in this section are subject to the conditions,  
11 limitations, and review provided in section 701 (~~of this act~~),  
12 chapter 219, Laws of 2020.

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

29 (5) \$507,000 of the motor vehicle account—state appropriation is  
30 provided solely for the implementation of chapter . . . (Substitute  
31 Senate Bill No. 5419), Laws of 2019 (vehicle service fees) or chapter  
32 417, Laws of 2019 (vehicle service fees). If neither chapter . . .  
33 (Substitute Senate Bill No. 5419), Laws of 2019 or chapter 417, Laws  
34 of 2019 are enacted by June 30, 2019, the amount provided in this  
35 subsection lapses.

36 (6) \$25,000 of the motor vehicle account—state appropriation is  
37 provided solely for the implementation of chapter 177, Laws of 2019  
38 (San Juan Islands license plate). If chapter 177, Laws of 2019 is not

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

3 (7) \$24,000 of the motor vehicle account—state appropriation is  
4 provided solely for the implementation of chapter 384, Laws of 2019  
5 (Seattle Storm license plate). If chapter 384, Laws of 2019 is not  
6 enacted by June 30, 2019, the amount provided in this subsection  
7 lapses.

8 (8) \$65,000 of the highway safety account—state appropriation is  
9 provided solely for the implementation of chapter 440, Laws of 2019  
10 (immigrants in the workplace). If chapter 440, Laws of 2019 is not  
11 enacted by June 30, 2019, the amount provided in this subsection  
12 lapses.

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

25 (10) \$1,281,000 of the department of licensing service account—  
26 state appropriation is provided solely for savings from the  
27 implementation of chapter 417, Laws of 2019 (vehicle service fees).  
28 If chapter 417, Laws of 2019 is enacted by June 30, 2019, the amount  
29 provided in this subsection lapses.

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

37 (12) \$20,000 of the motor vehicle account—state appropriation is  
38 provided solely for the implementation of chapter 210, Laws of 2019  
39 (Gold Star license plate). If chapter 210, Laws of 2019 is not

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

3 (13) \$31,000 of the motor vehicle account—state appropriation is  
4 provided solely for the implementation of chapter 262, Laws of 2019  
5 (snow bikes). If chapter 262, Laws of 2019 is not enacted by June 30,  
6 2019, the amount provided in this subsection lapses.

7 (14) \$24,000 of the motor vehicle account—state appropriation is  
8 provided solely for the implementation of chapter 139, Laws of 2019  
9 (Purple Heart license plate). If chapter 139, Laws of 2019 is not  
10 enacted by June 30, 2019, the amount provided in this subsection  
11 lapses.

12 (15) \$24,000 of the motor vehicle account—state appropriation is  
13 provided solely for the implementation of chapter 278, Laws of 2019  
14 (vehicle and vessel owner information). If chapter 278, Laws of 2019  
15 is not enacted by June 30, 2019, the amount provided in this  
16 subsection lapses.

17 (16) \$600,000 of the highway safety account—state appropriation  
18 is provided solely for the department to provide an interagency  
19 transfer to the department of social and health services, children's  
20 administration division for the purpose of providing driver's license  
21 support to a larger population of foster youth than is already served  
22 within existing resources. Support services include reimbursement of  
23 driver's license issuance costs, fees for driver training education,  
24 and motor vehicle liability insurance costs.

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

32 (18) \$91,000 of the highway safety account—state appropriation is  
33 provided solely for the department's costs related to the one  
34 Washington project.

35 (19) (~~(\$1,674,000)~~) \$1,174,000 of the highway safety account—  
36 state appropriation is provided solely for communication and outreach  
37 activities necessary to inform the public of federally acceptable  
38 identification options including, but not limited to, enhanced  
39 drivers' licenses and enhanced identicards. The department shall

1 continue the outreach plan that includes informational material that  
2 can be effectively communicated to all communities and populations in  
3 Washington. To accomplish this work, the department shall contract  
4 with an external vendor with demonstrated experience and expertise in  
5 outreach and marketing to underrepresented communities in a  
6 (~~culturally-responsive~~) culturally responsive fashion.

7 (20) Due to the passage of chapter 1 (Initiative Measure No.  
8 976), Laws of 2020, the department, working with the office of  
9 financial management, shall provide a monthly report on the number of  
10 registrations involved and differences between actual collections and  
11 collections if the initiative was not subject to a temporary  
12 injunction as of December 5, 2019.

13 (21) The appropriations in this section assume full cost recovery  
14 for the administration and collection of a motor vehicle excise tax  
15 on behalf of any regional transit authority pursuant to section 706  
16 (~~of this act~~), chapter 219, Laws of 2020.

17 (~~(26)~~) (22) \$107,000 of the highway safety account—state  
18 appropriation is provided solely for the implementation of chapter  
19 78, Laws of 2020 (military veterans commercial driver's license  
20 waivers) or chapter . . . (Second Substitute Senate Bill No. 5544),  
21 Laws of 2020 (military veterans commercial driver's license waivers).  
22 If neither chapter 78, Laws of 2020 nor chapter . . . (Second  
23 Substitute Senate Bill No. 5544), Laws of 2020 is enacted by June 30,  
24 2020, the amount provided in this subsection lapses.

25 (~~(28)~~) (23) \$114,000 of the highway safety account—state  
26 appropriation is provided solely for the implementation of chapter  
27 124, Laws of 2020 (homeless youth identicards) or chapter . . .  
28 (Senate Bill No. 6304), Laws of 2020 (homeless youth identicards). If  
29 neither chapter 124, Laws of 2020 nor chapter . . . (Senate Bill No.  
30 6304), Laws of 2020 is enacted by June 30, 2020, the amount provided  
31 in this subsection lapses.

32 (~~(29)~~) (24) \$24,000 of the motor vehicle account—state  
33 appropriation is provided solely for the implementation of chapter  
34 129, Laws of 2020 (Seattle national hockey league special license  
35 plate) or chapter . . . (Senate Bill No. 6562), Laws of 2020 (Seattle  
36 national hockey league special license plate). If neither chapter  
37 129, Laws of 2020 nor chapter . . . (Senate Bill No. 6562), Laws of  
38 2020 is enacted by June 30, 2020, the amount provided in this  
39 subsection lapses.

1        ~~((30))~~ (25) \$14,000 of the motor vehicle account—state  
2 appropriation is provided solely for the implementation of  
3 chapter . . . (Engrossed Substitute House Bill No. 2723), Laws of  
4 2020 (off-road vehicle enforcement) or chapter . . . (Senate Bill No.  
5 6115), Laws of 2020 (off-road vehicle enforcement). If neither  
6 chapter . . . (Engrossed Substitute House Bill No. 2723), Laws of  
7 2020 nor chapter . . . (Senate Bill No. 6115), Laws of 2020 is  
8 enacted by June 30, 2020, the amount provided in this subsection  
9 lapses.

10       ~~((31))~~ (26) \$105,000 of the motor vehicle account—state  
11 appropriation is provided solely for the implementation of chapter  
12 118, Laws of 2020 (tribal vehicles compact) or chapter . . . (Senate  
13 Bill No. 6251), Laws of 2020 (tribal vehicles compact). If neither  
14 chapter 118, Laws of 2020 nor chapter . . . (Senate Bill No. 6251),  
15 Laws of 2020 (tribal vehicles compact) is enacted by June 30, 2020,  
16 the amount provided in this subsection lapses.

17       ~~((32))~~ (27) \$57,000 of the state wildlife account—state  
18 appropriation is provided solely for the implementation of chapter  
19 148, Laws of 2020 (state wildlife account). If chapter 148, Laws of  
20 2020 is not enacted by June 30, 2020, the amount provided in this  
21 subsection lapses.

22       ~~((33))~~ (28) \$19,000 of the motor vehicle account—state  
23 appropriation is provided solely for the implementation of chapter  
24 93, Laws of 2020 (apples special license plate). If chapter 93, Laws  
25 of 2020 is not enacted by June 30, 2020, the amount provided in this  
26 subsection lapses.

27       ~~((34))~~ (29) \$19,000 of the motor vehicle account—state  
28 appropriation is provided solely for the implementation of chapter  
29 239, Laws of 2020 (stolen vehicle check). If chapter 239, Laws of  
30 2020 is not enacted by June 30, 2020, the amount provided in this  
31 subsection lapses.

32       ~~((36))~~ (30) \$40,000 of the department of licensing services  
33 account—state appropriation is provided solely for the department to  
34 report to the governor and chairs of the transportation committees of  
35 the legislature by December 1, 2020, with a proposed plan to allow  
36 the registered owner of a vehicle, or the registered owner's  
37 authorized representative, to voluntarily enter into either a  
38 quarterly or monthly payment plan with the department to pay vehicle  
39 fees or taxes due at the time of application for renewal vehicle

1 registration. The plan must include: (a) An analysis of the  
2 administrative costs associated with allowing the payment plans; (b)  
3 the estimated revenue impact by fund or account, including impacts to  
4 local governments; and (c) the recommended method to achieve the  
5 greatest level of customer payment compliance.

6 ~~((37))~~ (31) (a) Within available resources, and in collaboration  
7 with the department of revenue, the department of licensing shall  
8 evaluate the effectiveness of chapter 218, Laws of 2017, in improving  
9 compliance with state laws relating to the registration of off-road  
10 vehicles, including the payment of retail sales and use tax. The  
11 department of licensing shall recommend any statutory,  
12 administrative, or other changes needed to optimize and further  
13 strengthen the compliance, including an implementation timeline and  
14 corresponding resource requirements. Among its recommendations, the  
15 department of licensing must address potential changes to the process  
16 under RCW 46.93.210 by which the department notifies persons whose  
17 vehicles may not be properly registered in the state. The department  
18 shall submit a report to the governor and the transportation  
19 committees of the legislature by December 15, 2020.

20 (b) If chapter . . . (Engrossed Substitute House Bill No. 2723),  
21 Laws of 2020 is enacted by June 30, 2020, this subsection has no  
22 force and effect.

23 **Sec. 909.** 2020 c 219 s 209 (uncodified) is amended to read as  
24 follows:

25 **FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE**  
26 **—PROGRAM B**

27	State Route Number 520 Corridor Account—State	
28	Appropriation . . . . .	(( <del>\$59,059,000</del> ))
29		<u>\$36,503,000</u>
30	State Route Number 520 Civil Penalties Account—State	
31	Appropriation . . . . .	(( <del>\$4,145,000</del> ))
32		<u>\$20,230,000</u>
33	Tacoma Narrows Toll Bridge Account—State	
34	Appropriation . . . . .	(( <del>\$33,806,000</del> ))
35		<u>\$34,073,000</u>
36	Alaskan Way Viaduct Replacement Project Account—State	
37	Appropriation. . . . .	(( <del>\$21,616,000</del> ))
38		<u>\$19,857,000</u>

1	Interstate 405 and State Route Number 167 Express	
2	Toll Lanes Account—State Appropriation. . . . .	(( <del>\$27,457,000</del> ))
3		<u>\$23,637,000</u>
4	TOTAL APPROPRIATION. . . . .	(( <del>\$146,083,000</del> ))
5		<u>\$134,300,000</u>

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

8 (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state  
9 appropriation and \$11,034,000 of the state route number 520 corridor  
10 account—state appropriation are provided solely for the purposes of  
11 addressing unforeseen operations and maintenance costs on the Tacoma  
12 Narrows bridge and the state route number 520 bridge, respectively.  
13 The office of financial management shall place the amounts provided  
14 in this subsection, which represent a portion of the required minimum  
15 fund balance under the policy of the state treasurer, in unallotted  
16 status. The office may release the funds only when it determines that  
17 all other funds designated for operations and maintenance purposes  
18 have been exhausted.

19 (2) As long as the facility is tolled, the department must  
20 provide quarterly reports to the transportation committees of the  
21 legislature on the Interstate 405 express toll lane project  
22 performance measures listed in RCW 47.56.880(4). These reports must  
23 include:

24 (a) Information on the travel times and travel time reliability  
25 (at a minimum, average and 90th percentile travel times) maintained  
26 during peak and nonpeak periods in the express toll lanes and general  
27 purpose lanes for both the entire corridor and commonly made trips in  
28 the corridor including, but not limited to, northbound from Bellevue  
29 to Rose Hill, state route number 520 at NE 148th to Interstate 405 at  
30 state route number 522, Bellevue to Bothell (both NE 8th to state  
31 route number 522 and NE 8th to state route number 527), and a trip  
32 internal to the corridor (such as NE 85th to NE 160th) and similar  
33 southbound trips;

34 (b) A month-to-month comparison of travel times and travel time  
35 reliability for the entire corridor and commonly made trips in the  
36 corridor as specified in (a) of this subsection since implementation  
37 of the express toll lanes and, to the extent available, a comparison  
38 to the travel times and travel time reliability prior to  
39 implementation of the express toll lanes;



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

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

13 (3) (a) (~~(\$2,114,000)~~) \$1,406,000 of the Interstate 405 and state  
14 route number 167 express toll lanes account—state appropriation,  
15 (~~(\$4,920,000)~~) \$3,269,000 of the state route number 520 corridor  
16 account—state appropriation, (~~(\$2,116,000)~~) \$1,407,000 of the Tacoma  
17 Narrows toll bridge account—state appropriation, and (~~(\$2,776,000)~~)  
18 \$1,844,000 of the Alaskan Way viaduct replacement project account—  
19 state appropriation are provided solely for the department to finish  
20 implementing a new tolling customer service toll collection system,  
21 and are subject to the conditions, limitations, and review provided  
22 in section 701 (~~(of this act)~~), chapter 219, Laws of 2020.

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

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

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

38 (b) The nonvendor costs of administering toll operations,  
39 including the costs of staffing the division, consultants, and other

1 personal service contracts required for technical oversight and  
2 management assistance, insurance, payments related to credit card  
3 processing, transponder purchases and inventory management, facility  
4 operations and maintenance, and other miscellaneous nonvendor costs;

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

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

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

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

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

16 (iv) Workload costs related to hearings;

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

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

19 (e) A summary of toll revenue by facility on all operating toll  
20 facilities and express toll lane systems, and an itemized depiction  
21 of the use of that revenue.

22 (5) (~~(\$24,735,000)~~) \$21,623,000 of the Interstate 405 and state  
23 route number 167 express toll lanes account—state appropriation is  
24 provided solely for operational costs related to the express toll  
25 lane facility.

26 (~~(In calendar year 2021, toll equipment on the Tacoma Narrows~~  
27 ~~Bridge will have reached the end of its operational life. During the~~  
28 ~~2019-2021 fiscal biennium, the department plans to issue a request~~  
29 ~~for proposals as the first stage of a competitive procurement process~~  
30 ~~that will replace the toll equipment and select a new tolling~~  
31 ~~operator for the Tacoma Narrows Bridge. The request for proposals and~~  
32 ~~subsequent competitive procurement must incorporate elements that~~  
33 ~~prioritize the overall goal of lowering costs per transaction for the~~  
34 ~~facility, such as incentives for innovative approaches which result~~  
35 ~~in lower transactional costs, requests for efficiencies on the part~~  
36 ~~of the bidder that lower operational costs, and incorporation of~~  
37 ~~technologies such as self-serve credit card machines or other point-~~  
38 ~~of-payment technologies that lower costs or improve operational~~  
39 ~~efficiencies.~~

1       ~~(7)~~ ~~—\$18,840,000~~) \$18,013,000 of the Alaskan Way viaduct  
2 replacement project account—state appropriation is provided solely  
3 for the new state route number 99 tunnel toll facility's expected  
4 share of collecting toll revenues, operating customer services, and  
5 maintaining toll collection systems. The legislature expects to see  
6 appropriate reductions to the other toll facility accounts once  
7 tolling on the new state route number 99 tunnel toll facility  
8 commences and any previously incurred costs for start-up of the new  
9 facility are charged back to the Alaskan Way viaduct replacement  
10 project account. The office of financial management shall closely  
11 monitor the application of the cost allocation model and ensure that  
12 the new state route number 99 tunnel toll facility is adequately  
13 sharing costs and the other toll facility accounts are not being  
14 overspent or subsidizing the new state route number 99 tunnel toll  
15 facility.

16       ~~((8))~~ (7) \$608,000 of the Interstate 405 and state route number  
17 167 express toll lanes account—state appropriation are provided  
18 solely for increased levels of service from the Washington state  
19 patrol for enforcement of toll lane violations on the Interstate 405  
20 and state route number 167 express toll lanes. The department shall  
21 compile monthly data on the number of Washington state patrol  
22 enforcement hours on each facility and the percentage of time during  
23 peak hours that speeds are at or above forty-five miles per hour on  
24 each facility. The department shall provide this data in a report to  
25 the transportation committees of the legislature on at least a  
26 calendar quarterly basis.

