

1 AN ACT Relating to transportation funding and appropriations;
2 amending RCW 43.19.642, 46.20.745, 82.21.030, 46.68.060, 47.12.370,
3 46.68.325, 47.56.876, 46.68.370, 46.68.300, 47.60.322, 46.68.290,
4 82.44.135, 46.68.395, 46.68.063, 46.68.396, 47.01.480, 47.60.530,
5 47.60.315, 34.05.350, and 70A.205.425; amending 2019 c 416 ss 101,
6 106, and 302 (uncodified), and 2020 c 219 ss 101, 102, 104, 105, 201,
7 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215,
8 216, 217, 218, 219, 220, 221, 222, 223, 301, 302, 304, 305, 306, 307,
9 308, 309, 310, 401, 402, 403, 404, 405, 406, 407, and 408
10 (uncodified); adding a new section to 2019 c 416 (uncodified);
11 creating new sections; making appropriations and authorizing
12 expenditures for capital improvements; providing a contingent
13 effective date; providing an expiration date; and declaring an
14 emergency.

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

16 **2021-2023 FISCAL BIENNIUM**

17 NEW SECTION. **Sec. 1.** (1) The transportation budget of the state
18 is hereby adopted and, subject to the provisions set forth, the
19 several amounts specified, or as much thereof as may be necessary to
20 accomplish the purposes designated, are hereby appropriated from the

1 several accounts and funds named to the designated state agencies and
2 offices for employee compensation and other expenses, for capital
3 projects, and for other specified purposes, including the payment of
4 any final judgments arising out of such activities, for the period
5 ending June 30, 2023.

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

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

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

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

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

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

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

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

26 **GENERAL GOVERNMENT AGENCIES—OPERATING**

27 NEW SECTION. **Sec. 101. FOR THE DEPARTMENT OF ARCHAEOLOGY AND**
28 **HISTORIC PRESERVATION**

29 Motor Vehicle Account—State Appropriation \$546,000

30 NEW SECTION. **Sec. 102. FOR THE UTILITIES AND TRANSPORTATION**
31 **COMMISSION**

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

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

34 TOTAL APPROPRIATION. \$654,000

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

1	Motor Vehicle Account—State Appropriation	\$1,441,0000
2	Puget Sound Ferry Operations Account—State Appropriation . .	\$126,000
3	Multimodal Transportation Account—State Appropriation. . . .	\$250,000
4	TOTAL APPROPRIATION.	\$1,817,000

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

7 \$250,000 of the multimodal transportation account—state
8 appropriation is provided solely for the office of financial
9 management, in collaboration with the Washington department of
10 transportation and the office of the chief information officer, to
11 conduct an evaluation of short term and long term facility and
12 information technology needs. In conducting the evaluation, the
13 office of financial management may contract with an entity with
14 direct expertise in this area. The office of financial management
15 must submit a final report of their evaluation by October 1, 2022.
16 The evaluation must be coordinated with any legislatively directed
17 study regarding leased space. The evaluation must include, but is not
18 limited to:

19 (1) Development of a status quo scenario based on current policy
20 and projections and two alternative scenarios of the number of people
21 and percentage of staff in telework status on a permanent basis with
22 one alternative being the minimum feasible level of teleworking and
23 one alternative being the maximum feasible level of teleworking;

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

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

30 (4) Analysis of opportunities to colocate with other state,
31 local, and other public agencies to reduce costs and improve cost-
32 efficiency;

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

37 (6) Detailed information on any reduced costs, such as leases,
38 facility maintenance, and utilities, resulting from the projected

1 teleworking levels for the scenarios in subsection (1) of this
2 section; and

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

6 NEW SECTION. **Sec. 104. FOR THE STATE PARKS AND RECREATION**
7 **COMMISSION**

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

9 The appropriation in this section is subject to the following
10 conditions and limitations: The appropriation in this section is
11 provided solely for road maintenance purposes.

