By Senator Hobbs

Concerning additive transportation funding and appropriations.

- 1 AN ACT Relating to additive transportation funding and
- 2 appropriations; creating new sections; making appropriations; and
- 3 declaring an emergency.
- 4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:
- 5 <u>NEW SECTION.</u> **Sec. 1.** (1) An additive omnibus transportation
- 6 budget of the state is hereby adopted and, subject to the provisions
- 7 set forth, the several amounts specified, or as much thereof as may
- 8 be necessary to accomplish the purposes designated, are hereby
- 9 appropriated from the several accounts and funds named to the
- 10 designated state agencies and offices for employee compensation and
- 11 other expenses, for capital projects, and for other specified
- 12 purposes, including the payment of any final judgments arising out of
- 13 such activities, for the period ending June 30, 2023.
- 14 (2) It is the intent of the legislature that the funding levels
- 15 specified in LEAP Transportation Document 2021 NL-2 as developed
- 16 April 8, 2021, represents a commitment to provide appropriations to
- 17 the agencies, programs, and activities at the amounts identified
- 18 therein through fiscal year 2037.
- 19 (3) Unless the context clearly requires otherwise, the
- 20 definitions in this subsection apply throughout this act.

- (a) "Fiscal year 2022" or "FY 2022" means the fiscal year ending 1 June 30, 2022. 2
- (b) "Fiscal year 2023" or "FY 2023" means the fiscal year ending 3 June 30, 2023. 4
 - (c) "FTE" means full-time equivalent.

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- 6 (d) "Lapse" or "revert" means the amount shall return to an 7 unappropriated status.
 - (e) "Provided solely" means the specified amount may be spent only for the specified purpose. Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose that is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.
- 14 (f) "Reappropriation" means appropriation and, unless the context clearly provides otherwise, is subject to the relevant conditions and 15 16 limitations applicable to appropriations.
- 17 (g) "LEAP" means the legislative evaluation and accountability 18 program committee.

19 2021-2023 FISCAL BIENNIUM

20 GENERAL GOVERNMENT AGENCIES—OPERATING

21 NEW SECTION. Sec. 101. FOR THE OFFICE OF FINANCIAL MANAGEMENT— 22 REVENUE IMPLEMENTATION COSTS

23 Forward Flexible Account—State Appropriation \$3,000,000

The appropriations in this section are subject to the following conditions and limitations: The entire forward flexible account—state appropriation is provided solely for agency administrative costs in implementing the revenue items in the forward Washington transportation proposal. To the extent needed for actual revenue implementation costs, the office of financial management may allocate the funding to the department of licensing, the department of revenue, the transportation commission, and the department of transportation.

NEW SECTION. Sec. 102. FOR THE DEPARTMENT OF COMMERCE

Forward Flexible Account—State Appropriation. \$22,750,000 34

35 The appropriation in this section is subject to the following 36 conditions and limitations: \$22,750,000 of the forward flexible Code Rev/AI:lel S-0767.4/21 4th draft

1	account—state appropriation is provided solely for transportation
2	grid electrification and alternative fuel infrastructure grants. The
3	purpose of the grant program is to aid public entities in funding
4	projects that improve the connectivity and efficiency of our
5	transportation system. The department shall identify cost-effective
6	projects and submit a prioritized list of all projects requesting
7	funding to the legislature by December 1st of each year.

8 TRANSPORTATION AGENCIES—OPERATING

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10 NEW SECTION. Sec. 201. FOR THE DEPARTMENT OF LICENSING

11 Forward Flexible Account—State Appropriation \$1,875,000

The appropriations in this section are subject to the following conditions and limitations: The entire forward flexible account—state appropriation is provided solely for an interagency transfer to the department of children, youth, and families to provide driver's license support to a larger population of foster youth than is currently being served. Support services include reimbursement of driver's license issuance costs, fees for driver training education,

- 19 and motor vehicle liability insurance costs.
- 20 <u>NEW SECTION.</u> Sec. 202. FOR THE DEPARTMENT OF TRANSPORTATION—
- 21 FACILITY MAINTENANCE, OPERATIONS AND CONSTRUCTION—PROGRAM D
- 22 Forward Washington Account—State Appropriation. \$2,000,000
- 23 <u>NEW SECTION.</u> Sec. 203. FOR THE DEPARTMENT OF TRANSPORTATION—
- 24 AVIATION—PROGRAM F
- 25 Aeronautics Account—State Appropriation \$280,000