27       ~~((9))~~ (8) The department shall develop an ongoing cost  
28 allocation method to assign appropriate costs to each of the toll  
29 funds for services provided by each Washington state department of  
30 transportation program and all relevant transportation agencies,  
31 including the Washington state patrol and the transportation  
32 commission. This method should update the toll cost allocation method  
33 used in the 2020 supplemental transportation appropriations act. By  
34 December 1, 2020, a report with the recommended method and any  
35 changes or potential impacts to toll rates shall be submitted to the  
36 transportation committees of the legislature and the office of  
37 financial management.

38       **Sec. 910.** 2020 c 219 s 210 (uncodified) is amended to read as  
39 follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM**

2 **C**

3 Transportation Partnership Account—State Appropriation . . \$1,460,000

4 Motor Vehicle Account—State Appropriation . . . . . (~~(\$96,331,000)~~)

5 \$93,032,000

6 Puget Sound Ferry Operations Account—State

7 Appropriation . . . . . \$263,000

8 Multimodal Transportation Account—State

9 Appropriation . . . . . (~~(\$2,878,000)~~)

10 \$2,665,000

11 Transportation 2003 Account (Nickel Account)—State

12 Appropriation . . . . . \$1,460,000

13 TOTAL APPROPRIATION. . . . . (~~(\$102,392,000)~~)

14 \$98,880,000

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

17 (1) \$8,114,000 of the motor vehicle account—state appropriation  
18 is provided solely for the development of the labor system  
19 replacement project and is subject to the conditions, limitations,  
20 and review provided in section 701 (~~(of this act)~~), chapter 219, Laws  
21 of 2020. It is the intent of the legislature that if any portion of  
22 the labor system replacement project is leveraged in the future for  
23 the time, leave, and labor distribution of any other agencies, the  
24 motor vehicle account will be reimbursed proportionally for the  
25 development of the system since amounts expended from the motor  
26 vehicle account must be used exclusively for highway purposes in  
27 conformance with Article II, section 40 of the state Constitution.  
28 This must be accomplished through a loan arrangement with the current  
29 interest rate under the terms set by the office of the state  
30 treasurer at the time the system is deployed to additional agencies.  
31 If the motor vehicle account is not reimbursed for future use of the  
32 system, it is further the intent of the legislature that reductions  
33 will be made to central service agency charges accordingly. The  
34 department shall provide a report to the transportation committees of  
35 the legislature by December 31, 2019, detailing the project timeline  
36 as of July 1, 2019, an updated project timeline if necessary,  
37 expenditures made to date for the purposes of this project, and  
38 expenditures projected through the remainder of the project timeline.

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

4 (3) \$21,500,000 of the motor vehicle account—state appropriation  
5 is provided solely for the activities of the information technology  
6 program in developing and maintaining information systems that  
7 support the operations and program delivery of the department,  
8 ensuring compliance with section 701 (~~of this act~~), chapter 219,  
9 Laws of 2020, and the requirements of the office of the chief  
10 information officer under RCW 43.88.092 to evaluate and prioritize  
11 any new financial and capital systems replacement or modernization  
12 project and any other information technology project. During the  
13 2019-2021 fiscal biennium, the department may use the distributed  
14 direct program support or other cost allocation method to fund a new  
15 capital systems replacement or modernization project. The department  
16 shall submit a decision package for implementation of a new capital  
17 systems replacement project to the governor and the transportation  
18 committees of the legislature as part of the normal budget process  
19 for the 2021-2023 biennium.

20 **Sec. 911.** 2020 c 219 s 211 (uncodified) is amended to read as  
21 follows:

22 **FOR THE DEPARTMENT OF TRANSPORTATION—FACILITY MAINTENANCE,**  
23 **OPERATIONS, AND CONSTRUCTION—PROGRAM D—OPERATING**

24 Motor Vehicle Account—State Appropriation . . . . .	(( <del>\$34,807,000</del> ))
	<u>\$33,819,000</u>
26 State Route Number 520 Corridor Account—State	
27 Appropriation . . . . .	\$34,000
28 TOTAL APPROPRIATION. . . . .	(( <del>\$34,841,000</del> ))
	<u>\$33,853,000</u>

30 **Sec. 912.** 2020 c 219 s 212 (uncodified) is amended to read as  
31 follows:

32 **FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F**

33 Aeronautics Account—State Appropriation . . . . .	(( <del>\$7,743,000</del> ))
	<u>\$6,773,000</u>
35 Aeronautics Account—Federal Appropriation . . . . .	\$3,043,000
36 Aeronautics Account—Private/Local Appropriation . . . . .	\$60,000
37 TOTAL APPROPRIATION. . . . .	(( <del>\$10,846,000</del> ))

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

(1) (~~(\$2,862,000)~~) \$2,505,000 of the aeronautics account—state appropriation is provided solely for the airport aid grant program, which provides competitive grants to public use airports for pavement, safety, maintenance, planning, and security.

(2) (~~(\$268,000)~~) \$218,000 of the aeronautics account—state appropriation is provided solely for one FTE dedicated to planning aviation emergency services and addressing emerging aeronautics requirements.

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

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

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

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

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

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

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

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

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

4 (vii) Recommendations to further the advancement of the  
5 electrification of aircraft for regional commercial use within  
6 Washington state, including specific, measurable goals for the years  
7 2030, 2040, and 2050 that reflect progressive and substantial  
8 increases in the utilization of electric and hybrid-electric  
9 commercial aircraft.

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

13 (4) (~~(\$350,000)~~) \$193,000 of the aeronautics account—state  
14 appropriation is provided solely for the implementation of chapter  
15 396, Laws of 2019 (aviation coordinating commission).

16 (5) Within amounts appropriated in this section, the aviation  
17 division of the department shall assist and consult with the  
18 department of revenue in their efforts to update the document titled  
19 "Washington Action Plan - FAA Policy Concerning Airport Revenue" to  
20 reflect changes to Washington tax code regarding hazardous  
21 substances. The department of revenue, in consultation with the  
22 aviation division of the Washington state department of  
23 transportation, is tasked with developing and recommending a  
24 methodology to segregate and track actual amounts collected from the  
25 hazardous substance tax under chapter 82.21 RCW and the petroleum  
26 products tax under chapter 82.23A RCW as imposed on aviation fuel.  
27 The department of revenue is directed to submit a report, including  
28 the recommended methodology, to the fiscal committees of the house of  
29 representatives and the senate by January 11, 2021.

30 **Sec. 913.** 2020 c 219 s 213 (uncodified) is amended to read as  
31 follows:

32 **FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND**  
33 **SUPPORT—PROGRAM H**

34 Motor Vehicle Account—State Appropriation . . . . .	( <del>(\$59,788,000)</del> )
	<u>\$55,549,000</u>
36 Motor Vehicle Account—Federal Appropriation . . . . .	\$500,000
37 Multimodal Transportation Account—State Appropriation . . .	\$258,000
38 TOTAL APPROPRIATION. . . . .	( <del>(\$60,546,000)</del> )

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

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

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

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

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

(2) With respect to Parcel 12 of the real property conveyed by the state of Washington to the city of Mercer Island under that certain quitclaim deed, dated April 19, 2000, recorded in King county under recording no. 20000425001234, the requirement in the deed that the property be used for road/street purposes only will be deemed satisfied by the department of transportation so long as commuter



1 parking, as part of the vertical development of the property, is one  
2 of the significant uses of the property.

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

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

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

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

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

24 **Sec. 914.** 2020 c 219 s 214 (uncodified) is amended to read as  
25 follows:

26 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—**  
27 **PROGRAM K**

28	Motor Vehicle Account—State Appropriation . . . . .	(( <del>\$670,000</del> ))
29		<u>\$654,000</u>
30	Electric Vehicle Account—State Appropriation. . . . .	(( <del>\$2,000,000</del> ))
31		<u>\$100,000</u>
32	Multimodal Transportation Account—State Appropriation. (( <del>\$1,634,000</del> ))	
33		<u>\$350,000</u>
34	TOTAL APPROPRIATION. . . . .	(( <del>\$4,304,000</del> ))
35		<u>\$1,104,000</u>

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

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

4 (2) \$350,000 of the multimodal transportation account—state  
5 appropriation is provided solely for the department to execute a  
6 transit oriented development pilot project at Kingsgate park and ride  
7 in Kirkland intended to be completed by December 31, 2023. The  
8 purpose of the pilot project is to demonstrate how appropriate  
9 department properties may be used to provide multiple public benefits  
10 such as affordable and market rate housing, commercial development,  
11 and institutional facilities in addition to transportation purposes.  
12 To accomplish the pilot project, the department is authorized to  
13 exercise all legal and administrative powers authorized in statute  
14 that may include, but is not limited to, the transfer, lease, or sale  
15 of some or all of the property to another governmental agency, public  
16 development authority, or nonprofit developer approved by the  
17 department and partner agencies. The department may also partner with  
18 sound transit, King county, the city of Kirkland, and any other  
19 federal, regional, or local jurisdiction on any policy changes  
20 necessary from those jurisdictions to facilitate the pilot project.  
21 By December 1, 2019, the department must report to the legislature on  
22 any legislative actions necessary to facilitate the pilot project and  
23 future transit oriented development projects.

24 (3) (~~(\$2,000,000)~~) \$100,000 of the electric vehicle account—state  
25 appropriation is provided solely for the clean alternative fuel  
26 vehicle charging and refueling infrastructure program in chapter 287,  
27 Laws of 2019 (advancing green transportation adoption).

28 (~~(\$1,200,000 of the multimodal transportation account—state~~  
29 ~~appropriation is provided solely for the pilot program established~~  
30 ~~under chapter 287, Laws of 2019 (advancing green transportation~~  
31 ~~adoption) to provide clean alternative fuel vehicle use opportunities~~  
32 ~~to underserved communities and low to moderate income members of the~~  
33 ~~workforce not readily served by transit or located in transportation~~  
34 ~~corridors with emissions that exceed federal or state emissions~~  
35 ~~standards.~~

36 (~~\$84,000 of the multimodal transportation account—state~~  
37 ~~appropriation is provided solely for an interagency transfer to the~~  
38 ~~department of commerce for the purpose of conducting a study as~~  
39 ~~described in chapter 287, Laws of 2019 (advancing green~~

1 ~~transportation adoption) to identify opportunities to reduce barriers~~  
2 ~~to electric vehicle adoption by lower income residents of the state~~  
3 ~~through the use of vehicle and infrastructure financing assistance.~~

4 (6)) Building on the information and experience gained from the  
5 transit oriented development project at the Kingsgate park and ride,  
6 the department must identify a pilot park and ride with future  
7 public-private partnership development potential in Pierce county and  
8 report back to the transportation committees of the legislature by  
9 June 30, 2021, with a proposal for moving forward with a pilot  
10 project.

11 **Sec. 915.** 2020 c 219 s 215 (uncodified) is amended to read as  
12 follows:

13 **FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M**

14 Motor Vehicle Account—State Appropriation . . . . .	(( <del>\$486,514,000</del> ))
	<u>\$461,472,000</u>
16 Motor Vehicle Account—Federal Appropriation . . . . .	\$7,000,000
17 State Route Number 520 Corridor Account—State	
18 Appropriation . . . . .	(( <del>\$4,447,000</del> ))
	<u>\$4,422,000</u>
20 Tacoma Narrows Toll Bridge Account—State	
21 Appropriation . . . . .	(( <del>\$1,549,000</del> ))
	<u>\$1,539,000</u>
23 Alaskan Way Viaduct Replacement Project	
24 Account—State Appropriation . . . . .	(( <del>\$9,537,000</del> ))
	<u>\$8,844,000</u>
26 Interstate 405 and State Route Number 167 Express	
27 Toll Lanes Account—State Appropriation. . . . .	\$4,528,000
28 TOTAL APPROPRIATION. . . . .	(( <del>\$513,575,000</del> ))
	<u>\$487,805,000</u>

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

32 (1) (a) \$6,170,000 of the motor vehicle account—state  
33 appropriation is provided solely for utility fees assessed by local  
34 governments as authorized under RCW 90.03.525 for the mitigation of  
35 stormwater runoff from state highways. Plan and reporting  
36 requirements as required in chapter 435, Laws of 2019 (Local  
37 Stormwater Charges) shall be consistent with the January 2012  
38 findings of the Joint Transportation Committee Report for Effective

1 Cost Recovery Structure for WSDOT, Jurisdictions, and Efficiencies in  
2 Stormwater Management.

3 (b) Pursuant to RCW 90.03.525(3), the department and the  
4 utilities imposing charges to the department shall negotiate with the  
5 goal of agreeing to rates such that the total charges to the  
6 department for the 2019-2021 fiscal biennium do not exceed the amount  
7 provided in this subsection. The department shall report to the  
8 transportation committees of the legislature on the amount of funds  
9 requested, the funds granted, and the strategies used to keep costs  
10 down, by January 17, 2021. If chapter 435, Laws of 2019 (local  
11 stormwater charges) is enacted by June 30, 2019, this subsection  
12 (1)(b) does not take effect.

13 (2) (~~(\$4,447,000)~~) \$4,422,000 of the state route number 520  
14 corridor account—state appropriation is provided solely to maintain  
15 the state route number 520 floating bridge. These funds must be used  
16 in accordance with RCW 47.56.830(3).

17 (3) (~~(\$1,549,000)~~) \$1,539,000 of the Tacoma Narrows toll bridge  
18 account—state appropriation is provided solely to maintain the new  
19 Tacoma Narrows bridge. These funds must be used in accordance with  
20 RCW 47.56.830(3).

21 (4) \$2,050,000 of the Interstate 405 and state route number 167  
22 express toll lanes account—state appropriation is provided solely to  
23 maintain the Interstate 405 and state route number 167 express toll  
24 lanes between Lynnwood and Bellevue, and Renton and the southernmost  
25 point of the express toll lanes. These funds must be used in  
26 accordance with RCW 47.56.830(3).

27 (5) \$2,478,000 of the Interstate 405 and state route number 167  
28 express toll lanes account—state appropriation is provided solely for  
29 maintenance for the 2019-2021 fiscal biennium only on the Interstate  
30 405 roadway between Renton and Bellevue.

31 (6) \$5,000,000 of the motor vehicle account—state appropriation  
32 is provided solely for a contingency pool for snow and ice removal.  
33 The department must notify the office of financial management and the  
34 transportation committees of the legislature when they have spent the  
35 base budget for snow and ice removal and will begin using the  
36 contingency pool funding.

37 (7) \$1,025,000 of the motor vehicle account—state appropriation  
38 is provided solely for the department to implement safety  
39 improvements and debris clean up on department-owned rights-of-way in

1 the city of Seattle at levels above that being implemented as of  
2 January 1, 2019. The department must contract out or hire a crew  
3 dedicated solely to collecting and disposing of garbage, clearing  
4 debris or hazardous material, and implementing safety improvements  
5 where hazards exist to the traveling public, department employees, or  
6 people encamped upon department-owned rights-of-way. The department  
7 may request assistance from the Washington state patrol as necessary  
8 in order for both agencies to provide enhanced safety-related  
9 activities regarding the emergency hazards along state highway  
10 rights-of-way in the Seattle area.

11 (8) \$1,015,000 of the motor vehicle account—state appropriation  
12 is provided solely for a partnership program between the department  
13 and the city of Tacoma. The program shall address the safety and  
14 public health problems created by homeless encampments on the  
15 department's property along state highways within the city limits.  
16 \$570,000 is for dedicated department maintenance staff and associated  
17 clean-up costs. The department and the city of Tacoma shall enter  
18 into a reimbursable agreement to cover up to \$445,000 of the city's  
19 expenses for clean-up crews and landfill costs.

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

30 **Sec. 916.** 2020 c 219 s 216 (uncodified) is amended to read as  
31 follows:

32 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**  
33 **OPERATING**

34 Motor Vehicle Account—State Appropriation . . . . .	(\$76,211,000)
35	<u>\$73,219,000</u>
36 Motor Vehicle Account—Federal Appropriation . . . . .	\$2,050,000
37 Motor Vehicle Account—Private/Local Appropriation . . . . .	\$250,000
38 State Route Number 520 Corridor Account—State	

1	Appropriation. . . . .	(( <del>\$53,000</del> ))
2		<u>\$49,000</u>
3	Tacoma Narrows Toll Bridge Account—State Appropriation. .	(( <del>\$31,000</del> ))
4		<u>\$40,000</u>
5	Alaskan Way Viaduct Replacement Project Account—	
6	State Appropriation. . . . .	(( <del>\$26,000</del> ))
7		<u>\$32,000</u>
8	Interstate 405 and State Route Number 167 Express	
9	Toll Lanes Account—State Appropriation. . . . .	(( <del>\$32,000</del> ))
10		<u>\$21,000</u>
11	TOTAL APPROPRIATION. . . . .	(( <del>\$78,653,000</del> ))
12		<u>\$75,661,000</u>

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

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

22 (2)(a) During the 2019-2021 fiscal biennium, the department shall  
23 continue a pilot program that expands private transportation  
24 providers' access to high occupancy vehicle lanes. Under the pilot  
25 program, when the department reserves a portion of a highway based on  
26 the number of passengers in a vehicle, the following vehicles must be  
27 authorized to use the reserved portion of the highway if the vehicle  
28 has the capacity to carry eight or more passengers, regardless of the  
29 number of passengers in the vehicle: (i) Auto transportation company  
30 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter  
31 carrier vehicles regulated under chapter 81.70 RCW, except marked or  
32 unmarked stretch limousines and stretch sport utility vehicles as  
33 defined under department of licensing rules; (iii) private nonprofit  
34 transportation provider vehicles regulated under chapter 81.66 RCW;  
35 and (iv) private employer transportation service vehicles. For  
36 purposes of this subsection, "private employer transportation  
37 service" means regularly scheduled, fixed-route transportation  
38 service that is offered by an employer for the benefit of its  
39 employees. Nothing in this subsection is intended to authorize the

1 conversion of public infrastructure to private, for-profit purposes  
2 or to otherwise create an entitlement or other claim by private users  
3 to public infrastructure.