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

13 Motor Vehicle Account—State Appropriation \$1,345,000

14 NEW SECTION. **Sec. 106. FOR THE LEGISLATIVE EVALUATION AND**
15 **ACCOUNTABILITY PROGRAM COMMITTEE**

16 Motor Vehicle Account—State Appropriation \$668,000

17 NEW SECTION. **Sec. 107. FOR THE BOARD OF PILOTAGE COMMISSIONERS**

18 Pilotage Account—State Appropriation \$5,775,000

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

21 (1) \$2,926,000 of the pilotage account—state appropriation is
22 provided solely for self-insurance liability premium expenditures;
23 however, this appropriation is contingent upon the board:

24 (a) Annually depositing the first \$150,000 collected through
25 Puget Sound pilotage district pilotage tariffs into the pilotage
26 account; and

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

30 (2) The board of pilotage commissioners shall file the annual
31 report to the governor and chairs of the transportation committees
32 required under RCW 88.16.035(1)(f) by September 1, 2021, and annually
33 thereafter. The report must include the continuation of policies and
34 procedures necessary to increase the diversity of pilots, trainees,
35 and applicants, including a diversity action plan. The diversity

1 action plan must articulate a comprehensive vision of the board's
2 diversity goals and the steps it will take to reach those goals.

3 NEW SECTION. **Sec. 108. FOR THE HOUSE OF REPRESENTATIVES**

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

5 NEW SECTION. **Sec. 109. FOR THE SENATE**

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

7 NEW SECTION. **Sec. 110. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**
8 **AMERICAN RESCUE PLAN ACT OF 2021**

9 Coronavirus State Fiscal Recovery
10 Account—Federal Appropriation. \$1,000,000,000

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

13 (1) \$600,000,000 of the coronavirus state fiscal recovery account
14 —federal appropriation is provided solely for expenditure into
15 accounts as specified in LEAP Transportation Document 3 as developed
16 on March 22, 2021. These funds will be used exclusively to maintain
17 government services as specified in the federal American rescue plan
18 act of 2021. This reflects the anticipated revenue losses for
19 transportation funds due to the COVID-19 public health emergency
20 relative to revenues collected in fiscal year 2019.

21 (2) \$400,000,000 of the coronavirus state fiscal recovery account
22 —federal appropriation is provided solely for water infrastructure
23 projects that remove fish passage barriers that are impeding state
24 streams, rivers, and other waterways (0BI4001), as permitted under
25 the federal American rescue plan act of 2021. When funds are
26 received, this appropriation must be spent prior to the use of funds
27 provided in section 306 of this act for project (0BI4001). These
28 water infrastructure projects are to pursue compliance with the
29 federal *U.S. v. Washington* court injunction by 2030.

30 **TRANSPORTATION AGENCIES—OPERATING**

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

33 Highway Safety Account—State Appropriation \$4,624,000

34 Highway Safety Account—Federal Appropriation \$27,202,000

1	Highway Safety Account—Private/Local Appropriation	\$60,000
2	School Zone Safety Account—State Appropriation	\$850,000
3	TOTAL APPROPRIATION.	\$32,736,000

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

6 (1) The Washington traffic safety commission may oversee a
7 demonstration project in one county, coordinating with a public
8 transportation benefit area (PTBA) and the department of
9 transportation, to test the feasibility and accuracy of the use of
10 automated enforcement technology for high occupancy vehicle (HOV)
11 lane passenger compliance. All costs associated with the
12 demonstration project must be borne by the participating public
13 transportation benefit area. Any photograph, microphotograph, or
14 electronic images of a driver or passengers are for the exclusive use
15 of the PTBA in the determination of whether an HOV passenger
16 violation has occurred to test the feasibility and accuracy of
17 automated enforcement under this subsection and are not open to the
18 public and may not be used in a court in a pending action or
19 proceeding. All photographs, microphotographs, and electronic images
20 must be destroyed after determining a passenger count and no later
21 than the completion of the demonstration project. No warnings or
22 notices of infraction may be issued under the demonstration project.

23 For purposes of the demonstration project, an automated
24 enforcement technology device may record an image of a driver and
25 passenger of a motor vehicle. The county and PTBA must erect signs
26 marking the locations where the automated enforcement for HOV
27 passenger requirements is occurring.