The appropriations in this section are subject to the following conditions and limitations: \$280,000 of the aeronautics account—state appropriation is provided solely for an unpiloted aircraft systems coordinator. If chapter . . . (Substitute House Bill No. 1379), Laws of 2021 (unpiloted aircraft system) is enacted by June 30, 2021, the

- 31 amount provided in this section lapses.
- 32 <u>NEW SECTION.</u> Sec. 204. FOR THE DEPARTMENT OF TRANSPORTATION—
- 33 **HIGHWAY MAINTENANCE—PROGRAM M**

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

- (1) \$1,060,000 of the forward Washington—state account is provided solely for the department to purchase and maintain one tow truck per operating region in order to optimize fleet operations and more efficiently respond to highway system emergencies.
- (2) \$5,784,000 of the forward Washington—state account is provided solely for the department to purchase and maintain one underbridge inspection truck per operating region in order to better maintain and preserve bridges on the highway system.
- (3) \$1,074,000 of the forward Washington—state account is provided solely for the department to add one mechanic per operating region in order to better maintain the maintenance vehicle fleet.
- (4)(a) \$4,000,000 of the forward Washington account—state appropriation is provided solely for safety improvements and debris clean up on department-owned rights-of-way in the city of Seattle at levels above that being implemented as of January 1, 2019.
- (i) Of the amount provided in this subsection, \$1,500,000 of the forward Washington account—state appropriation is provided solely for the department's costs in implementing safety improvements and debris clean up on department—owned rights—of—way in the city of Seattle. The department must maintain at least two crews dedicated solely to collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist to the traveling public, department employees, or people encamped upon department—owned rights—of—way.
- (ii) Of the amount provided in this subsection, \$2,000,000 of the forward Washington account—state appropriation is provided solely for the security costs associated with the clean up on department—owned rights—of—way in the city of Seattle. The department may use the funds provided in this subsection to either reimburse local law enforcement costs if they are fully participating as part of a strategic agreement to implement safety improvements and debris clean up on department—owned rights—of—way in the city of Seattle, or to reimburse security costs of the Washington state patrol.
- (iii) Of the amount provided in this subsection, \$500,000 of the forward Washington account—state appropriation is provided solely for the city of Seattle or the department to contract with local

- nonprofit organizations providing outreach assistance necessary to implement safety improvements and debris clean up on department-owned rights-of-way in the city of Seattle.
 - (b) Beginning October 1, 2021, and quarterly thereafter, the Washington state patrol, jointly with the department of transportation, must report to the governor and the house and senate transportation committees of the legislature on the status of these efforts including:
- 9 (i) A detailed breakout of the size, location, risk level 10 categorization, and number of encampments on or near department-owned 11 rights-of-way in the Seattle area as of January 1, 2019, compared to 12 the levels during the quarter being reported;
 - (ii) A summary of the activities in that quarter related to addressing these encampments, including information on arrangements with local governments or other entities related to these activities;
- 16 (iii) A description of the planned activities in the ensuing 17 quarter to further address the emergency hazards and risks along 18 state highway rights-of-way; and
- 19 (iv) Recommendations for executive branch or legislative action 20 to achieve the desired outcome of reduced emergency hazards and risks 21 along state highway rights-of-way.
- NEW SECTION. Sec. 205. FOR THE DEPARTMENT OF TRANSPORTATION—
 TRAFFIC OPERATIONS—PROGRAM O
- 24 Forward Washington Account—State Appropriation \$5,000,000
- 25 The appropriation in this section is subject to the following 26 conditions and limitations: At least \$3,600,000 of the amount
- 27 provided in this section must be used to modify existing HOV on-ramp
- 28 lanes in the central Puget Sound region to use ramp metering in order
- 29 to improve the operational efficiency of the highway system.
- 30 <u>NEW SECTION.</u> Sec. 206. FOR THE DEPARTMENT OF TRANSPORTATION—
- 31 TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM S
- 32 Forward Flexible Account—State Appropriation \$6,250,000
- 33 <u>NEW SECTION.</u> Sec. 207. FOR THE DEPARTMENT OF TRANSPORTATION—
- 34 TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T
- 35 Forward Flexible Account—State Appropriation \$6,700,000