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

14 (c) The department shall expand the high occupancy vehicle lane  
15 access pilot program to organ transport vehicles transporting a time  
16 urgent organ for an organ procurement organization as defined in RCW  
17 68.64.010. Under the pilot program, when the department reserves a  
18 portion of a highway based on the number of passengers in a vehicle,  
19 organ transport vehicles that are clearly and identifiably marked as  
20 such on all sides of the vehicle are considered emergency vehicles  
21 and must be authorized to use the reserved portion of the highway.

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

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

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

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

1 (5) (~~(\$32,000)~~) \$21,000 of the Interstate 405 and state route  
 2 number 167 express toll lanes account—state appropriation,  
 3 (~~(\$53,000)~~) \$49,000 of the state route number 520 corridor account—  
 4 state appropriation, (~~(\$31,000)~~) \$40,000 of the Tacoma Narrows toll  
 5 bridge account—state appropriation, and (~~(\$26,000)~~) \$32,000 of the  
 6 Alaskan Way viaduct replacement project account—state appropriation  
 7 are provided solely for the traffic operations program's proportional  
 8 share of time spent supporting tolling operations for the respective  
 9 tolling facilities.

10 **Sec. 917.** 2020 c 219 s 217 (uncodified) is amended to read as  
 11 follows:

12 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND**  
 13 **SUPPORT—PROGRAM S**

14	Motor Vehicle Account—State Appropriation . . . . .	( <del>(\$38,251,000)</del> )
15		<u>\$35,914,000</u>
16	Motor Vehicle Account—Federal Appropriation . . . . .	\$1,380,000
17	Motor Vehicle Account—Private/Local Appropriation . . . . .	\$500,000
18	Multimodal Transportation Account—State	
19	Appropriation . . . . .	\$1,129,000
20	State Route Number 520 Corridor Account—State	
21	Appropriation. . . . .	( <del>(\$199,000)</del> )
22		<u>\$185,000</u>
23	Tacoma Narrows Toll Bridge Account—State Appropriation. ( <del>(\$116,000)</del> )	
24		<u>\$150,000</u>
25	Alaskan Way Viaduct Replacement Project Account—	
26	State Appropriation. . . . .	( <del>(\$100,000)</del> )
27		<u>\$121,000</u>
28	Interstate 405 and State Route Number 167 Express	
29	Toll Lanes Account—State Appropriation. . . . .	( <del>(\$119,000)</del> )
30		<u>\$78,000</u>
31	TOTAL APPROPRIATION. . . . .	( <del>(\$41,794,000)</del> )
32		<u>\$39,457,000</u>

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

35 (1) \$2,000,000 of the motor vehicle account—state appropriation  
 36 is provided solely for a grant program that makes awards for the  
 37 following: (a) Support for nonprofit agencies, churches, and other  
 38 entities to help provide outreach to populations underrepresented in



1 the current apprenticeship programs; (b) preapprenticeship training;  
2 and (c) child care, transportation, and other supports that are  
3 needed to help women, veterans, and minorities enter and succeed in  
4 apprenticeship. The department must report on grants that have been  
5 awarded and the amount of funds disbursed by December 1st each year.  
6 If moneys are provided in the omnibus operating appropriations act  
7 for a career connected learning grant program, defined in  
8 chapter . . . (Substitute House Bill No. 1336), Laws of 2019, or  
9 otherwise, the amount provided in this subsection lapses.

10 (2) \$150,000 of the motor vehicle account—state appropriation is  
11 provided solely for a user-centered and mobile-compatible web site  
12 redesign using estimated web site ad revenues.

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

31 (4) (~~(\$119,000)~~) \$78,000 of the Interstate 405 and state route  
32 number 167 express toll lanes account—state appropriation,  
33 (~~(\$199,000)~~) \$185,000 of the state route number 520 corridor account—  
34 state appropriation, (~~(\$116,000)~~) \$150,000 of the Tacoma Narrows toll  
35 bridge account—state appropriation, and (~~(\$100,000)~~) \$121,000 of the  
36 Alaskan Way viaduct replacement project account—state appropriation  
37 are provided solely for the transportation management and support  
38 program's proportional share of time spent supporting tolling  
39 operations for the respective tolling facilities.

1       **Sec. 918.** 2020 c 219 s 218 (uncodified) is amended to read as  
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA,**  
4 **AND RESEARCH—PROGRAM T**

5	Interstate 405 and State Route Number 167 Express Toll Lanes	
6	Account—State Appropriation . . . . .	(( <del>\$3,123,000</del> ))
7		<u>\$121,000</u>
8	Motor Vehicle Account—State Appropriation . . . . .	(( <del>\$26,587,000</del> ))
9		<u>\$24,053,000</u>
10	Motor Vehicle Account—Federal Appropriation . . . . .	(( <del>\$35,385,000</del> ))
11		<u>\$32,508,000</u>
12	Motor Vehicle Account—Private/Local Appropriation . . . . .	\$1,200,000
13	Multimodal Transportation Account—State Appropriation . . . . .	\$710,000
14	Multimodal Transportation Account—Federal	
15	Appropriation . . . . .	\$2,809,000
16	Multimodal Transportation Account—Private/Local	
17	Appropriation . . . . .	\$100,000
18	State Route Number 520 Corridor Account—State	
19	Appropriation . . . . .	(( <del>\$763,000</del> ))
20		<u>\$150,000</u>
21	<del>((Tacoma Narrows Toll Bridge Account—State Appropriation . . . . .</del>	<del>\$121,000</del>
22	<del>Alaskan Way Viaduct Replacement Project Account—</del>	
23	<del>State Appropriation . . . . .</del>	<del>\$104,000))</del>
24	TOTAL APPROPRIATION . . . . .	(( <del>\$70,902,000</del> ))
25		<u>\$61,651,000</u>

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

28       (1) \$130,000 of the motor vehicle account—state appropriation is  
29 provided solely for completion of a corridor study to identify  
30 potential improvements between exit 116 and exit 99 of Interstate 5.  
31 The study should further develop mid- and long-term strategies from  
32 the corridor sketch, and identify potential US 101/I-5 interchange  
33 improvements, a strategic plan for the Nisqually River bridges,  
34 regional congestion relief options, and ecosystem benefits to the  
35 Nisqually River estuary for salmon productivity and flood control.

36       (2) The study on state route number 518 referenced in section  
37 218(5), chapter 297, Laws of 2018 must be submitted to the  
38 transportation committees of the legislature by November 30, 2019.

1 (3) \$100,000 of the motor vehicle account—state appropriation is  
2 provided solely to complete the Tacoma mall direct access feasibility  
3 study.

4 (4) (~~(\$4,600,000)~~) \$673,000 of the motor vehicle account—federal  
5 appropriation is provided solely to complete the road usage charge  
6 pilot project overseen by the transportation commission using the  
7 remaining unspent amount of the federal grant award. The purpose of  
8 the road usage charge pilot project is to explore the viability of a  
9 road usage charge as a possible replacement for the gas tax.

10 (5) \$1,050,000 of the motor vehicle account—federal appropriation  
11 is provided solely for the Forward Drive road usage charge research  
12 project overseen by the transportation commission using a portion of  
13 the amount of the federal grant award. The purpose of the Forward  
14 Drive road usage charge research project is to advance research in  
15 key policy areas related to road usage charge including assessing  
16 impacts of future mobility shifts on road usage charge revenues,  
17 conducting an equity analysis, updating and assessing emerging  
18 mileage reporting methods, determining opportunities to reduce cost  
19 of collection, conducting small-scale pilot tests, and identifying a  
20 long-term, detailed phase-in plan.

21 (~~(\$3,000,000)~~) (6) \$121,000 of the Interstate 405 and state route  
22 number 167 express toll lanes account—state appropriation is provided  
23 solely for updating the state route number 167 master plan. If  
24 chapter 421, Laws of 2019 (addressing tolling) is not enacted by June  
25 30, 2019, the amount provided in this subsection lapses.

26 (~~((6) \$123,000 of the Interstate 405 and state route number 167~~  
27 ~~express toll lanes account—state appropriation, \$207,000 of the state~~  
28 ~~route number 520 corridor account—state appropriation, \$121,000 of~~  
29 ~~the Tacoma Narrows toll bridge account—state appropriation, and~~  
30 ~~\$104,000 of the Alaskan Way viaduct replacement project account—state~~  
31 ~~appropriation are provided solely for the transportation planning,~~  
32 ~~data, and research program's proportional share of time spent~~  
33 ~~supporting tolling operations for the respective tolling~~  
34 ~~facilities.))~~)

35 (7) By December 31, 2020, the department shall provide to the  
36 governor and the transportation committees of the legislature a  
37 report examining the feasibility of doing performance-based  
38 evaluations for projects. The department must incorporate feedback  
39 from stakeholder groups, including traditionally underserved and

1 historically disadvantaged populations, and the report shall include  
2 the project evaluation procedures that would be used for the  
3 performance-based evaluation.

4 (8) (~~(\$556,000)~~) \$150,000 of the state route number 520 corridor  
5 account—state appropriation is provided solely for the department to  
6 contract with the University of Washington department of mechanical  
7 engineering, to study measures to reduce noise impacts from the state  
8 route number 520 bridge expansion joints. The field testing shall be  
9 scheduled during existing construction, maintenance, or other  
10 scheduled closures to minimize impacts. The testing must also ensure  
11 safety of the traveling public. The study shall examine testing  
12 methodologies and project timelines and costs. A final report must be  
13 submitted to the transportation committees of the legislature and the  
14 governor by (~~December~~) March 1, (~~(2021)~~) 2022.

15 (9) \$5,900,000 of the motor vehicle account—federal appropriation  
16 and \$400,000 of the motor vehicle account—private/local appropriation  
17 are provided solely for delivery of the department's state planning  
18 and research work program and pooled fund research projects, provided  
19 that the department may not expend any amounts provided in this  
20 section on a long-range plan or corridor scenario analysis for I-5  
21 from Tumwater to Marysville. This is not intended to reference or  
22 impact: The existing I-5 corridor from Mounts road to Tumwater design  
23 and operations alternatives analysis; design studies related to HOV  
24 lanes or operations; or where it is necessary to continue design and  
25 operations analysis related to projects already under development.

26 **Sec. 919.** 2020 c 219 s 219 (uncodified) is amended to read as  
27 follows:

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

30 Motor Vehicle Account—State Appropriation . . . . .	( <del>(\$79,474,000)</del> )
31	<u>\$82,467,000</u>
32 Multimodal Transportation Account—State	
33 Appropriation . . . . .	\$2,833,000
34 Interstate 405 and State Route Number 167 Express	
35 Toll Lanes Account—State Appropriation. . . . .	( <del>(\$122,000)</del> )
36	<u>\$9,000</u>
37 State Route Number 520 Corridor Account—State	
38 Appropriation. . . . .	( <del>(\$205,000)</del> )



1 (~~(\$205,000)~~) \$22,000 of the state route number 520 corridor account—  
2 state appropriation, (~~(\$120,000)~~) \$17,000 of the Tacoma Narrows toll  
3 bridge account—state appropriation, and (~~(\$102,000)~~) \$14,000 of the  
4 Alaskan Way viaduct replacement project account—state appropriation  
5 are provided solely for the charges from other agencies' program's  
6 proportional share of supporting tolling operations for the  
7 respective tolling facilities.

8 (5) When the department identifies significant legal issues that  
9 have potential transportation budget implications, the department  
10 must initiate a briefing for appropriate legislative members or staff  
11 through the office of the attorney general and its legislative  
12 briefing protocol.

13 **Sec. 920.** 2020 c 219 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 . . . . .	( <del>(\$88,698,000)</del> )
19	<u>\$78,159,000</u>
20 Rural Mobility Grant Program Account—State	
21 Appropriation . . . . .	\$32,223,000
22 Multimodal Transportation Account—State	
23 Appropriation . . . . .	( <del>(\$122,355,000)</del> )
24	<u>\$115,948,000</u>
25 Multimodal Transportation Account—Federal	
26 Appropriation . . . . .	\$3,574,000
27 Multimodal Transportation Account—Local	
28 Appropriation . . . . .	\$100,000
29 TOTAL APPROPRIATION. . . . .	( <del>(\$247,734,000)</del> )
30	<u>\$230,788,000</u>

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

33 (1) \$62,698,000 of the multimodal transportation account—state  
34 appropriation is provided solely for a grant program for special  
35 needs transportation provided by transit agencies and nonprofit  
36 providers of transportation. Of this amount:

37 (a) \$14,297,000 of the multimodal transportation account—state  
38 appropriation is provided solely for grants to nonprofit providers of

1 special needs transportation. Grants for nonprofit providers must be  
2 based on need, including the availability of other providers of  
3 service in the area, efforts to coordinate trips among providers and  
4 riders, and the cost effectiveness of trips provided. Fuel type may  
5 not be a factor in the grant selection process.

6 (b) \$48,401,000 of the multimodal transportation account—state  
7 appropriation is provided solely for grants to transit agencies to  
8 transport persons with special transportation needs. To receive a  
9 grant, the transit agency must, to the greatest extent practicable,  
10 have a maintenance of effort for special needs transportation that is  
11 no less than the previous year's maintenance of effort for special  
12 needs transportation. Grants for transit agencies must be prorated  
13 based on the amount expended for demand response service and route  
14 deviated service in calendar year 2017 as reported in the "Summary of  
15 Public Transportation - 2017" published by the department of  
16 transportation. No transit agency may receive more than thirty  
17 percent of these distributions. Fuel type may not be a factor in the  
18 grant selection process.

19 (2) \$32,223,000 of the rural mobility grant program account—state  
20 appropriation is provided solely for grants to aid small cities in  
21 rural areas as prescribed in RCW 47.66.100. Fuel type may not be a  
22 factor in the grant selection process.

23 (3) (a) \$10,539,000 of the multimodal transportation account—state  
24 appropriation is provided solely for a vanpool grant program for: (i)  
25 Public transit agencies to add vanpools or replace vans; and (ii)  
26 incentives for employers to increase employee vanpool use. The grant  
27 program for public transit agencies will cover capital costs only;  
28 operating costs for public transit agencies are not eligible for  
29 funding under this grant program. Additional employees may not be  
30 hired from the funds provided in this section for the vanpool grant  
31 program, and supplanting of transit funds currently funding vanpools  
32 is not allowed. The department shall encourage grant applicants and  
33 recipients to leverage funds other than state funds. Fuel type may  
34 not be a factor in the grant selection process.

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

37 (4) \$27,483,000 of the regional mobility grant program account—  
38 state appropriation is reappropriated and provided solely for the  
39 regional mobility grant projects identified in LEAP Transportation

1 Document ((2020)) 2021-2 ALL PROJECTS as developed ((March 11, 2020))  
2 April 23, 2021, Program - Public Transportation Program (V).