28 The PTBA, in consultation with the Washington traffic safety
29 commission, must provide a report to the transportation committees of
30 the legislature with the number of violations detected during the
31 demonstration project, whether the technology used was accurate and
32 any recommendations for future use of automated enforcement
33 technology for HOV lane enforcement by June 30, 2023.

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

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

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

6 (c) Any city administering a pilot program overseen by the
7 traffic safety commission shall use the following guidelines to
8 administer the program:

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

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

18 (iii) Cities testing the use of automated vehicle noise
19 enforcement cameras must post information on the city website and
20 notify local media outlets indicating the zones in which the
21 automated vehicle noise enforcement cameras will be used;

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

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

30 (vi) Notwithstanding any other provision of law, all photographs,
31 videos, microphotographs, audio recordings, or electronic images
32 prepared under this section are for the exclusive use of law
33 enforcement in the discharge of duties under this section and are not
34 open to the public and may not be used in a court in a pending action
35 or proceeding. No photograph, microphotograph, audio recording, or
36 electronic image may be used for any purpose other than the issuance
37 of warnings for violations under this section or retained longer than
38 necessary to issue a warning notice as required under this subsection
39 (2); and

1 (vii) By June 30, 2022, the participating cities shall provide a
2 report to the commission and appropriate committees of the
3 legislature regarding the use, public acceptance, outcomes, warnings
4 issued, data retention and use, and other relevant issues regarding
5 automated vehicle noise enforcement cameras demonstrated by the pilot
6 projects.

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

8	Rural Arterial Trust Account—State Appropriation	\$1,134,000
9	Motor Vehicle Account—State Appropriation	\$2,759,000
10	County Arterial Preservation Account—State	
11	Appropriation	\$1,669,000
12	TOTAL APPROPRIATION.	\$5,562,000

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

14	Transportation Improvement Account—State	
15	Appropriation	\$4,509,000

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

17	Motor Vehicle Account—State Appropriation	\$1,864,000
18	Multimodal Transportation Account—State Appropriation.	\$220,000
19	TOTAL APPROPRIATION.	\$2,084,000

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

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

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

1 transportation options. Work group members are eligible for
2 reimbursement or allowance for expenses pursuant to RCW 43.03.220.

3 (c) The work group must engage with members of the public who are
4 interested in new options for payment of fees or taxes due at the
5 time of application for vehicle registration, including persons from
6 communities of color, low-income households, vulnerable populations,
7 and displaced communities. Input from members of the public must
8 inform the work group's recommendations. The work group must notify
9 members of the public of opportunities to engage through a variety of
10 communication channels including, but not limited to, the following:
11 Outreach through community organizations, print and broadcast media,
12 and social media.

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

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

18 (ii) An agreed upon service fee structure for vehicle
19 registration payment plans;

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

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

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

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

29 (e) A report of the work group's findings and recommendations is
30 due to the transportation committees of the legislature by June 30,
31 2022.

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

1 The Washington interlocal cooperation act, chapter 39.34 RCW,
2 authorizes public agencies to contract with other public agencies via
3 interlocal agreements that enable cooperation among the agencies to
4 perform governmental activities and deliver public services,
5 including agreements with public entities in other states. Such
6 interstate agreements are deemed interstate compacts. The legal
7 analysis must identify and recommend alternative and/or additional
8 statutory authority that would be necessary to allow for the
9 formation of a local government bistate bridge authority or
10 governance structure for the Hood River Bridge replacement that at a
11 minimum may:

- 12 (a) Issue bonds for bridge construction;
- 13 (b) Collect tolls; and
- 14 (c) Secure and administer state or federal grants and loans.

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

17 (3) (a) \$220,000 of the multimodal transportation account—state
18 appropriation is for chapter . . . (Engrossed Substitute Senate Bill
19 No. 5439), Laws of 2021 (broadband along state highways). However, if
20 chapter . . . (Engrossed Substitute Senate Bill No. 5439), Laws of
21 2021 is not enacted by June 30, 2021, then the amount provided in
22 this subsection is for the joint transportation committee to conduct
23 a study of mutually beneficial strategies for the transportation
24 system and statewide broadband development. The study must recommend:

25 (i) An effective department of transportation strategy, and
26 specific highway corridors, that could be used to address missing
27 fiber connections and inadequate broadband service in parts of the
28 state unserved and underserved by broadband facilities;

29 (ii) The role of the department of transportation and the
30 statewide broadband office in a coordinated statewide approach for
31 broadband development on highway rights-of-way in both the short and
32 long term; and

33 (iii) The most promising planning and financing tools that could
34 be used to provide the state with greater ability to install conduit
35 in anticipation of future broadband fiber occupancy, including an
36 examination of other state best practices and a review of any needed
37 changes to state laws or regulations.