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

- (1) \$450,000 of the forward flexible account—state appropriation is provided solely for the department to continue to develop a performance-based project evaluation model based on the initial work done for section 218(7), chapter 219, Laws of 2020, in a way that operationalizes the six transportation policy goals in RCW 47.04.280. This work should first include clarification of the transportation policy goals through development of objectives and criteria that reflect system priorities. The department's objectives and criteria should be consistent with the objectives and performance measures established by the office of financial management under 47.04.280. After a framework is established by which goals can be more directly related to outcomes, the project evaluation model should leverage the department's existing experts and best practices used for prioritizing programmatic funds to develop standard criteria by which evaluators could consistently score and rank all types of projects. The department must issue a report by June 30, 2022, summarizing the new project evaluation model, and a recommended timeline for how this process could be implemented in coordination with the legislative work cycle.
- (2) \$6,000,000 of the forward flexible account—state appropriation is provided solely for an Interstate 5 planning and environmental linkage study. This study will serve as a next step toward a statewide Interstate 5 master plan, building upon existing work underway in the corridor. It is the intent of the legislature to direct \$40,000,000 to complete the planning and environmental linkage study over the course of this funding package.
- (a) The study must meet planning and environmental linkages requirements to assess strategies and actions to address preservation and safety needs; climate change; improve corridor efficiency and person-throughput; and operate managed lanes effectively in the long-term. The study must include a robust public engagement program; and must assess multimodal transportation system impacts as well as economic, revenue and equity considerations. The outcome of this work will provide a basis for preliminary project planning, design and environmental work.

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- 1 (b) The department shall submit a final report on the Interstate 2 planning and environmental linkage study to the joint 3 transportation committee by June 30, 2023.
- (c) As an initial element of the study, the department must 4 identify and prepare an implementation plan for near-term actions to 5 6 improve HOV lane system-wide performance until a long-term solution 7 is in place, including steps required to convert HOV lanes to a different managed lane operating concept such as express toll lanes. 8 implementation plan must include the 9 planning, environmental review, equity considerations, community engagement, 10 traffic and revenue analysis, rate setting, and related engineering 11 12 considerations necessary for a full I-5 HOV system conversion. The department shall submit an interim report on a recommended near-term 13 implementation plan to the legislative transportation committees by 14 15 December 31, 2022.

NEW SECTION. Sec. 208. FOR THE DEPARTMENT OF TRANSPORTATION— 16 17 CHARGES FROM OTHER AGENCIES-PROGRAM U

18 Forward Flexible Account—State Appropriation \$3,000,000

The appropriations in this section are subject to the following conditions and limitations: The entire forward flexible account—state appropriation is provided solely for increasing the number of certified women and minority-owned contractors in the transportation sector and for supporting these contractors to successfully compete and earn more transportation contracting opportunities. This shall be done through various programs including, but not limited to: (1) Outreach to women and minority business communities and individuals; (2) technical assistance as needed in areas such as financing, accounting, contracting, procurement and resolution of disputes and grievances; (3) language access programs for those with limited English proficiency; and (4) other programs that aim to increase the number of women and minority contractors that are successful in obtaining contracts in the transportation sector either directly with state agencies such as the department, with local jurisdictions, or as subcontractors for prime contractors.

35 Sec. 209. FOR THE DEPARTMENT OF TRANSPORTATION-NEW SECTION. 36

PUBLIC TRANSPORTATION—PROGRAM V

37 Rural Mobility Grant Program Account—State

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1	Appropriation
2	Regional Mobility Grant Program Account—State
3	Appropriation
4	Forward Flexible Account—State Appropriation \$58,750,000
5	TOTAL APPROPRIATION

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

- (1) \$22,750,000 of the forward flexible account—state appropriation is provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation.
- (2) \$11,000,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100.
- (3) \$3,000,000 of the forward flexible account—state appropriation is provided solely for a vanpool grant program for: (a) Public transit agencies to add vanpools or replace vans; and (b) incentives for employers to increase employee vanpool use. The grant program for public transit agencies must cover capital costs only. Operating costs for public transit agencies are not eligible for funding under this grant program.
- 22 (4) \$10,000,000 of the forward flexible account—state appropriation is provided solely for bus and bus facility grants.
 - (5) \$3,000,000 of the forward flexible account—state appropriation is provided solely for expanded transportation demand management. The department shall employ strategies to incentivize the use of transportation demand management at the local level. The department may partner with public, private, and nonprofit groups whose missions include topical areas such as social equity, public health, land use planning, transit oriented development, and active transportation.
 - (6) \$5,000,000 of the regional mobility grant program account—state appropriation is provided solely for regional mobility grants.
 - (7) \$5,000,000 of the forward flexible account—state appropriation is provided solely for the green transportation capital grant program established in chapter 287, Laws of 2019 (advancing green transportation adoption).
- 38 (8) \$5,000,000 of the forward flexible account—state 39 appropriation is provided solely for transit fare access grants.