3 (5) (a) ((~~\$61,215,000~~)) \$50,676,000 of the regional mobility grant  
4 program account—state appropriation is provided solely for the  
5 regional mobility grant projects identified in LEAP Transportation  
6 Document ((2020)) 2021-2 ALL PROJECTS as developed ((March 11, 2020))  
7 April 23, 2021, Program - Public Transportation Program (V). The  
8 department shall review all projects receiving grant awards under  
9 this program at least semiannually to determine whether the projects  
10 are making satisfactory progress. Any project that has been awarded  
11 funds, but does not report activity on the project within one year of  
12 the grant award, must be reviewed by the department to determine  
13 whether the grant should be terminated. The department shall promptly  
14 close out grants when projects have been completed, and any remaining  
15 funds must be used only to fund projects identified in the LEAP  
16 transportation document referenced in this subsection. The department  
17 shall provide annual status reports on December 15, 2019, and  
18 December 15, 2020, to the office of financial management and the  
19 transportation committees of the legislature regarding the projects  
20 receiving the grants. It is the intent of the legislature to  
21 appropriate funds through the regional mobility grant program only  
22 for projects that will be completed on schedule. A grantee may not  
23 receive more than twenty-five percent of the amount appropriated in  
24 this subsection. ((Additionally, when allocating funding for the  
25 ~~2021-2023 biennium, no more than thirty percent of the total grant~~  
26 ~~program may directly benefit or support one grantee.)) The department  
27 shall not approve any increases or changes to the scope of a project  
28 for the purpose of a grantee expending remaining funds on an awarded  
29 grant. Fuel type may not be a factor in the grant selection process.~~

30 (b) In order to be eligible to receive a grant under (a) of this  
31 subsection during the 2019-2021 fiscal biennium, a transit agency  
32 must establish a process for private transportation providers to  
33 apply for the use of park and ride facilities. For purposes of this  
34 subsection, (i) "private transportation provider" means: An auto  
35 transportation company regulated under chapter 81.68 RCW; a passenger  
36 charter carrier 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; a private nonprofit  
39 transportation provider regulated under chapter 81.66 RCW; or a  
40 private employer transportation service provider; and (ii) "private



1 employer transportation service" means regularly scheduled, fixed-  
2 route transportation service that is offered by an employer for the  
3 benefit of its employees.

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

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

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

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

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

29 (b) \$30,000 of the state vehicle parking account—state  
30 appropriation is provided solely for the STAR pass program for state  
31 employees residing in Mason and Grays Harbor Counties. Use of the  
32 pass is for public transportation between Mason County and Thurston  
33 County, and Grays Harbor and Thurston County. The pass may also be  
34 used within Grays Harbor County. The STAR pass commute trip reduction  
35 program is open to any state employee who expresses intent to commute  
36 to his or her assigned state worksite using a public transit system  
37 currently participating in the STAR pass program.

38 (c) (~~(\$1,000,000)~~) \$200,000 of the multimodal transportation  
39 account—state appropriation is provided solely for a first mile/last

1 mile connections grant program. Eligible grant recipients include  
2 cities, businesses, nonprofits, and transportation network companies  
3 with first mile/last mile solution proposals. Transit agencies are  
4 not eligible. The commute trip reduction board shall develop grant  
5 parameters, evaluation criteria, and evaluate grant proposals. The  
6 commute trip reduction board shall provide the transportation  
7 committees of the legislature a report on the effectiveness of this  
8 grant program and best practices for continuing the program.

9 (8) Except as provided otherwise in this subsection,  
10 (~~(\$33,370,000)~~) \$32,008,000 of the multimodal transportation account—  
11 state appropriation is provided solely for connecting Washington  
12 transit projects identified in LEAP Transportation Document ((2020))  
13 2021-2 ALL PROJECTS as developed ((~~March 11, 2020~~)) April 23, 2021.  
14 It is the intent of the legislature that entities identified to  
15 receive funding in the LEAP document referenced in this subsection  
16 receive the amounts specified in the time frame specified in that  
17 LEAP document. If an entity has already completed a project in the  
18 LEAP document referenced in this subsection before the time frame  
19 identified, the entity may substitute another transit project or  
20 projects that cost a similar or lesser amount.

21 (9) \$1,000,000 of the multimodal transportation account—state  
22 appropriation is provided solely for transit coordination grants.  
23 Fuel type may not be a factor in the grant selection process.

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

26 (11)(a) For projects funded as part of the 2015 connecting  
27 Washington transportation package listed on the LEAP transportation  
28 document identified in subsection (4) of this section, if the  
29 department expects to have substantial reappropriations for the  
30 2021-2023 fiscal biennium, the department may, on a pilot basis,  
31 apply funding from a project with an appropriation that cannot be  
32 used for the current fiscal biennium to advance one or more of the  
33 following projects:

34 (i) King County Metro - RapidRide Expansion, Burien-Delridge  
35 (G2000031);

36 (ii) King County Metro - Route 40 Northgate to Downtown  
37 (G2000032);

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

39 (iv) Pierce Transit - SR 7 Express Service (G2000045).

1 (b) At least ten business days before advancing a project  
2 pursuant to this subsection, the department must notify the office of  
3 financial management and the transportation committees of the  
4 legislature. The advancement of a project may not hinder the delivery  
5 of the projects for which the reappropriations are necessary for the  
6 2021-2023 fiscal biennium.

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

10 (12) \$750,000 of the multimodal transportation account—state  
11 appropriation is provided solely for Intercity Transit for the Dash  
12 shuttle program.

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

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

21 (ii) Providing administrative support to other interested school  
22 districts in King county to prepare for implementing similar programs  
23 for their students.

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

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

28 (ii) Available ridership data;

29 (iii) A cost estimate, including a detailed description of the  
30 various expenses leading to the cost estimate, and any other factors  
31 relevant to expanding the program to other King county school  
32 districts;

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

37 (v) Opportunities for subsidized ORCA cards or local grant or  
38 matching funds; and

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

1 (14) (~~(\$12,000,000)~~) \$7,007,000 of the multimodal transportation  
2 account—state appropriation is provided solely for the green  
3 transportation capital grant program established in chapter 287, Laws  
4 of 2019 (advancing green transportation adoption).

5 (15) \$555,000 of the multimodal transportation account—state  
6 appropriation is provided solely for an interagency transfer to the  
7 Washington State University extension energy program to establish and  
8 administer a technical assistance and education program for public  
9 agencies on the use of alternative fuel vehicles.

10 (~~((17))~~) (16) The appropriations in this section include savings  
11 due to anticipated project underruns; however, it is unknown which  
12 projects will provide savings. The legislature intends to provide  
13 sufficient flexibility for the department to manage to this savings  
14 target. To provide this flexibility, the office of financial  
15 management may authorize, through an allotment modification,  
16 reductions in the appropriated amounts that are provided solely for a  
17 particular purpose within this section subject to the following  
18 conditions and limitations:

19 (a) No allotment modifications may be made to amounts provided  
20 solely for the special needs transportation grant program;

21 (b) The department must confirm that any modification requested  
22 under this subsection of amounts provided solely for a specific  
23 purpose are not expected to be used for that purpose in this  
24 biennium;

25 (c) Allotment modifications authorized under this subsection may  
26 not result in increased funding for any project beyond the amount  
27 provided for that project in the 2019-2021 fiscal biennium in LEAP  
28 Transportation Document (~~((2020))~~) 2021-2 ALL PROJECTS as developed  
29 (~~((March 11, 2020))~~) April 23, 2021;

30 (d) Allotment modifications authorized under this subsection  
31 apply only to amounts appropriated in this section from the  
32 multimodal transportation account—state; and

33 (e) By December 1, 2020, the department must submit a report to  
34 the transportation committees of the legislature regarding the  
35 actions taken under this subsection.

36 (~~((18))~~) (17)(a) The Washington state department of  
37 transportation public transportation division, working with the  
38 Thurston regional planning council, shall provide state agency  
39 management, the office of financial management, and the

1 transportation committees of the legislature with results of their  
2 regional mobility grant program demonstration project I-5/US 101  
3 Practical Solutions: State Capitol Campus Transportation Demand  
4 Management - Mobile Work. This includes reporting after the 2020  
5 legislative session on the measurable results of an early pilot  
6 initiative, "Telework Tuesday," beginning in January 2020.

7 (b) Capitol campus state agency management is directed to fully  
8 participate in this work, which aims to reduce greenhouse gases,  
9 require less office space and parking investments; provide low cost  
10 congestion relief on I-5 during peak periods, US 101, and the local  
11 transportation network; and improve retention and recruitment of  
12 public employees. The agencies should actively: Encourage employees  
13 qualified to telework to participate in this program and increase the  
14 number of employees who qualify for mobile work and schedule shifts.

15 (c) If measurable success is achieved, the capitol campus state  
16 agencies shall provide options to expand the project to other  
17 jurisdictions concentrated with large employers. Expansion and  
18 encouragement of telework will help reduce demand on the  
19 transportation system, reduce traffic during peak hours, and reduce  
20 greenhouse gas emissions.

21 **Sec. 921.** 2020 c 219 s 221 (uncodified) is amended to read as  
22 follows:

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

24 Motor Vehicle Account—State Appropriation. . . . .	\$250,000
25 Puget Sound Ferry Operations Account—State	
26 Appropriation . . . . .	(( <del>\$545,997,000</del> ))
27	<u>\$486,710,000</u>
28 Puget Sound Ferry Operations Account—Federal	
29 Appropriation . . . . .	(( <del>\$7,932,000</del> ))
30	<u>\$47,169,000</u>
31 Puget Sound Ferry Operations Account—Private/Local	
32 Appropriation . . . . .	\$121,000
33 TOTAL APPROPRIATION. . . . .	(( <del>\$554,300,000</del> ))
34	<u>\$534,250,000</u>

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

37 (1) The office of financial management budget instructions  
38 require agencies to recast enacted budgets into activities. The

1 Washington state ferries shall include a greater level of detail in  
2 its 2019-2021 supplemental and 2021-2023 omnibus transportation  
3 appropriations act requests, as determined jointly by the office of  
4 financial management, the Washington state ferries, and the  
5 transportation committees of the legislature. This level of detail  
6 must include the administrative functions in the operating as well as  
7 capital programs.

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

12 (3) (~~(\$73,161,000)~~) \$67,052,000 of the Puget Sound ferry  
13 operations account—state appropriation is provided solely for auto  
14 ferry vessel operating fuel in the 2019-2021 fiscal biennium, which  
15 reflect cost savings from a reduced biodiesel fuel requirement and,  
16 therefore, is contingent upon the enactment of section 703, chapter  
17 416, Laws of 2019. The amount provided in this subsection represents  
18 the fuel budget for the purposes of calculating any ferry fare fuel  
19 surcharge. The department shall review future use of alternative  
20 fuels and dual fuel configurations, including hydrogen.

21 (4) \$650,000 of the Puget sound ferry operations account—state  
22 appropriation is provided solely for increased staffing at Washington  
23 ferry terminals to meet increased workload and customer expectations.  
24 Within the amount provided in this subsection, the department shall  
25 contract with uniformed officers for additional traffic control  
26 assistance at the Kingston ferry terminal during peak ferry travel  
27 times, with a particular focus on Sundays and holiday weekends.  
28 Traffic control methods should include, but not be limited to,  
29 holding traffic on the shoulder at Lindvog Road until space opens for  
30 cars at the tollbooths and dock, and management of traffic on Highway  
31 104 in order to ensure Kingston residents and business owners have  
32 access to businesses, roads, and driveways.

33 (5) \$254,000 of the Puget Sound ferry operations account—state  
34 appropriation is provided solely for a dedicated inventory logistics  
35 manager on a one-time basis.

36 (6) \$500,000 of the Puget Sound ferry operations account—state  
37 appropriation is provided solely for operating costs related to  
38 moving vessels for emergency capital repairs. Funds may only be spent  
39 after approval by the office of financial management.

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

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

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

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

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

31 (ii) Recommendations for emergency boat allocations, regular  
32 schedule policies, and emergency schedule policies based on all  
33 customers alternative travel options to ensure that any dock with no  
34 road access is prioritized in scheduling and scheduled service is  
35 provided based on population size, demographics, and local medical  
36 services;

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

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

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

10 (10) \$15,139,000 of the Puget Sound ferry operations account—  
11 state appropriation is provided solely for training. Of the amount  
12 provided in this subsection:

13 (a) \$2,500,000 is for training for new employees.

14 (b) \$160,000 is for electronic chart display and information  
15 system training.

16 (c) \$379,000 is for marine evacuation slide training.

17 (11) \$1,600,000 of the Puget Sound ferry operations account—state  
18 appropriation is provided solely for naval architecture staff support  
19 for the marine maintenance program.

20 (12) \$336,000 of the Puget Sound ferry operations account—state  
21 appropriation is provided solely for inspections of fall restraint  
22 systems.

23 (13) \$4,361,000 of the Puget Sound ferry operations account—state  
24 appropriation is provided solely for overtime expenses incurred by  
25 engine and deck crew members.

26 (14) \$1,200,000 of the Puget Sound ferry operations account—state  
27 appropriation is provided solely for familiarization for new  
28 assignments of engine crew and terminal staff.

29 (15) \$100,000 of the Puget Sound ferry operations account—state  
30 appropriation is provided solely to develop a plan for upgrading a  
31 second vessel to meet the international convention for the safety of  
32 life at sea standards. The plan must identify the option with the  
33 lowest impacts to sailing schedules.

34 (16) The department must request reimbursement from the federal  
35 transit administration for the maximum amount of ferry operating  
36 expenses eligible for reimbursement under federal law.

37 **Sec. 922.** 2020 c 219 s 222 (uncodified) is amended to read as  
38 follows:



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

2 Multimodal Transportation Account—State

3 Appropriation . . . . . ((~~\$70,244,000~~))

4 \$45,883,000

5 Multimodal Transportation Account—Private/Local

6 Appropriation . . . . . \$717,000

7 ((~~Multimodal Transportation Account—Federal~~

8 ~~Appropriation . . . . . \$500,000))~~

9 TOTAL APPROPRIATION. . . . . ((~~\$71,461,000~~))

10 \$46,600,000

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

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

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

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

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

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

30 (ii) Development of a long-term funding and financing strategy  
31 for project initiation, development, construction, and program  
32 administration of the high-speed corridor, building on the funding  
33 and financing chapter of the 2019 business case analysis and aligned  
34 with the recommendations of (b) (i) of this subsection; and

35 (iii) Development of recommendations for a department-led ultra-  
36 high speed corridor engagement plan for policy leadership from  
37 elected officials.

38 (c) This study must build on the results of the 2018 Washington  
39 state ultra high-speed ground transportation business case analysis

1 and the 2019 Washington state ultra high-speed ground transportation  
2 study findings report. The department shall consult with the  
3 transportation committees of the legislature regarding all issues  
4 related to proposed corridor governance.

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

13 (e) By December 1, 2020, the department shall provide to the  
14 governor and the transportation committees of the legislature a  
15 report of the study's findings regarding the three elements noted in  
16 this subsection. As applicable, the report should also be sent to the  
17 executive and legislative branches of government in the state of  
18 Oregon and appropriate government bodies in the province of British  
19 Columbia.

20 (2) The department is directed to continue to pursue efforts to  
21 reduce costs, increase ridership, and review Amtrak Cascades fares  
22 and fare schedules. Within thirty days of each annual cost/revenue  
23 reconciliation under the Amtrak service contract, the department  
24 shall report annual credits to the office of financial management and  
25 the legislative transportation committees. Annual credits from Amtrak  
26 to the department including, but not limited to, credits due to  
27 higher ridership, reduced level of service, and fare or fare schedule  
28 adjustments, must be used to offset corresponding amounts of the  
29 multimodal transportation account—state appropriation, which must be  
30 placed in reserve.

31 **Sec. 923.** 2020 c 219 s 223 (uncodified) is amended to read as  
32 follows:

33 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**  
34 **OPERATING**

35 Motor Vehicle Account—State Appropriation . . . . .	(( <del>\$12,187,000</del> ))
	<u>\$11,854,000</u>
37 Motor Vehicle Account—Federal Appropriation . . . . .	\$2,567,000
38 Multiuse Roadway Safety Account—State Appropriation . . . . .	\$450,000



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

3 (b) Update the local agency guidelines manual, including  
4 exploring alternatives within the local agency guidelines manual on  
5 county priorities;

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

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

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

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

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

21 (4) \$280,000 of the motor vehicle account—state appropriation is  
22 provided solely for Wahkiakum county for operation of the ferry  
23 between Puget Island and Westport, Oregon. These funds are provided  
24 outside the existing continuing agreement described in RCW 47.56.720,  
25 are not appropriated for that purpose, and therefore do not  
26 constitute payments under the agreement.

27 **TRANSPORTATION AGENCIES—CAPITAL**

28 **Sec. 1001.** 2020 c 219 s 301 (uncodified) is amended to read as  
29 follows:

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

31	Freight Mobility Investment Account—State	
32	Appropriation . . . . .	(( <del>\$23,015,000</del> ))
33		<u>\$17,344,000</u>
34	Highway Safety Account—State Appropriation. . . . .	\$81,000
35	Motor Vehicle Account—State Appropriation. . . . .	(( <del>\$4,907,000</del> ))
36		<u>\$3,165,000</u>
37	Freight Mobility Multimodal Account—State	

1	Appropriation . . . . .	(( <del>\$4,992,000</del> ))
2		<u>\$4,454,000</u>
3	Motor Vehicle Account—Federal Appropriation . . . . .	\$1,899,000
4	Freight Mobility Multimodal Account—Private/Local	
5	Appropriation . . . . .	\$1,250,000
6	TOTAL APPROPRIATION. . . . .	(( <del>\$36,144,000</del> ))
7		<u>\$28,193,000</u>

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

10 (1) Except as otherwise provided in this section, the entire  
11 appropriations in this section are provided solely for the projects  
12 by amount, as listed in the LEAP Transportation Document (~~(2020-3 as~~  
13 ~~developed March 11, 2020, Conference FMSIB Project List)~~) 2021-2 ALL  
14 PROJECTS as developed April 23, 2021, Freight Mobility Strategic  
15 Investment Board (FMSIB).