38 (b) A report of the study findings and recommendations is due to
39 the transportation committees of the legislature by January 1, 2022.

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

2 Motor Vehicle Account—State Appropriation \$3,056,000

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

5 (1) The commission shall reconvene the road usage charge steering
6 committee, with the same membership described in chapter 297, Laws of
7 2018, and shall periodically report to the steering committee with
8 updates on activities undertaken in accordance with the federal grant
9 awarded July 2020 ("Forward Drive"). A year-end update on the status
10 of any federally-funded project for which federal funding is secured
11 must be provided to the governor's office and the transportation
12 committees of the legislature by January 1, 2022, and by January 1,
13 2023. Additionally, as part of the activities undertaken in
14 accordance with the federal grant, the commission shall identify and
15 measure how a road usage charge could be adjusted so vehicles of
16 comparable efficiency pay the same rate regardless of their means of
17 propulsion, and examine options for indexing to stabilize revenue as
18 vehicle fleets become more efficient over time. Any legislative
19 vacancies on the steering committee must be appointed by the speaker
20 of the house of representatives for a house of representatives member
21 vacancy, and by the president of the senate for a senate member
22 vacancy.

23 (2) The commission may modify their sufficient minimum balance
24 internal policy for the Tacoma Narrows toll bridge account for the
25 2021-2023 biennium due to temporary revenue impacts from the COVID-19
26 pandemic.

27 (3) \$225,000 of the motor vehicle account—state appropriation is
28 provided solely for the implementation of chapter . . . (Substitute
29 Senate Bill No. 5444), Laws of 2021 (per mile charge). If
30 chapter . . . (Substitute Senate Bill No. 5444), Laws of 2021 is not
31 enacted by June 30, 2021, the amount provided in this subsection
32 lapses.

33 NEW SECTION. **Sec. 206. FOR THE FREIGHT MOBILITY STRATEGIC**
34 **INVESTMENT BOARD**

35 Freight Mobility Investment Account—State
36 Appropriation \$830,000

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

1	State Patrol Highway Account—State Appropriation	\$518,461,000
2	State Patrol Highway Account—Federal Appropriation	\$15,838,000
3	State Patrol Highway Account—Private/Local	
4	Appropriation	\$4,267,000
5	Highway Safety Account—State Appropriation	\$1,214,000
6	Ignition Interlock Device Revolving Account—State	
7	Appropriation	\$5,053,000
8	Multimodal Transportation Account—State Appropriation	\$288,000
9	TOTAL APPROPRIATION.	\$545,121,000

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

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

21 (2) \$580,000 of the state patrol highway account—state
22 appropriation is provided solely for the operation of and
23 administrative support to the license investigation unit to enforce
24 vehicle registration laws in southwestern Washington. The Washington
25 state patrol, in consultation with the department of revenue, shall
26 maintain a running estimate of the additional vehicle registration
27 fees, sales and use taxes, and local vehicle fees remitted to the
28 state pursuant to activity conducted by the license investigation
29 unit. Beginning October 1, 2021, and quarterly thereafter, the
30 Washington state patrol shall submit a report detailing the
31 additional revenue amounts generated since January 1, 2021, to the
32 director of the office of financial management and the transportation
33 committees of the legislature. At the end of the calendar quarter in
34 which it is estimated that more than \$625,000 in state sales and use
35 taxes have been remitted to the state since January 1, 2021, the
36 Washington state patrol shall notify the state treasurer and the
37 state treasurer shall transfer funds pursuant to section 406 of this
38 act.

1 (3) \$4,430,000 of the state patrol highway account—state
2 appropriation is provided solely for a third arming and a third
3 trooper basic training class. The cadet class is expected to graduate
4 in June 2023.