(9) \$10,000,000 of the forward flexible account appropriation is provided solely for the projects and activities as listed in LEAP Transportation Document 2021 NL-1 as developed April 8, 2021, Public Transportation Program (V) Projects.

5 NEW SECTION. Sec. 210. FOR THE DEPARTMENT OF TRANSPORTATION—

MARINE—PROGRAM X

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Forward Flexible Account—State Appropriation \$5,000,000

The appropriations in this section are subject to the following conditions and limitations: \$300,000 of the forward flexible account—state appropriation is provided solely for the department to contract with uniformed officers for SR 104 highway traffic control in Kingston during overloaded ferry travel times, with a particular focus on Sundays, Mondays, and holiday/festival weekends. Traffic control methods should include issuing boarding passes, holding traffic on the shoulder at Lindvog Road until space opens for cars at the tollbooths and dock, and management of traffic on SR 104 in order to ensure Kingston area residents and business owners have access to businesses, roads, and driveways.

TRANSPORTATION AGENCIES—CAPITAL

20 <u>NEW SECTION.</u> Sec. 301. FOR THE FREIGHT MOBILITY STRATEGIC

INVESTMENT BOARD

The appropriations in this section are subject to the following conditions and limitations: The entire freight mobility investment account—state appropriation and the entire freight mobility multimodal account—state appropriation are provided solely to enhance the grant and allocation programs administered by the freight mobility investment board.

31 <u>NEW SECTION.</u> Sec. 302. FOR THE TRANSPORTATION IMPROVEMENT BOARD

- The appropriations in this section are subject to the following conditions and limitations:
- 3 (1) The entire forward flexible account—state appropriation is 4 provided solely to enhance the complete streets program.
- 5 (2) The entire transportation improvement account—state 6 appropriation is to enhance the existing city grant and allocation 7 programs administered by the transportation improvement board.

8 NEW SECTION. Sec. 303. FOR THE COUNTY ROAD ADMINISTRATION BOARD

9 Rural Arterial Trust Account—State Appropriation. . . . \$3,500,000

10 County Arterial Preservation Account—State Appropriation. \$3,500,000

The appropriations in this section are subject to the following

13 conditions and limitations: \$3,500,000 of the rural arterial trust

14 account—state appropriation and \$3,500,000 of the county arterial

preservation account—state appropriation are provided solely to

enhance the rural arterial and the county arterial preservation

17 programs.

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18 <u>NEW SECTION.</u> Sec. 304. FOR THE DEPARTMENT OF TRANSPORTATION—

IMPROVEMENTS—PROGRAM I

- 20 Forward Washington Account—State Appropriation. . . . \$150,000,000
- 21 Forward Flexible Account—State Appropriation. \$15,000,000

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

- 25 (1) The entire forward Washington account appropriation is
- 26 provided solely for the projects and activities as listed by fund,
- 27 project, and amount in LEAP Transportation Document 2021 NL-1 as
- 28 developed April 8, 2021, Highway Improvements Program (I) Projects.
- 29 (2) \$15,000,000 of the forward flexible account—state
- 30 appropriation is provided solely for storm water retrofits and
- 31 improvements.

32 <u>NEW SECTION.</u> Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION—

33 PRESERVATION—PROGRAM P

34 Forward Washington Account—State Appropriation. . . . \$200,000,000

1 The appropriation in this section is subject to the following 2 conditions and limitations: The entire forward Washington account 3 appropriation is provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document 4 5 2021 NL-1 as developed April 8, 2021, Highway Preservation Program (P) Projects. 6

7 Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION— NEW SECTION. 8

WASHINGTON STATE FERRIES CONSTRUCTION-PROGRAM W

Forward Flexible Account—State Appropriation. \$50,000,000

10 The appropriation in this section is subject to the following 11 conditions and limitations: The entire forward flexible account 12 appropriation in this section is provided solely for the projects and activities as listed in LEAP Transportation Document 2021 NL-1 as 13 14 developed April 8, 2021, Washington State Ferries Capital Program (W)

15 Projects.

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16 NEW SECTION. Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION—

17 RAIL-PROGRAM Y

Forward Flexible Account—State Appropriation. \$25,000,000 18

19 The appropriation in this section is subject to the following 20 conditions and limitations: The entire appropriation in this section 21 is provided solely for the projects and activities as listed in LEAP

22 Transportation Document 2021 NL-1 as developed April 8, 2021, Rail

23 Capital Program (Y) Projects.

24 Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION-NEW SECTION.