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

20 ((~~4~~)) (3) It is the intent of the legislature to continue to  
21 make strategic investments in a statewide freight mobility  
22 transportation system with the help of the freight mobility strategic  
23 investment board, including projects that mitigate the impact of  
24 freight movement on local communities.

25 **Sec. 1002.** 2020 c 219 s 302 (uncodified) is amended to read as  
26 follows:

27 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

28	Rural Arterial Trust Account—State Appropriation . . . . .	(( <del>\$62,884,000</del> ))
29		<u>\$51,184,000</u>
30	Motor Vehicle Account—State Appropriation . . . . .	\$1,456,000
31	County Arterial Preservation Account—State	
32	Appropriation . . . . .	\$39,590,000
33	TOTAL APPROPRIATION. . . . .	(( <del>\$103,930,000</del> ))
34		<u>\$92,230,000</u>

35 **Sec. 1003.** 2020 c 219 s 304 (uncodified) is amended to read as  
36 follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—**  
2 **(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL**

3	Motor Vehicle Account—State Appropriation . . . . .	(( <del>\$51,187,000</del> ))
4		<u>\$49,717,000</u>
5	Connecting Washington Account—State Appropriation . .	(( <del>\$51,523,000</del> ))
6		<u>\$50,746,000</u>
7	TOTAL APPROPRIATION. . . . .	(( <del>\$102,710,000</del> ))
8		<u>\$100,463,000</u>

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

11 (1) ((~~\$51,523,000~~)) \$50,746,000 of the connecting Washington  
12 account—state appropriation is provided solely for a new Olympic  
13 region maintenance and administration facility to be located on the  
14 department-owned site at the intersection of Marvin Road and 32nd  
15 Avenue in Lacey, Washington.

16 (2) (a) ((~~\$43,297,000~~)) \$41,827,000 of the motor vehicle account—  
17 state appropriation is provided solely for the department facility  
18 located at 15700 Dayton Ave N in Shoreline. This appropriation is  
19 contingent upon the department of ecology signing a not less than  
20 twenty-year agreement to pay a share of any financing contract issued  
21 pursuant to chapter 39.94 RCW.

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

24 (c) Total project costs are not to exceed ((~~\$46,500,000~~))  
25 \$45,032,000.

26 (3) \$1,565,000 from the motor vehicle account—state appropriation  
27 is provided solely for furniture for the renovated Northwest Region  
28 Headquarters at Dayton Avenue. The department must efficiently  
29 furnish the renovated building.

30 **Sec. 1004.** 2020 c 219 s 305 (uncodified) is amended to read as  
31 follows:

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

33	Transportation Partnership Account—State	
34	Appropriation . . . . .	(( <del>\$385,619,000</del> ))
35		<u>\$395,679,000</u>
36	Motor Vehicle Account—State Appropriation . . . . .	(( <del>\$102,543,000</del> ))
37		<u>\$60,911,000</u>
38	Motor Vehicle Account—Federal Appropriation . . . . .	(( <del>\$151,857,000</del> ))

1		<u>\$156,148,000</u>
2	Motor Vehicle Account—Private/Local Appropriation . . . . .	(( <del>\$70,404,000</del> ))
3		<u>\$76,284,000</u>
4	Connecting Washington Account—State	
5	Appropriation . . . . .	(( <del>\$2,355,205,000</del> ))
6		<u>\$1,630,805,000</u>
7	Special Category C Account—State Appropriation . . . . .	(( <del>\$36,134,000</del> ))
8		<u>\$19,123,000</u>
9	Multimodal Transportation Account—State	
10	Appropriation . . . . .	(( <del>\$3,853,000</del> ))
11		<u>\$3,522,000</u>
12	Alaskan Way Viaduct Replacement Project Account—State	
13	Appropriation . . . . .	\$77,956,000
14	Transportation 2003 Account (Nickel Account)—State	
15	Appropriation . . . . .	(( <del>\$10,429,000</del> ))
16		<u>\$9,403,000</u>
17	Interstate 405 and State Route Number 167 Express	
18	Toll Lanes Account—State Appropriation. . . . .	(( <del>\$90,027,000</del> ))
19		<u>\$33,742,000</u>
20	TOTAL APPROPRIATION. . . . .	(( <del>\$3,284,027,000</del> ))
21		<u>\$2,463,573,000</u>

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

24       (1) Except as provided otherwise in this section, the entire  
25 connecting Washington account—state appropriation and the entire  
26 transportation partnership account—state appropriation are provided  
27 solely for the projects and activities as listed by fund, project,  
28 and amount in LEAP Transportation Document ((2020)) 2021-1 as  
29 developed ((~~March 11, 2020~~)) April 23, 2021, Program - Highway  
30 Improvements Program (I). However, limited transfers of specific  
31 line-item project appropriations may occur between projects for those  
32 amounts listed subject to the conditions and limitations in section  
33 ((~~601 of this act~~)) 601 of this act, chapter . . ., Laws of 2021  
34 (this act).

35       (2) Except as provided otherwise in this section, the entire  
36 motor vehicle account—state appropriation and motor vehicle account—  
37 federal appropriation are provided solely for the projects and  
38 activities listed in LEAP Transportation Document ((2020)) 2021-2 ALL  
39 PROJECTS as developed ((~~March 11, 2020~~)) April 23, 2021, Program -

1 Highway Improvements Program (I). Any federal funds gained through  
2 efficiencies, adjustments to the federal funds forecast, (~~additional~~  
3 ~~congressional action not related to a specific project or purpose,~~)  
4 or the federal funds redistribution process must then be applied to  
5 highway and bridge preservation activities or fish passage barrier  
6 corrections (OBI4001).

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

16 (4) The connecting Washington account—state appropriation  
17 includes up to (~~(\$1,835,325,000)~~) \$1,085,325,000 in proceeds from the  
18 sale of bonds authorized in RCW 47.10.889.

19 (5) The special category C account—state appropriation includes  
20 up to (~~(\$24,910,000)~~) \$19,123,000 in proceeds from the sale of bonds  
21 authorized in RCW 47.10.812.

22 (6) The transportation partnership account—state appropriation  
23 includes up to (~~(\$162,658,000)~~) \$176,140,000 in proceeds from the  
24 sale of bonds authorized in RCW 47.10.873.

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

28 (8) (~~(\$168,757,000)~~) \$162,005,000 of the transportation  
29 partnership account—state appropriation, (~~(\$19,790,000)~~) \$17,898,000  
30 of the motor vehicle account—private/local appropriation, \$3,384,000  
31 of the transportation 2003 account (nickel account)—state  
32 appropriation, \$77,956,000 of the Alaskan Way viaduct replacement  
33 project account—state appropriation, and (~~(\$1,838,000)~~) \$854,000 of  
34 the multimodal transportation account—state appropriation are  
35 provided solely for the SR 99/Alaskan Way Viaduct Replacement project  
36 (809936Z). It is the intent of the legislature that the \$25,000,000  
37 increase in funding provided in the 2021-2023 fiscal biennium be  
38 covered by any legal damages paid to the state as a result of a  
39 lawsuit related to contractual provisions for construction and



1 delivery of the Alaskan Way viaduct replacement project. The  
2 legislature intends that the \$25,000,000 of the transportation  
3 partnership account—state funds be repaid when those damages are  
4 recovered.

5 (9) (~~(\$3,000,000)~~) \$2,667,000 of the multimodal transportation  
6 account—state appropriation is provided solely for transit mitigation  
7 for the SR 99/Viaduct Project - Construction Mitigation project  
8 (809940B).

9 (10) (~~(\$168,655,000)~~) \$148,097,000 of the connecting Washington  
10 account—state appropriation, \$1,052,000 of the special category C  
11 account—state appropriation, and (~~(\$738,000)~~) \$1,338,000 of the motor  
12 vehicle account—private/local appropriation are provided solely for  
13 the US 395 North Spokane Corridor project (M00800R).

14 (11) (~~(\$82,991,000)~~) \$29,187,000 of the Interstate 405 and state  
15 route number 167 express toll lanes account—state appropriation is  
16 provided solely for the I-405/SR 522 to I-5 Capacity Improvements  
17 project (L2000234) for activities related to adding capacity on  
18 Interstate 405 between state route number 522 and Interstate 5, with  
19 the goals of increasing vehicle throughput and aligning project  
20 completion with the implementation of bus rapid transit in the  
21 vicinity of the project.

22 (12) (a) (~~(\$422,099,000)~~) \$356,007,000 of the connecting  
23 Washington account—state appropriation and (~~(\$456,000)~~) \$400,000 of  
24 the motor vehicle account—private/local appropriation are provided  
25 solely for the SR 520 Seattle Corridor Improvements - West End  
26 project (M00400R).

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

30 (i) Work with the operator of the Montlake boulevard market  
31 located on parcel number 1-23190 to negotiate a lease allowing  
32 continued operations up to January 1, 2020. After that time, the  
33 department shall identify an area in the vicinity of the Montlake  
34 property for a temporary market or other food service to be provided  
35 during the period of project construction. Should the current  
36 operator elect not to participate in providing that temporary  
37 service, the department shall then develop an outreach plan with the  
38 city to solicit community input on the food services provided, and  
39 then advertise the opportunity to other potential vendors. Further,

1 the department shall work with the city of Seattle and existing  
2 permit processes to facilitate vendor access to and use of the area  
3 in the vicinity of the Montlake property.

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

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

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

28 (14) (~~(\$310,469,000)~~) \$172,911,000 of the connecting Washington  
29 account—state appropriation (~~(is)~~), \$15,099,000 of the motor vehicle  
30 account—private/local appropriation, and \$1,500,000 of the motor  
31 vehicle account—federal appropriation are provided solely for the SR  
32 167/SR 509 Puget Sound Gateway project (M00600R).

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

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

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

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

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

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

28 (g) If sufficient bonding authority to complete this project is  
29 not provided within chapter 421, Laws of 2019 (addressing tolling),  
30 or within a bond authorization act referencing chapter 421, Laws of  
31 2019 by June 30, 2019, it is the intent of the legislature to return  
32 the Puget Sound Gateway project (M00600R) to its previously  
33 identified construction schedule by moving \$128,900,000 in connecting  
34 Washington account—state appropriation back to the 2027-2029 biennium  
35 from the 2023-2025 biennium on the list referenced in subsection (2)  
36 of this section. If sufficient bonding authority is provided, it is  
37 the intent of the legislature to advance the project to allow for  
38 earlier completion and inflationary savings.

39 (15) It is the intent of the legislature that, for the I-5/North  
40 Lewis County Interchange project (L2000204), the department develop

1 and design the project with the objective of significantly improving  
2 access to the industrially zoned properties in north Lewis county.  
3 The design must consider the county's process of investigating  
4 alternatives to improve such access from Interstate 5 that began in  
5 March 2015.

6 (16) (~~(\$1,029,000)~~) \$1,030,000 of the transportation partnership  
7 account—state appropriation is provided solely for the U.S. 2 Trestle  
8 IJR project (L1000158).

9 (17) The department shall itemize all future requests for the  
10 construction of buildings on a project list and submit them through  
11 the transportation executive information system as part of the  
12 department's annual budget submittal. It is the intent of the  
13 legislature that new facility construction must be transparent and  
14 not appropriated within larger highway construction projects.

15 (18) Any advisory group that the department convenes during the  
16 2019-2021 fiscal biennium must consider the interests of the entire  
17 state of Washington.

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

31 (20) (a) For connecting Washington projects that have already  
32 begun and are eligible for the authority granted in section 601 (~~(of~~  
33 ~~this act)~~), chapter 219, Laws of 2020, the department shall  
34 prioritize advancing the following projects if expected  
35 reappropriations become available:

- 36 (i) SR 14/I-205 to SE 164th Ave - Auxiliary Lanes (L2000102);
- 37 (ii) SR 305 Construction - Safety Improvements (N30500R);
- 38 (iii) SR 14/Bingen Underpass (L2220062);
- 39 (iv) I-405/NE 132nd Interchange - Totem Lake (L1000110);
- 40 (v) US Hwy 2 Safety (N00200R);

1 (vi) US-12/Walla Walla Corridor Improvements (T20900R);  
2 (vii) I-5 JBLM Corridor Improvements (M00100R);  
3 (viii) I-5/Slater Road Interchange - Improvements (L1000099);  
4 (ix) SR 510/Yelm Loop Phase 2 (T32700R); or  
5 (x) SR 520/124th St Interchange (Design and Right of Way)  
6 (L1000098).

7 (b) 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 (c) The advancement of a project may not hinder the delivery of  
12 the projects for which the reappropriations are necessary for the  
13 2021-2023 fiscal biennium.

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

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

34 As these recyclable materials have well established markets, are  
35 substantially a primary or secondary product of necessary  
36 construction processes and production, and are managed as an item of  
37 commercial value, construction aggregate and recycled concrete  
38 materials are exempt from chapter 173-350 WAC.

39 (22) (a) (~~(\$17,500,000)~~) \$8,072,000 of the motor vehicle account—  
40 state appropriation (~~(is)~~) and \$7,329,000 of the motor vehicle

1 ~~account—private/local appropriation are provided solely for staffing~~  
2 ~~of a project office ((to replace the Interstate 5 bridge across the~~  
3 ~~Columbia river (G2000088)) for the I-5 Interstate Bridge Replacement~~  
4 ~~project (L2000370). ((If at least a \$9,000,000 transfer is not~~  
5 ~~authorized in section 406(29), chapter 416, Laws of 2019, then~~  
6 ~~\$9,000,000 of the motor vehicle account state appropriation lapses.))~~

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

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

31 ~~((d))~~ (c) Within the amount provided in this subsection, the  
32 department must implement chapter 137, Laws of 2019 (projects of  
33 statewide significance).

34 ~~((e))~~ (d) The department shall have as a goal to:

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

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

38 (iii) Have made significant progress toward beginning the  
39 supplemental environmental impact statement process by June 30, 2021.

1 The department shall aim to provide a progress report on these  
2 activities to the governor and the transportation committees of the  
3 legislature by December 1, 2019, and a final report to the governor  
4 and the transportation committees of the legislature by December 1,  
5 2020.

6 ~~((23) ((\$17,500,000 of the motor vehicle account state  
7 appropriation is provided solely to begin the pre-design phase on the  
8 I-5/Columbia River Bridge project (G2000088).~~

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

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

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

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

32 (e) It is the intent of the legislature that for the amount  
33 listed for the 2021-2023 biennium for the Fish Passage Barrier  
34 Removal project (OBI4001) on the LEAP list referenced in subsection  
35 (1) of this section, that accrued practical design savings deposited  
36 in the transportation future funding program account be used to help  
37 fund the cost of fully complying with the court injunction by 2030.

38 ~~((25))~~ (24) (a) The Washington state department of  
39 transportation is directed to pursue compliance with the *U.S. v.*

1 Washington permanent injunction by delivering culvert corrections  
2 within the injunction area guided by the principle of providing the  
3 greatest fisheries habitat gain at the earliest time and considering  
4 the following factors: Opportunity to bundle projects, tribal  
5 priorities, ability to leverage investments by others, presence of  
6 other barriers, project readiness, culvert condition, other  
7 transportation projects in the area, and transportation impacts.

8 (b) The department and Brian Abbott fish barrier removal board,  
9 while providing the opportunity for stakeholders, tribes, and  
10 government agencies to give input on a statewide culvert remediation  
11 plan, must provide updates on the development of the statewide  
12 culvert remediation plan to the capital budget, ways and means, and  
13 transportation committees of the legislature by November 1, 2020, and  
14 March 15, 2021. The first update must include a project timeline and  
15 plan to ensure that all state agencies with culvert correction  
16 programs are involved in the creation of the comprehensive plan. The  
17 department and Brian Abbott fish barrier removal board must submit  
18 the final comprehensive statewide culvert remediation plan and the  
19 process by which it will be adaptively managed over time to the  
20 governor and the legislative fiscal committees by June 30, 2021.

21 (~~((26) \$16,649,000)~~) (25) \$4,880,000 of the connecting Washington  
22 account—state appropriation, \$373,000 of the motor vehicle account—  
23 state appropriation, and (~~(\$6,000,000)~~) \$113,000 of the motor vehicle  
24 account—private/local appropriation are provided solely for the I-90/  
25 Barker to Harvard - Improve Interchanges & Local Roads project  
26 (L2000122). The connecting Washington account appropriation for the  
27 improvements that fall within the city of Liberty Lake may only be  
28 expended if the city of Liberty Lake agrees to cover any project  
29 costs within the city of Liberty Lake above the \$20,900,000 of state  
30 appropriation provided for the total project in LEAP Transportation  
31 Document (~~(2020)~~) 2021-1 as developed (~~(March 11, 2020)~~) April 23,  
32 2021, Program - Highway Improvements (I).