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

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

10 (b) The number of transportation funded staff vacancies by major
11 category;

12 (c) The number of applicants for each of the positions by these
13 categories;

14 (d) The composition of workforce;

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

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

22 (5) \$493,000 of the state patrol highway account—state
23 appropriation is provided solely for aerial criminal investigation
24 tools, including software licensing and maintenance, and annual
25 certification, and is subject to the conditions, limitations, and
26 review requirements of section 701 of this act.

27 (6) \$7,962,000 of the state patrol highway account—state
28 appropriation is provided solely for the land mobile radio system
29 replacement, upgrade, and other related activities. Beginning January
30 1, 2022, the Washington state patrol must report semiannually to the
31 office of the state chief information officer on the progress related
32 to the projects and activities associated with the land mobile radio
33 system, including the governance structure, outcomes achieved in the
34 prior six month time period, and how the activities are being managed
35 holistically as recommended by the office of the chief information
36 officer. At the time of submittal to the office of the state chief
37 information officer, this report shall be transmitted to the office
38 of financial management and the house and senate transportation
39 committees.

1 (7) (a) The Washington state patrol is directed to terminate its
2 "Agreement for Utility Connection and Reimbursement of Water
3 Extension Expenses" with the city of Shelton, executed on June 12,
4 2017, subject to the city of Shelton's consent to terminate the
5 agreement. The legislature finds that the water connection extension
6 constructed by the Washington state patrol from the city of Shelton's
7 water facilities to the Washington state patrol academy was necessary
8 to meet the water supply needs of the academy. The legislature also
9 finds that the water connection provides an ongoing water supply that
10 is necessary to the operation of the training facility, that the
11 state is making use of the water connection for these public
12 activities, and that any future incidental use of the municipal
13 infrastructure put in place to support these activities will not
14 impede the Washington state patrol's ongoing use of the water
15 connection extension.

16 (b) \$2,220,000 of the statutory transfers to the state patrol
17 highway account—state as specified in this act, comprised of a
18 portion of the required statutory transfers from the waste tire
19 removal account—state pursuant to RCW 70A.205.425, reimburses the
20 state patrol highway account—state for the portion of the water
21 project costs assigned by the agreement to properties, other than the
22 Washington state patrol academy, that make use of the water
23 connection while the agreement remains in effect. This reimbursement
24 to the state patrol highway account is intended to address any
25 possibility that the termination of this agreement could be
26 determined to result in the unconstitutional use of 18th amendment
27 designated funds for nonhighway purposes under the constitution of
28 the state of Washington; however, this transfer is not intended to
29 indicate that the incidental use of this infrastructure by these
30 properties necessarily requires such reimbursement under the state
31 Constitution.

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

33 Marine Fuel Tax Refund Account—State Appropriation	\$34,000
34 Motorcycle Safety Education Account—State	
35 Appropriation	\$4,898,000
36 Limited Fish and Wildlife Account—State	
37 Appropriation	\$917,000
38 Highway Safety Account—State Appropriation	\$236,536,000

1	Highway Safety Account—Federal Appropriation	\$1,294,000
2	Motor Vehicle Account—State Appropriation	\$63,338,000
3	Motor Vehicle Account—Federal Appropriation.	\$150,000
4	Motor Vehicle Account—Private/Local Appropriation	\$15,604,000
5	Ignition Interlock Device Revolving Account—State	
6	Appropriation	\$4,078,000
7	Department of Licensing Services Account—State	
8	Appropriation	\$8,162,000
9	License Plate Technology Account—State	
10	Appropriation	\$4,250,000
11	Abandoned Recreational Vehicle Account—State	
12	Appropriation.	\$3,066,000
13	Limousine Carriers Account—State Appropriation.	\$110,000
14	Electric Vehicle Account—State Appropriation.	\$405,000
15	DOL Technology Improvement & Data Management	
16	Account—State Appropriation.	\$748,000
17	Agency Financial Transaction Account—State	
18	Appropriation.	\$21,257,000
19	Driver Licensing Technology Support	
20	Account—State Appropriation.	\$2,540,000
21	TOTAL APPROPRIATION.	\$367,387,000

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

24 (1) \$600,000 of the highway safety account—state appropriation is
25 provided solely for the department to provide an interagency transfer
26 to the department of social and health services, children's
27 administration division for the purpose of providing driver's license
28 support to a larger population of foster youth than is already served
29 within existing resources. Support services include reimbursement of
30 driver's license issuance costs, fees for driver training education,
31 and motor vehicle liability insurance costs.