2.5 LOCAL PROGRAMS-PROGRAM Z

26 Aeronautics Account—State Appropriation. \$1,983,000

27 Forward Flexible Account—State Appropriation. \$46,625,000

Forward Washington Account—State Appropriation. \$90,000,000 28

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30 The appropriations in this section are subject to the following

31 conditions and limitations:

32 \$19,625,000 of the forward flexible account—state

appropriation and \$90,000,000 of the forward Washington account—state 33

34 appropriation are provided solely for the projects and activities as

- listed by fund, project, and amount in LEAP Transportation Document 2 2021 NL-1 as developed April 8, 2021, Local Programs (Z) Projects.
 - (2) \$10,000,000 of the forward flexible account—state appropriation and \$1,983,000 of the aeronautics account—state appropriation are provided solely for a Washington ports grant program. The aeronautics account—state appropriation is provided solely for airport grants.
 - (3) \$11,000,000 of the forward flexible account—state appropriation is provided solely for newly selected pedestrian and bicycle safety program projects.
 - (4) \$6,000,000 of the forward flexible account—state appropriation is provided solely for newly selected safe routes to school projects.
 - (5) It is the intent of the legislature, over the 16-year new forward Washington investment program, that \$30,000,000 will be provided to the Seattle Department of Transportation to implement Aurora Avenue North Safety Improvements. Under this program, the Seattle Department of Transportation (SDOT) will be required to implement strategic transportation investments for the Aurora Ave N Corridor (Roy St. to N 145th St) that ensure walkability, mobility, and safety for residents. A specific focus must be on access management to consolidate driveways and improve safety for vulnerable users. This work must also include installation of full curb and sidewalks to improve safety, mobility, transit ridership, equity, and work towards the goals set forth in Vision Zero. SDOT must ensure the design and implementation of a sidewalk network, installation of raised medians, pedestrian refuge islands, and dedicated center turn lanes that put safety over speed, balances the needs of different modes, provides pedestrian safe zones, and supports the surrounding neighborhoods. SDOT must coordinate with WSDOT and King County Metro in implementing the investments. SDOT must ensure that funds are maximized by limiting the percentage for planning, predesign, design, permitting, and environmental review to ten percent of the total cost of each project.

35 TRANSFERS AND DISTRIBUTIONS

36 <u>NEW SECTION.</u> Sec. 401. FOR THE STATE TREASURER—ADMINISTRATIVE

37 **TRANSFERS**

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1	(1) Forward Flexible Account—State Appropriation:
2	For transfer for Forward Flexible projects, programs,
3	or activities to the Freight Mobility Multimodal
4	Account—State\$2,500,000
5	(2) Forward Flexible Account—State Appropriation:
6	For transfer for Forward Flexible projects, programs,
7	or activities to the Rural Mobility Grant
8	Program Account—State
9	(3) Forward Washington Account—State Appropriation:
10	For transfer for Forward Washington projects
11	or improvements to the Freight Mobility Investment
12	Account—State
13	(4) Forward Washington Account—State Appropriation:
14	For transfer for Forward Washington projects
15	or improvements to the Rural Arterial Trust
16	Account—State
17	(5) Forward Washington Account—State Appropriation:
18	For transfer for Forward Washington projects
19	or improvements to the Transportation Improvement
20	Account—State
21	(6) Forward Washington Account—State Appropriation:
22	For transfer for Forward Washington projects
23	or improvements to the County Arterial Preservation
24	Account—State
25	(7) Forward Flexible Account—State Appropriation:
26	For transfer for Forward Flexible projects, programs,
27	or activities to the Regional Mobility Grant Program
28	Account—State
29	NEW SECTION. Sec. 402. FOR THE STATE TREASURER—STATE REVENUES
30	FOR DISTRIBUTION TO CITIES AND COUNTIES
31	Forward Flexible Account—State Appropriation:
32	For distribution to cities and counties \$30,000,000
33	The appropriation in this section is subject to the following
34	conditions and limitations: The amount provided must be allocated
35	between cities and counties using proportionate shares that are
36	consistent with the total amount of fuel tax revenue distributed
37	under RCW 46.68.090 to cities and counties. Funds credited to cities
38	must be allocated under RCW 46.68.110(4). Funds credited to counties
	Code Rev/AI:1el 13 S-0767.4/21 4th draft

- 1 must be allocated under RCW 46.68.120(4). Expenditures from these
- 2 funds may be used only for transportation purposes.

3 MISCELLANEOUS

- NEW SECTION. Sec. 501. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.
- NEW SECTION. Sec. 502. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

(End of Bill)

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