33 (~~((27))~~) (26) (a) (\$6,799,000) \$3,901,000 of the motor vehicle  
34 account—federal appropriation, (~~(\$31,000)~~) \$34,000 of the motor  
35 vehicle account—state appropriation, (~~(\$3,812,000 of the~~  
36 ~~transportation partnership account—state appropriation,)~~) and  
37 (~~(\$7,000,000)~~) \$4,519,000 of the Interstate 405 and state route  
38 number 167 express toll lanes account—state appropriation are



1 provided solely for the SR 167/SR 410 to SR 18 - Congestion  
2 Management project (316706C).

3 (b) If sufficient bonding authority to complete this project is  
4 not provided within chapter 421, Laws of 2019 (addressing tolling),  
5 or within a bond authorization act referencing chapter 421, Laws of  
6 2019 by June 30, 2019, it is the intent of the legislature to remove  
7 the \$100,000,000 in toll funding from this project on the list  
8 referenced in subsection (2) of this section.

9 ~~((28))~~ (27) For the I-405/North 8th Street Direct Access Ramp  
10 in Renton project (L1000280), if sufficient bonding authority to  
11 begin this project is not provided within chapter 421, Laws of 2019  
12 (addressing tolling), or within a bond authorization act referencing  
13 chapter 421, Laws of 2019, it is the intent of the legislature to  
14 remove the project from the list referenced in subsection (2) of this  
15 section.

16 ~~((29) \$7,985,000)~~ (28) \$7,071,000 of the Special Category C  
17 account—state appropriation ~~((and \$1,000,000 of the motor vehicle  
18 account—private/local appropriation are))~~ is provided solely for the  
19 SR 18 Widening - Issaquah/Hobart Rd to Raging River project  
20 (L1000199) for improving and widening state route number 18 to four  
21 lanes from Issaquah-Hobart Road to Raging River.

22 ~~((30))~~ (29) \$2,250,000 of the motor vehicle account—state  
23 appropriation is provided solely for the I-5 Corridor from Mounts  
24 Road to Tumwater project (L1000231) for completing a National and  
25 State Environmental Policy Act (NEPA/SEPA) analysis to identify mid-  
26 and long-term environmental impacts associated with future  
27 improvements along the I-5 corridor from Tumwater to DuPont.

28 ~~((31) \$622,000)~~ (30) \$200,000 of the motor vehicle account—  
29 state appropriation is provided solely for the US 101/East Sequim  
30 Corridor Improvements project (L2000343).

31 ~~((32) \$12,916,000)~~ (31) \$777,000 of the motor vehicle account—  
32 state appropriation is provided solely for the SR 522/Paradise Lk Rd  
33 Interchange & Widening on SR 522 (Design/Engineering) project  
34 (NPARADI).

35 ~~((33) \$1,000,000)~~ (32) \$1,001,000 of the motor vehicle account—  
36 state appropriation ~~((is))~~ and \$1,227,000 of the motor vehicle  
37 account—federal appropriation are provided solely for the US 101/  
38 Morse Creek Safety Barrier project (L1000247).

1 ((~~(34)~~ \$1,000,000)) (33) \$85,000 of the motor vehicle account—  
2 state appropriation is provided solely for the SR 162/410 Interchange  
3 Design and Right of Way project (L1000276).

4 ~~((36) The appropriations in this section include savings due to~~  
5 ~~anticipated project underruns; however, it is unknown which projects~~  
6 ~~will provide savings. The legislature intends to provide sufficient~~  
7 ~~flexibility for the department to manage to this savings target. To~~  
8 ~~provide this flexibility, the office of financial management may~~  
9 ~~authorize, through an allotment modification, reductions in the~~  
10 ~~appropriated amounts that are provided solely for a particular~~  
11 ~~purpose within this section subject to the following conditions and~~  
12 ~~limitations:~~

13 ~~(a) The department must confirm that any modification requested~~  
14 ~~under this subsection of amounts provided solely for a specific~~  
15 ~~purpose are not expected to be used for that purpose in this~~  
16 ~~biennium;~~

17 ~~(b) Allotment modifications authorized under this subsection may~~  
18 ~~not result in increased funding for any project beyond the amount~~  
19 ~~provided for that project in the 2019-2021 fiscal biennium in LEAP~~  
20 ~~Transportation Document 2020-2 ALL PROJECTS as developed March 11,~~  
21 ~~2020;~~

22 ~~(c) Allotment modifications authorized under this subsection~~  
23 ~~apply only to amounts appropriated in this section from the following~~  
24 ~~accounts: Multimodal transportation account state, transportation~~  
25 ~~partnership account state, connecting Washington account state, and~~  
26 ~~special category C account state; and~~

27 ~~(d) By December 1, 2020, the department must submit a report to~~  
28 ~~the transportation committees of the legislature regarding the~~  
29 ~~actions taken under this subsection.)~~

30 **Sec. 1005.** 2020 c 219 s 306 (uncodified) is amended to read as  
31 follows:

32 **FOR THE DEPARTMENT OF TRANSPORTATION—PRESERVATION—PROGRAM P**

33	Recreational Vehicle Account—State Appropriation . . . . .	\$2,971,000
34	Transportation Partnership Account—State	
35	Appropriation . . . . .	<del>(\$20,248,000)</del>
36		<u>\$20,181,000</u>
37	Motor Vehicle Account—State Appropriation . . . . .	<del>(\$82,447,000)</del>
38		<u>\$87,755,000</u>

1 Motor Vehicle Account—Federal Appropriation . . . . . (~~(\$490,744,000)~~)  
2 \$498,257,000  
3 Motor Vehicle Account—Private/Local  
4 Appropriation . . . . . (~~(\$7,408,000)~~)  
5 \$7,660,000  
6 State Route Number 520 Corridor Account—State  
7 Appropriation . . . . . (~~(\$326,000)~~)  
8 \$395,000  
9 Connecting Washington Account—State Appropriation . . . . . (~~(\$204,630,000)~~)  
10 \$178,258,000  
11 Tacoma Narrows Toll Bridge Account—State  
12 Appropriation . . . . . (~~(\$8,350,000)~~)  
13 \$1,078,000  
14 Alaskan Way Viaduct Replacement Project Account—State  
15 Appropriation. . . . . (~~(\$10,000)~~)  
16 \$79,000  
17 Interstate 405 and State Route Number 167 Express  
18 Toll Lanes Account—State Appropriation. . . . . (~~(\$3,018,000)~~)  
19 \$1,457,000  
20 Transportation 2003 Account (Nickel Account)—State  
21 Appropriation . . . . . \$17,892,000  
22 TOTAL APPROPRIATION. . . . . (~~(\$838,044,000)~~)  
23 \$815,983,000

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

26 (1) Except as provided otherwise in this section, the entire  
27 connecting Washington account—state appropriation and the entire  
28 transportation partnership account—state appropriation are provided  
29 solely for the projects and activities as listed by fund, project,  
30 and amount in LEAP Transportation Document ((2020)) 2021-1 as  
31 developed ((~~March 11, 2020~~)) April 23, 2021, Program - Highway  
32 Preservation Program (P). However, limited transfers of specific  
33 line-item project appropriations may occur between projects for those  
34 amounts listed subject to the conditions and limitations in section  
35 ((~~601 of this act~~)) 601 of this act, chapter . . . , Laws of 2021  
36 (this act).

37 (2) Except as provided otherwise in this section, the entire  
38 motor vehicle account—state appropriation and motor vehicle account—  
39 federal appropriation are provided solely for the projects and

1 activities listed in LEAP Transportation Document ((2020)) 2021-2 ALL  
2 PROJECTS as developed ((March 11, 2020)) April 23, 2021, Program -  
3 Highway Preservation Program (P). Any federal funds gained through  
4 efficiencies, adjustments to the federal funds forecast, ((additional  
5 congressional action not related to a specific project or purpose,))  
6 or the federal funds redistribution process must then be applied to  
7 highway and bridge preservation activities or fish passage barrier  
8 corrections (OBI4001).

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

18 (4) ((\$26,683,000)) \$21,517,000 of the connecting Washington  
19 account—state appropriation is provided solely for the land mobile  
20 radio upgrade (G2000055) and is subject to the conditions,  
21 limitations, and review provided in section 701 ((of this act)),  
22 chapter 219, Laws of 2020. The land mobile radio project is subject  
23 to technical oversight by the office of the chief information  
24 officer. The department, in collaboration with the office of the  
25 chief information officer, shall identify where existing or proposed  
26 mobile radio technology investments should be consolidated, identify  
27 when existing or proposed mobile radio technology investments can be  
28 reused or leveraged to meet multiagency needs, increase mobile radio  
29 interoperability between agencies, and identify how redundant  
30 investments can be reduced over time. The department shall also  
31 provide quarterly reports to the technology services board on project  
32 progress.

33 (5) ((\$4,000,000)) \$5,000,000 of the motor vehicle account—state  
34 appropriation is provided solely for extraordinary costs incurred  
35 from litigation awards, settlements, or dispute mitigation activities  
36 not eligible for funding from the self-insurance fund. The amount  
37 provided in this subsection must be held in unallotted status until  
38 the department submits a request to the office of financial  
39 management that includes documentation detailing litigation-related

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

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

11 (7) \$21,289,000 of the motor vehicle account—federal  
12 appropriation and \$840,000 of the motor vehicle account—state  
13 appropriation are provided solely for the preservation of  
14 structurally deficient bridges or bridges that are at risk of  
15 becoming structurally deficient (L1000068). These funds must be used  
16 widely around the state of Washington. When practicable, the  
17 department shall pursue design-build contracts for these bridge  
18 projects to expedite delivery. The department shall provide a report  
19 that identifies the progress of each project funded in this  
20 subsection as part of its annual agency budget request.

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

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

32 (10) Within the connecting Washington account—state  
33 appropriation, the department may transfer funds from Highway System  
34 Preservation (L1100071) to other preservation projects listed in the  
35 LEAP transportation document identified in subsection (1) of this  
36 section, if it is determined necessary for completion of these high  
37 priority preservation projects. The department's next budget  
38 submittal after using this subsection must appropriately reflect the  
39 transfer.



1	Transportation 2003 Account (Nickel Account)—State	
2	Appropriation. . . . .	\$986,000
3	TOTAL APPROPRIATION. . . . .	(( <del>\$535,744,000</del> ))
4		<u>\$418,479,000</u>

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

7 (1) Except as provided otherwise in this section, the entire  
8 appropriations in this section are provided solely for the projects  
9 and activities as listed in LEAP Transportation Document ((2020))  
10 2021-2 ALL PROJECTS as developed ((~~March 11, 2020~~)) April 23, 2021,  
11 Program - Washington State Ferries Capital Program (W).

12 (2) \$2,857,000 of the Puget Sound capital construction account—  
13 state appropriation, ((~~\$17,832,000~~)) \$18,818,000 of the Puget Sound  
14 capital construction account—federal appropriation, and \$63,789,000  
15 of the connecting Washington account—state appropriation, are  
16 provided solely for the Mukilteo ferry terminal (952515P). To the  
17 extent practicable, the department shall avoid the closure of, or  
18 disruption to, any existing public access walkways in the vicinity of  
19 the terminal project during construction.

20 (3) ((~~\$102,641,000~~)) \$94,643,000 of the Puget Sound capital  
21 construction account—federal appropriation, \$47,819,000 of the  
22 connecting Washington account—state appropriation, and \$4,355,000 of  
23 the Puget Sound capital construction account—local appropriation are  
24 provided solely for the Seattle Terminal Replacement project  
25 (900010L).

26 (4) \$5,357,000 of the Puget Sound capital construction account—  
27 state appropriation is provided solely for emergency capital repair  
28 costs (999910K). Funds may only be spent after approval by the office  
29 of financial management.

30 (5) ((~~\$2,300,000~~)) \$2,224,000 of the Puget Sound capital  
31 construction account—state appropriation is provided solely for the  
32 ORCA acceptance project (L2000300). The ferry system shall work with  
33 Washington technology solutions and the tolling division on the  
34 development of a new, interoperable ticketing system.

35 (6) \$495,000 of the Puget Sound capital construction account—  
36 state appropriation is provided solely for an electric ferry planning  
37 team (G2000087) to develop ten-year and twenty-year implementation  
38 plans to efficiently deploy hybrid-electric vessels, including a  
39 cost-benefit analysis of construction and operation of hybrid-

1 electric vessels with and without charging infrastructure. The plan  
2 includes, but is not limited to, vessel technology and feasibility,  
3 vessel and terminal deployment schedules, project financing, and  
4 workforce requirements. The plan shall be submitted to the office of  
5 financial management and the transportation committees of the  
6 legislature by June 30, 2020.

7 (7) (~~(\$35,000,000)~~) \$10,776,000 of the Puget Sound capital  
8 construction account—state appropriation and \$8,000,000 of the Puget  
9 Sound capital construction account—federal appropriation are provided  
10 solely for the conversion of up to two Jumbo Mark II vessels to  
11 electric hybrid propulsion (G2000084). The department shall seek  
12 additional funds for the purposes of this subsection. (~~The~~  
13 ~~department may spend from the Puget Sound capital construction~~  
14 ~~account state appropriation in this section only as much as the~~  
15 ~~department receives in Volkswagen settlement funds for the purposes~~  
16 ~~of this subsection.~~)

17 (8) \$400,000 of the Puget Sound capital construction account—  
18 state appropriation is provided solely for a request for proposals  
19 for a new maintenance management system (project L2000301) and is  
20 subject to the conditions, limitations, and review provided in  
21 section 701 (~~of this act~~), chapter 219, Laws of 2020.

22 (9) (~~(\$96,030,000)~~) \$35,547,000 of the capital vessel replacement  
23 account—state appropriation is provided solely for the acquisition of  
24 a 144-car hybrid-electric vessel. The vendor must present to the  
25 joint transportation committee and the office of financial  
26 management, by September 15, 2019, a list of options that will result  
27 in significant cost savings changes in terms of construction or the  
28 long-term maintenance and operations of the vessel. The vendor must  
29 allow for exercising the options without a penalty. It is the intent  
30 of the legislature to provide an additional \$88,000,000 in funding in  
31 the 2021-23 biennium. The reduction provided in this subsection is an  
32 assumed underrun pursuant to subsection (11) of this section. The  
33 commencement of construction of new vessels for the ferry system is  
34 important not only for safety reasons, but also to keep skilled  
35 marine construction jobs in the Puget Sound region and to sustain the  
36 capacity of the region to meet the ongoing construction and  
37 preservation needs of the ferry system fleet of vessels. The  
38 legislature has determined that the current vessel procurement  
39 process must move forward with all due speed, balancing the interests



1 of both the taxpayers and shipyards. To accomplish construction of  
2 vessels in accordance with RCW 47.60.810, the prevailing shipbuilder,  
3 for vessels initially funded after July 1, 2020, is encouraged to  
4 follow the historical practice of subcontracting the construction of  
5 ferry superstructures to a separate nonaffiliated contractor located  
6 within the Puget Sound region, that is qualified in accordance with  
7 RCW 47.60.690.

8 (10) The capital vessel replacement account—state appropriation  
9 includes up to (~~(\$96,030,000)~~) \$35,547,000 in proceeds from the sale  
10 of bonds authorized in RCW 47.10.873.

11 (~~((12))~~) (11) The appropriations in this section include savings  
12 due to anticipated project underruns; however, it is unknown which  
13 projects will provide savings. The legislature intends to provide  
14 sufficient flexibility for the department to manage to this savings  
15 target. To provide this flexibility, the office of financial  
16 management may authorize, through an allotment modification,  
17 reductions in the appropriated amounts that are provided solely for a  
18 particular purpose within this section subject to the following  
19 conditions and limitations:

20 (a) The department must confirm that any modification requested  
21 under this subsection of amounts provided solely for a specific  
22 purpose are not expected to be used for that purpose in this  
23 biennium;

24 (b) Allotment modifications authorized under this subsection may  
25 not result in increased funding for any project beyond the amount  
26 provided for that project in the 2019-2021 fiscal biennium in LEAP  
27 Transportation Document (~~(2020)~~) 2021-2 ALL PROJECTS as developed  
28 (~~(March 11, 2020)~~) April 23, 2021;

29 (c) Allotment modifications authorized under this subsection  
30 apply only to amounts appropriated in this section from the following  
31 accounts: Puget Sound capital construction account—state,  
32 transportation partnership account—state, and capital vessel  
33 replacement account—state; and

34 (d) By December 1, 2020, the department must submit a report to  
35 the transportation committees of the legislature regarding the  
36 actions taken under this subsection.

37 **Sec. 1008.** 2020 c 219 s 309 (uncodified) is amended to read as  
38 follows:

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

2	Motor Vehicle Account—State Appropriation. . . . .	(( <del>\$3,300,000</del> ))
3		<u>\$2,300,000</u>
4	Essential Rail Assistance Account—State Appropriation . . .	\$851,000
5	Transportation Infrastructure Account—State	
6	Appropriation . . . . .	(( <del>\$7,554,000</del> ))
7		<u>\$7,465,000</u>
8	Multimodal Transportation Account—State	
9	Appropriation . . . . .	(( <del>\$74,876,000</del> ))
10		<u>\$72,135,000</u>
11	Multimodal Transportation Account—Federal	
12	Appropriation . . . . .	\$8,601,000
13	Multimodal Transportation Account—Local	
14	Appropriation . . . . .	\$336,000
15	TOTAL APPROPRIATION. . . . .	(( <del>\$95,518,000</del> ))
16		<u>\$91,688,000</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 appropriations in this section are provided solely for the projects  
21 and activities as listed by project and amount in LEAP Transportation  
22 Document ((2020)) 2021-2 ALL PROJECTS as developed ((~~March 11, 2020~~))  
23 April 23, 2021, Program - Rail Program (Y).

24 (2) ((~~\$7,136,000~~)) \$7,047,000 of the transportation  
25 infrastructure account—state appropriation is provided solely for new  
26 low-interest loans approved by the department through the freight  
27 rail investment bank (FRIB) program. The department shall issue FRIB  
28 program loans with a repayment period of no more than ten years, and  
29 charge only so much interest as is necessary to recoup the  
30 department's costs to administer the loans. The department shall  
31 report annually to the transportation committees of the legislature  
32 and the office of financial management on all FRIB loans issued.

33 (3) \$7,782,000 of the multimodal transportation account—state  
34 appropriation, \$51,000 of the transportation infrastructure account—  
35 state appropriation, and \$135,000 of the essential rail assistance  
36 account—state appropriation are provided solely for new statewide  
37 emergent freight rail assistance projects identified in the LEAP  
38 transportation document referenced in subsection (1) of this section.

1 (4) \$367,000 of the transportation infrastructure account—state  
2 appropriation and \$1,100,000 of the multimodal transportation account  
3 —state appropriation are provided solely to reimburse Highline Grain,  
4 LLC for approved work completed on Palouse River and Coulee City  
5 (PCC) railroad track in Spokane county between the BNSF Railway  
6 Interchange at Cheney and Geiger Junction and must be administered in  
7 a manner consistent with freight rail assistance program projects.  
8 The value of the public benefit of this project is expected to meet  
9 or exceed the cost of this project in: Shipper savings on  
10 transportation costs; jobs saved in rail-dependent industries; and/or  
11 reduced future costs to repair wear and tear on state and local  
12 highways due to fewer annual truck trips (reduced vehicle miles  
13 traveled). The amounts provided in this subsection are not a  
14 commitment for future legislatures, but it is the legislature's  
15 intent that future legislatures will work to approve biennial  
16 appropriations until the full \$7,337,000 cost of this project is  
17 reimbursed.

18 (5) (a) \$716,000 of the essential rail assistance account—state  
19 appropriation and \$82,000 of the multimodal transportation account—  
20 state appropriation are provided solely for the purpose of the  
21 rehabilitation and maintenance of the Palouse river and Coulee City  
22 railroad line (F01111B).

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

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

28 (ii) Revenues from trackage rights agreement fees paid by  
29 shippers; and

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

34 (6) The department shall issue a call for projects for the  
35 freight rail assistance program, and shall evaluate the applications  
36 in a manner consistent with past practices as specified in section  
37 309, chapter 367, Laws of 2011. By November 15, 2020, the department  
38 shall submit a prioritized list of recommended projects to the office

1 of financial management and the transportation committees of the  
2 legislature.

3 (7) (~~(\$10,000,000)~~) \$4,031,000 of the multimodal transportation  
4 account—state appropriation is provided solely as expenditure  
5 authority for any insurance proceeds received by the state for  
6 Passenger Rail Equipment Replacement (project 700010C.) The  
7 department must use this expenditure authority only to purchase  
8 replacement equipment that has been competitively procured and for  
9 service recovery needs and corrective actions related to the December  
10 2017 derailment.

11 (8) \$898,000 of the multimodal transportation account—federal  
12 appropriation and \$8,000 of the multimodal transportation account—  
13 state appropriation are provided solely for the Ridgefield Rail  
14 Overpass (project 725910A). Total costs for this project may not  
15 exceed \$909,000 across fiscal biennia.

16 (9) (a) For projects funded as part of the 2015 connecting  
17 Washington transportation package listed on the LEAP transportation  
18 document identified in subsection (1) of this section, if the  
19 department expects to have substantial reappropriations for the  
20 2021-2023 fiscal biennium, the department may, on a pilot basis,  
21 apply funding from a project in this section with an appropriation  
22 that cannot be used for the current fiscal biennium to advance the  
23 South Kelso Railroad Crossing project (L1000147).

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

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

33 (10) (~~The multimodal transportation account—state appropriation~~  
34 ~~includes up to \$25,000,000 in proceeds from the sale of bonds~~  
35 ~~authorized in RCW 47.10.867.~~

36 ~~(11))~~) The department must report to the joint transportation  
37 committee on the progress made on freight rail investment bank  
38 projects and freight rail assistance projects funded during this  
39 biennium by January 1, 2020.

1        ~~((12))~~ (11) \$1,500,000 of the multimodal transportation account  
2 —state appropriation is provided solely for the Chelatchie Prairie  
3 railroad roadbed rehabilitation project (L1000233).

4        ~~((13))~~ (12) \$250,000 of the multimodal transportation account—  
5 state appropriation is provided solely for the Port of Moses Lake  
6 Northern Columbia Basin railroad feasibility study (L1000235).

7        ~~((14))~~ (13) \$500,000 of the multimodal transportation account—  
8 state appropriation is provided solely for the Spokane airport  
9 transload facility project (L1000242).

10        ~~((15))~~ ~~\$1,000,000 of the motor vehicle account state~~  
11 ~~appropriation is provided solely for the grade separation at Bell~~  
12 ~~road project (L1000239).~~

13        ~~(16))~~ (14) \$750,000 of the motor vehicle account—state  
14 appropriation and \$399,000 of the multimodal transportation account—  
15 state appropriation are provided solely for the rail crossing  
16 improvements at 6th Ave. and South 19th St. project (L2000289).

17        ~~((18))~~ (15) The appropriations in this section include savings  
18 due to anticipated project underruns; however, it is unknown which  
19 projects will provide savings. The legislature intends to provide  
20 sufficient flexibility for the department to manage to this savings  
21 target. To provide this flexibility, the office of financial  
22 management may authorize, through an allotment modification,  
23 reductions in the appropriated amounts that are provided solely for a  
24 particular purpose within this section subject to the following  
25 conditions and limitations:

26        (a) The department must confirm that any modification requested  
27 under this subsection of amounts provided solely for a specific  
28 purpose are not expected to be used for that purpose in this  
29 biennium;

30        (b) Allotment modifications authorized under this subsection may  
31 not result in increased funding for any project beyond the amount  
32 provided for that project in the 2019-2021 fiscal biennium in LEAP  
33 Transportation Document ~~((2020))~~ 2021-2 ALL PROJECTS as developed  
34 ~~((March 11, 2020))~~ April 23, 2021;

35        (c) Allotment modifications authorized under this subsection  
36 apply only to amounts appropriated in this section from the  
37 multimodal transportation account—state; and

1 (d) By December 1, 2020, the department must submit a report to  
2 the transportation committees of the legislature regarding the  
3 actions taken under this subsection.

4 **Sec. 1009.** 2020 c 219 s 310 (uncodified) is amended to read as  
5 follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**  
7 **CAPITAL**

8	Highway Infrastructure Account—State Appropriation . . . . .	\$1,276,000
9	Highway Infrastructure Account—Federal Appropriation . . . . .	\$1,337,000
10	Transportation Partnership Account—State	
11	Appropriation . . . . .	<del>(\$2,380,000)</del>
12		<u>\$1,630,000</u>
13	Highway Safety Account—State Appropriation . . . . .	\$1,314,000
14	Motor Vehicle Account—State Appropriation . . . . .	<del>(\$35,607,000)</del>
15		<u>\$24,543,000</u>
16	Motor Vehicle Account—Federal Appropriation . . . . .	<del>(\$41,420,000)</del>
17		<u>\$52,267,000</u>
18	Motor Vehicle Account—Private/Local Appropriation . . . . .	<del>(\$24,600,000)</del>
19		<u>\$18,000,000</u>
20	Connecting Washington Account—State Appropriation . . . . .	<del>(\$155,550,000)</del>
21		<u>\$130,708,000</u>
22	Multimodal Transportation Account—State	
23	Appropriation . . . . .	<del>(\$77,469,000)</del>
24		<u>\$74,351,000</u>
25	TOTAL APPROPRIATION. . . . .	<del>(\$340,953,000)</del>
26		<u>\$305,426,000</u>

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

29 (1) Except as provided otherwise in this section, the entire  
30 appropriations in this section are provided solely for the projects  
31 and activities as listed by project and amount in LEAP Transportation  
32 Document ((2020)) 2021-2 ALL PROJECTS as developed ((~~March 11, 2020~~))  
33 April 23, 2021, Program - Local Programs Program (Z).

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

37 (a) (~~(\$18,380,000)~~) \$8,361,000 of the multimodal transportation  
38 account—state appropriation is provided solely for newly selected

1 pedestrian and bicycle safety program projects. (~~(\$18,577,000)~~)  
2 \$19,363,000 of the multimodal transportation account—state  
3 appropriation and \$1,380,000 of the transportation partnership  
4 account—state appropriation are reappropriated for pedestrian and  
5 bicycle safety program projects selected in the previous biennia  
6 (L2000188).

7 (b) (~~(\$11,400,000)~~) \$4,066,000 of the motor vehicle account—  
8 federal appropriation and (~~(\$7,750,000)~~) \$4,668,000 of the multimodal  
9 transportation account—state appropriation are provided solely for  
10 newly selected safe routes to school projects. (~~(\$11,354,000)~~)  
11 \$10,744,000 of the motor vehicle account—federal appropriation,  
12 (~~(\$4,640,000)~~) \$3,075,000 of the multimodal transportation account—  
13 state appropriation, and \$1,314,000 of the highway safety account—  
14 state appropriation are reappropriated for safe routes to school  
15 projects selected in the previous biennia (L2000189). The department  
16 may consider the special situations facing high-need areas, as  
17 defined by schools or project areas in which the percentage of the  
18 children eligible to receive free and reduced-price meals under the  
19 national school lunch program is equal to, or greater than, the state  
20 average as determined by the department, when evaluating project  
21 proposals against established funding criteria while ensuring  
22 continued compliance with federal eligibility requirements.

23 (3) The department shall submit a report to the transportation  
24 committees of the legislature by December 1, 2019, and December 1,  
25 2020, on the status of projects funded as part of the pedestrian  
26 safety/safe routes to school grant program. The report must include,  
27 but is not limited to, a list of projects selected and a brief  
28 description of each project's status.

29 (4) (~~(\$37,537,000)~~) \$32,976,000 of the multimodal transportation  
30 account—state appropriation is provided solely for bicycle and  
31 pedestrian projects listed in the LEAP transportation document  
32 referenced in subsection (1) of this section.

33 (5) (~~(\$23,926,000)~~) \$13,829,000 of the connecting Washington  
34 account—state appropriation is provided solely for the Covington  
35 Connector (L2000104). The amounts described in the LEAP  
36 transportation document referenced in subsection (1) of this section  
37 are not a commitment by future legislatures, but it is the  
38 legislature's intent that future legislatures will work to approve  
39 appropriations in the 2019-2021 fiscal biennium to reimburse the city

1 of Covington for approved work completed on the project up to the  
2 full \$24,000,000 cost of this project.

3 (6) (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 one or  
10 more of the following projects:

11 (i) I-5/Port of Tacoma Road Interchange (L1000087);

12 (ii) SR 99 Revitalization in Edmonds (NEDMOND); or

13 (iii) SR 523 145th Street (L1000148);

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

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

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

26 (8) (a) (~~(\$15,213,000)~~) \$22,500,000 of the motor vehicle account—  
27 federal appropriation is provided solely for national highway freight  
28 network projects identified on the project list submitted in  
29 accordance with section 218(4)(b), chapter 14, Laws of 2016 on  
30 October 31, 2016.

31 (b) The department shall convene a stakeholder group for the  
32 purpose of developing a recommendation for a Washington freight  
33 advisory committee. The recommendations must include, but are not  
34 limited to, defining the committee's purpose and goals, roles and  
35 responsibilities, reporting structure, and proposed activities.  
36 Stakeholders must include representation from, but not limited to,  
37 the trucking industry, the maritime industry, the rail industry,  
38 cities, tribal governments, counties, ports, and representatives from  
39 key industrial associations important to the state's economic  
40 vitality and other relevant public and private interests. In



1 developing the recommendation, the stakeholder group must review  
2 practices used by other states. The proposed committee must conform  
3 with requirements of the fixing America's surface transportation act  
4 and other relevant federal legislation. The recommendations must  
5 include how the committee can address improving freight mobility  
6 including, but not limited to, addressing insufficient truck parking  
7 in Washington state, examining the link between preservation  
8 investments and freight mobility, and enhancing freight logistics  
9 through the application of technology. The stakeholder group shall  
10 make recommendations to the governor and the transportation  
11 committees of the legislature by December 1, 2020.

12 (9) ~~(\$1,000,000)~~ of the motor vehicle account—state appropriation  
13 is provided solely for the Beech Street Extension project (L1000222).

14 (10) (~~(\$3,900,000)~~) \$2,000,000 of the motor vehicle account—state  
15 appropriation is provided solely for the Dupont-Steilacoom road  
16 improvements project (L1000224).

17 (11) (~~(\$650,000)~~) \$100,000 of the motor vehicle account—state  
18 appropriation is provided solely for the SR 104/40th place northeast  
19 roundabout project (L1000244).

20 (12) (~~(\$860,000)~~) \$360,000 of the multimodal transportation  
21 account—state appropriation is provided solely for the Clinton to  
22 Ken's corner trail project (L1000249).

23 (13) (~~(\$210,000 of the motor vehicle account—state appropriation~~  
24 ~~is provided solely for the I-405/44th gateway signage and green-~~  
25 ~~scaping improvements project (L1000250).~~

26 ~~(14) (\$650,000)~~ \$50,000 of the motor vehicle account—state  
27 appropriation is provided solely for the Wallace Kneeland and Shelton  
28 springs road intersection improvements project (L1000260).

29 ~~((15))~~ (14) \$1,000,000 of the motor vehicle account—state  
30 appropriation and \$500,000 of the multimodal transportation account—  
31 state appropriation are provided solely for the complete 224th Phase  
32 two project (L1000270).

33 ~~((16))~~ (15) \$60,000 of the multimodal transportation account—  
34 state appropriation is provided solely for the installation of an  
35 updated meteorological station at the Colville airport (L1000279).

36 ~~((17))~~ (16)(a) \$700,000 of the motor vehicle account—state  
37 appropriation is provided solely for the Ballard-Interbay Regional  
38 Transportation system plan project (L1000281).

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

19 ~~((18))~~ (17) \$750,000 of the motor vehicle account—state  
20 appropriation is provided solely for the Mickelson Parkway project  
21 (L1000282).

22 ~~((19) \$300,000)~~ (18) \$175,000 of the motor vehicle account—  
23 state appropriation is provided solely for the South 314th Street  
24 Improvements project (L1000283).

25 ~~((20) \$250,000)~~ (19) \$200,000 of the motor vehicle account—  
26 state appropriation is provided solely for the Ridgefield South I-5  
27 Access Planning project (L1000284).

28 ~~((21) \$300,000)~~ (20) \$50,000 of the motor vehicle account—state  
29 appropriation is provided solely for the Washougal 32nd Street  
30 Underpass Design and Permitting project (L1000285).

31 ~~((22) \$600,000 of the connecting Washington account—state  
32 appropriation, \$150,000)~~ (21) \$25,000 of the motor vehicle account—  
33 state appropriation(~~(,)~~) and \$267,000 of the multimodal  
34 transportation account—state appropriation are provided solely for  
35 the Bingen Walnut Creek and Maple Railroad Crossing (L2000328).

36 ~~((23) \$1,500,000)~~ (22) \$200,000 of the motor vehicle account—  
37 state appropriation is provided solely for the SR 303 Warren Avenue  
38 Bridge Pedestrian Improvements project (L2000339).

1        ~~((24) \$1,000,000)~~ (23) \$150,000 of the motor vehicle account—  
2 state appropriation is provided solely for the 72nd/Washington  
3 Improvements in Yakima project (L2000341).

4        ~~((25) \$650,000)~~ (24) \$150,000 of the motor vehicle account—  
5 state appropriation is provided solely for the 48th/Washington  
6 Improvements in Yakima project (L2000342).

7        ~~((27))~~ (25) The appropriations in this section include savings  
8 due to anticipated project underruns; however, it is unknown which  
9 projects will provide savings. The legislature intends to provide  
10 sufficient flexibility for the department to manage to this savings  
11 target. To provide this flexibility, the office of financial  
12 management may authorize, through an allotment modification,  
13 reductions in the appropriated amounts that are provided solely for a  
14 particular purpose within this section subject to the following  
15 conditions and limitations:

16        (a) The department must confirm that any modification requested  
17 under this subsection of amounts provided solely for a specific  
18 purpose are not expected to be used for that purpose in this  
19 biennium;

20        (b) Allotment modifications authorized under this subsection may  
21 not result in increased funding for any project beyond the amount  
22 provided for that project in the 2019-2021 fiscal biennium in LEAP  
23 Transportation Document ~~((2020))~~ 2021-2 ALL PROJECTS as developed  
24 ~~((March 11, 2020))~~ April 23, 2021;

25        (c) Allotment modifications authorized under this subsection  
26 apply only to amounts appropriated in this section from the following  
27 accounts: Connecting Washington account—state and multimodal  
28 transportation account—state; and

29        (d) By December 1, 2020, the department must submit a report to  
30 the transportation committees of the legislature regarding the  
31 actions taken under this subsection.

32        (26) \$11,679,000 of the motor vehicle account—federal  
33 appropriation is provided solely for acceleration of local  
34 preservation projects that ensure the reliable movement of freight on  
35 the national highway freight system (G2000100). The department shall  
36 identify projects through its current national highway system asset  
37 management call for projects with applications due in February 2021.  
38 The department shall give priority to those projects that can be  
39 obligated by September 30, 2021.



1		<u>\$2,455,000</u>
2	Highway Bond Retirement Account—State	
3	Appropriation. . . . .	(( <del>\$1,378,835,000</del> ))
4		<u>\$1,308,311,000</u>
5	Ferry Bond Retirement Account—State Appropriation. . . . .	(( <del>\$25,078,000</del> ))
6		<u>\$25,079,000</u>
7	Transportation Improvement Board Bond Retirement	
8	Account—State Appropriation. . . . .	(( <del>\$12,452,000</del> ))
9		<u>\$12,062,000</u>
10	Nondebt-Limit Reimbursable Bond Retirement	
11	Account—State Appropriation. . . . .	(( <del>\$31,253,000</del> ))
12		<u>\$29,514,000</u>
13	Toll Facility Bond Retirement Account—State	
14	Appropriation. . . . .	(( <del>\$86,483,000</del> ))
15		<u>\$85,565,000</u>
16	TOTAL APPROPRIATION. . . . .	(( <del>\$1,543,461,000</del> ))
17		<u>\$1,463,189,000</u>

18       **Sec. 1102.** 2020 c 219 s 402 (uncodified) is amended to read as  
19 follows:

20 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**  
21 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**  
22 **FISCAL AGENT CHARGES**

23	( <del>Multimodal Transportation Account—State Appropriation. . . . .</del>	<del>\$25,000</del> )
24	Transportation Partnership Account—State	
25	Appropriation. . . . .	(( <del>\$281,000</del> ))
26		<u>\$68,000</u>
27	Connecting Washington Account—State Appropriation. . . . .	(( <del>\$1,599,000</del> ))
28		<u>\$640,000</u>
29	Special Category C Account—State Appropriation. . . . .	(( <del>\$21,000</del> ))
30		<u>\$9,000</u>
31	TOTAL APPROPRIATION. . . . .	(( <del>\$1,926,000</del> ))
32		<u>\$717,000</u>

33       **Sec. 1103.** 2020 c 219 s 403 (uncodified) is amended to read as  
34 follows:

35 **FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

36 Motor Vehicle Account—State Appropriation:

1 For motor vehicle fuel tax distributions to  
2 cities and counties. . . . . ((~~\$508,276,000~~))  
3 \$456,823,000

4 **Sec. 1104.** 2020 c 219 s 404 (uncodified) is amended to read as  
5 follows:

6 **FOR THE STATE TREASURER—TRANSFERS**

7 Motor Vehicle Account—State Appropriation:  
8 For motor vehicle fuel tax refunds and  
9 statutory transfers. . . . . ((~~\$2,146,790,000~~))  
10 \$1,921,901,000

11 **Sec. 1105.** 2020 c 219 s 405 (uncodified) is amended to read as  
12 follows:

13 **FOR THE DEPARTMENT OF LICENSING—TRANSFERS**

14 Motor Vehicle Account—State Appropriation:  
15 For motor vehicle fuel tax refunds and  
16 transfers. . . . . ((~~\$235,788,000~~))  
17 \$240,415,000

18 **Sec. 1106.** 2020 c 219 s 406 (uncodified) is amended to read as  
19 follows:

20 **FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS**

21 (1) Highway Safety Account—State Appropriation:  
22 For transfer to the Multimodal Transportation  
23 Account—State. . . . . ((~~\$54,000,000~~))  
24 \$24,000,000

25 ~~(2) ((Transportation Partnership Account—State  
26 Appropriation: For transfer to the Motor Vehicle  
27 Account—State. . . . . \$45,000,000~~

28 ~~(3))~~ (3) Motor Vehicle Account—State Appropriation:  
29 For transfer to the State Patrol Highway  
30 Account—State. . . . . ((~~\$57,000,000~~))  
31 \$25,400,000

32 ~~((4))~~ (3) Motor Vehicle Account—State Appropriation:  
33 For transfer to the Freight Mobility Investment  
34 Account—State. . . . . \$8,070,000

35 ~~((5))~~ (4) Motor Vehicle Account—State Appropriation:

1 For transfer to the Rural Arterial Trust  
2 Account—State. . . . . \$1,732,000  
3 (5) (a) Motor Vehicle Account—State Appropriation:  
4 For transfer to the State Route Number 520 Civil  
5 Penalties Account—State. . . . . \$6,000,000  
6 (b) The funds provided in (a) of this subsection are a loan to  
7 the state route number 520 civil penalties account—state, and the  
8 legislature assumes that these funds will be reimbursed to the motor  
9 vehicle account—state in the 2021-2023 biennium.  
10 (6) Motor Vehicle Account—State Appropriation:  
11 For transfer to the Transportation Improvement  
12 Account—State. . . . . ((~~\$5,067,000~~))  
13 \$34,067,000  
14 (7) Motor Vehicle Account—State Appropriation:  
15 For transfer to the Puget Sound Capital Construction  
16 Account—State. . . . . ((~~\$52,000,000~~))  
17 \$61,000,000  
18 (8) Motor Vehicle Account—State Appropriation:  
19 For transfer to the Puget Sound Ferry Operations  
20 Account—State. . . . . \$55,000,000  
21 (9) Rural Mobility Grant Program Account—State  
22 Appropriation: For transfer to the Multimodal  
23 Transportation Account—State. . . . . \$3,000,000  
24 (10) State Route Number 520 Civil Penalties  
25 Account—State Appropriation: For transfer to  
26 the State Route Number 520 Corridor  
27 Account—State. . . . . ((~~\$1,434,000~~))  
28 \$1,666,000  
29 (11) Capital Vessel Replacement Account—State  
30 Appropriation: For transfer to the Connecting  
31 Washington Account—State. . . . . \$60,000,000  
32 (12) Multimodal Transportation Account—State  
33 Appropriation: For transfer to the Regional  
34 Mobility Grant Program Account—State. . . . . \$11,215,000  
35 (13) Multimodal Transportation Account—State  
36 Appropriation: For transfer to the Rural  
37 Mobility Grant Program Account—State. . . . . \$15,223,000  
38 ~~(14) ((Transportation 2003 Account (Nickel Account))—~~  
39 ~~State Appropriation: For transfer to the Puget~~

1 ~~Sound Capital Construction Account—State. . . . . \$15,000,000~~  
2 ~~(15) (a) Alaskan Way Viaduct Replacement Project~~  
3 ~~Account—State Appropriation: For transfer to the~~  
4 ~~Motor Vehicle Account—State. . . . . \$9,992,000~~  
5 ~~(b) The transfer identified in this subsection is provided solely~~  
6 ~~to repay in full the motor vehicle account state appropriation loan~~  
7 ~~from section 1005(21), chapter 416, Laws of 2019.~~  
8 ~~(16)) (a) Transportation Partnership Account—State~~  
9 ~~Appropriation: For transfer to the Alaskan Way Viaduct~~  
10 ~~Replacement Project Account—State. . . . . \$77,956,000~~  
11 (b) The amount transferred in this subsection represents that  
12 portion of the up to \$200,000,000 in proceeds from the sale of bonds  
13 authorized in RCW 47.10.873, intended to be sold through the  
14 2021-2023 fiscal biennium, used only for construction of the SR 99/  
15 Alaskan Way Viaduct Replacement project (809936Z), and that must be  
16 repaid from the Alaskan Way viaduct replacement project account  
17 consistent with RCW 47.56.864.  
18 ((~~17~~)) (15) Motor Vehicle Account—State Appropriation:  
19 For transfer to the County Arterial Preservation  
20 Account—State. . . . . ((~~\$4,829,000~~))  
21 \$9,902,000  
22 ((~~18~~)) (16) (a) General Fund Account—State Appropriation:  
23 For transfer to the State Patrol Highway  
24 Account—State. . . . . \$625,000  
25 (b) The state treasurer shall transfer the funds only after  
26 receiving notification from the Washington state patrol under section  
27 207(7), chapter 416, Laws of 2019.  
28 ((~~19~~) ~~Capital Vessel Replacement Account—State~~  
29 ~~Appropriation: For transfer to the Transportation~~  
30 ~~Partnership Account—State. . . . . \$2,312,000~~  
31 ~~(20)) (17) (a) Alaskan Way Viaduct Replacement Project~~  
32 ~~Account—State Appropriation: For transfer to the~~  
33 ~~Transportation Partnership Account—State. . . . . ((~~\$15,858,000~~))~~  
34 \$15,577,000  
35 (b) The amount transferred in this subsection represents  
36 repayment of debt service incurred for the construction of the SR 99/  
37 Alaskan Way Viaduct Replacement project (809936Z).  
38 ((~~21~~)) (18) Tacoma Narrows Toll Bridge Account—State  
39 Appropriation: For transfer to the Motor



1 Vehicle Account—State. . . . . \$950,000  
 2     ~~((+22))~~ (19) (a) Tacoma Narrows Toll Bridge Account—State  
 3 Appropriation:  
 4 For transfer to the Motor Vehicle  
 5 Account—State. . . . . \$5,000,000  
 6     (b) A transfer in the amount of \$5,000,000 was made from the  
 7 Motor Vehicle Account to the Tacoma Narrows Toll Bridge Account in  
 8 April 2019. It is the intent of the legislature that this transfer  
 9 was to be temporary, for the purpose of minimizing the impact of toll  
 10 increases, and this is an equivalent reimbursing transfer to occur in  
 11 November 2019.  
 12     ~~((+23))~~ (20) (a) Transportation ~~((2003 Account (Nickel Account)))~~  
 13 Partnership Account—State Appropriation:  
 14 For transfer to the Tacoma  
 15 Narrows Toll Bridge Account—State. . . . . \$12,543,000  
 16     (b) It is the intent of the legislature that this transfer is  
 17 temporary, for the purpose of minimizing the impact of toll  
 18 increases, and an equivalent reimbursing transfer is to occur after  
 19 the debt service and deferred sales tax on the Tacoma Narrows bridge  
 20 construction costs are fully repaid in accordance with chapter 195,  
 21 Laws of 2018.  
 22     ~~((+24))~~ (21) Transportation Infrastructure Account—State  
 23 Appropriation: For transfer to the multimodal  
 24 Transportation Account—State. . . . . \$9,000,000  
 25     ~~((+25))~~ (22) Multimodal Transportation Account—State  
 26 Appropriation: For transfer to the Pilotage  
 27 Account—State. . . . . \$2,500,000  
 28     ~~((+26))~~ (23) (a) Motor Vehicle Account—State  
 29 Appropriation: For transfer to the County Road  
 30 Administration Board Emergency Loan Account—State. . . . . \$1,000,000  
 31     (b) If chapter 157, Laws of 2019 is not enacted by June 30, 2019,  
 32 the amount provided in this subsection lapses.  
 33     ~~((+27))~~ (24) (a) Advanced Environmental Mitigation  
 34 Revolving Account—State Appropriation: For transfer  
 35 to the Motor Vehicle Account—State. . . . . \$9,000,000  
 36     (b) The amount transferred in this subsection is contingent on at  
 37 least a \$9,000,000 transfer to the advanced environmental mitigation  
 38 revolving account authorized by June 30, 2019, in the omnibus capital  
 39 appropriations act.



1 Ferry Operations Account—State. . . . . \$55,000,000

2 **Sec. 1107.** 2020 c 219 s 407 (uncodified) is amended to read as  
3 follows:

4 **FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

5	Multimodal Transportation Account—State	
6	Appropriation: For distribution to cities and	
7	counties. . . . .	\$26,786,000
8	Motor Vehicle Account—State Appropriation: For	
9	distribution to cities and counties. . . . .	\$23,438,000
10	TOTAL APPROPRIATION. . . . .	\$50,224,000

11 **Sec. 1108.** 2020 c 219 s 408 (uncodified) is amended to read as  
12 follows:

13 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**  
14 **BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY**  
15 **STATUTORILY PRESCRIBED REVENUE**

16	Toll Facility Bond Retirement Account—Federal	
17	Appropriation . . . . .	(( <del>\$199,522,000</del> ))
18		<u>\$199,523,000</u>
19	Toll Facility Bond Retirement Account—State	
20	Appropriation . . . . .	\$25,372,000
21	TOTAL APPROPRIATION. . . . .	(( <del>\$224,894,000</del> ))
22		<u>\$224,895,000</u>

23 **MISCELLANEOUS 2019-2021 FISCAL BIENNIUM**

24 NEW SECTION. **Sec. 1201.** A new section is added to 2019 c 416  
25 (uncodified) to read as follows:

26 The appropriations to the department of transportation in chapter  
27 416, Laws of 2019, chapter 219, Laws of 2020, and this act must be  
28 expended for the programs and in the amounts specified in chapter  
29 416, Laws of 2019, chapter 219, Laws of 2020, and this act. However,  
30 after May 1, 2021, unless specifically prohibited, the department may  
31 transfer state appropriations for the 2019-2021 fiscal biennium among  
32 operating programs after approval by the director of the office of  
33 financial management. However, the department shall not transfer  
34 state moneys that are provided solely for a specific purpose. The  
35 department shall not transfer funds, and the director of the office

1 of financial management shall not approve the transfer, unless the  
2 transfer is consistent with the objective of conserving, to the  
3 maximum extent possible, the expenditure of state funds and not  
4 federal funds. The director of the office of financial management  
5 shall notify the appropriate transportation committees of the  
6 legislature prior to approving any allotment modifications or  
7 transfers under this section.

8 **MISCELLANEOUS**

9 NEW SECTION. **Sec. 1301.** If any provision of this act or its  
10 application to any person or circumstance is held invalid, the  
11 remainder of the act or the application of the provision to other  
12 persons or circumstances is not affected.

13 NEW SECTION. **Sec. 1302.** This act is necessary for the immediate  
14 preservation of the public peace, health, or safety, or support of  
15 the state government and its existing public institutions, and takes  
16 effect immediately."

**SSB 5165 - CONF REPT**  
By Conference Committee

17 On page 1, line 1 of the title, after "appropriations;" strike  
18 the remainder of the title and insert "amending RCW 43.19.642,  
19 46.20.745, 82.21.030, 46.68.060, 47.12.370, 46.68.325, 47.56.876,  
20 46.68.370, 46.68.300, 47.60.322, 46.68.290, 46.68.063, 47.60.530,  
21 47.60.315, 34.05.350, 46.09.540, and 47.66.120; amending 2019 c 416  
22 ss 101, 106, and 302 (uncodified), and 2020 c 219 ss 101, 102, 104,  
23 105, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213,  
24 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 301, 302, 304, 305,  
25 306, 307, 308, 309, 310, 401, 402, 403, 404, 405, 406, 407, and 408  
26 (uncodified); amending 2019 c 396 ss 2 and 3 (uncodified); adding a  
27 new section to 2019 c 416 (uncodified); creating new sections; making  
28 appropriations and authorizing expenditures for capital improvements;  
29 providing expiration dates; and declaring an emergency."

(End of Bill)

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