32 (2) (a) The department must implement cost recovery mechanisms to
33 recoup at least a portion of credit card and other financial
34 transaction costs as part of charges imposed for driver and vehicle
35 fee transactions. The department must develop a method of tracking
36 the amount of credit card and other financial cost-recovery revenues.
37 The department must notify the state treasurer of these amounts and
38 the state treasurer must deposit these revenues in the agency
39 financial transaction account on a quarterly basis. If either Senate

1 Bill No. 5167 or House Bill No. 1115 (cost recovery of state agency
2 credit card and transaction fees) is enacted by June 30, 2021, this
3 subsection (2)(a) has no force and effect.

4 (b) The appropriations in this section assume implementation by
5 the department of cost recovery mechanisms to recoup at least
6 \$15,870,000 during the 2021-2023 biennium in credit card and other
7 financial transaction costs as part of charges imposed for driver and
8 vehicle fee transactions. During the 2021-2023 fiscal biennium, the
9 department must report any amounts recovered to the office of
10 financial management and appropriate committees of the legislature on
11 a quarterly basis.

12 (3) The appropriations in this section assume full cost recovery
13 for the administration and collection of a motor vehicle excise tax
14 on behalf of any regional transit authority pursuant to section 714
15 of this act.

16 (4) \$12,000 of the motorcycle safety education account—state
17 appropriation, \$2,000 of the limited fish and wildlife account—state
18 appropriation, \$728,000 of the highway safety account—state
19 appropriation, \$238,000 of the motor vehicle account—state
20 appropriation, \$10,000 of the ignition interlock device revolving
21 account—state appropriation, and \$10,000 of the department of
22 licensing services account—state appropriation are provided solely
23 for the department to redesign and improve its online services and
24 website, and are subject to the conditions, limitations, and review
25 requirements of section 701 of this act.

26 (5) \$375,000 of the motor vehicle account—state appropriation is
27 provided solely for the implementation of chapter . . . (Substitute
28 Senate Bill No. 5444), Laws of 2021 (per mile charge). If
29 chapter . . . (Substitute Senate Bill No. 5444), Laws of 2021 is not
30 enacted by June 30, 2021, the amount provided in this subsection
31 lapses.

32 (6) \$523,000 of the highway safety account—state appropriation is
33 provided solely for the implementation of chapter . . . (Substitute
34 House Bill No. 1207), Laws of 2021 (DOL issued documents). If
35 chapter . . . (Substitute House Bill No. 1207), Laws of 2021 is not
36 enacted by June 30, 2021, the amount provided in this subsection
37 lapses.

38 (7) \$2,540,000 of the driver licensing technology support account
39 —state appropriation is provided solely for the implementation of

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

5 NEW SECTION. **Sec. 209. FOR THE DEPARTMENT OF TRANSPORTATION—**
6 **TOLL OPERATIONS AND MAINTENANCE—PROGRAM B**

7	State Route Number 520 Corridor Account—State	
8	Appropriation	\$53,678,000
9	State Route Number 520 Civil Penalties Account—State	
10	Appropriation	\$4,122,000
11	Tacoma Narrows Toll Bridge Account—State	
12	Appropriation	\$29,809,000
13	Alaskan Way Viaduct Replacement Project Account—State	
14	Appropriation.	\$20,847,000
15	Interstate 405 and State Route Number 167 Express	
16	Toll Lanes Account—State Appropriation.	\$23,914,000
17	TOTAL APPROPRIATION.	\$132,370,000

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

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

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

36 (a) Information on the travel times and travel time reliability
37 (at a minimum, average and 90th percentile travel times) maintained
38 during peak and nonpeak periods in the express toll lanes and general

1 purpose lanes for both the entire corridor and commonly made trips in
2 the corridor including, but not limited to, northbound from Bellevue
3 to Rose Hill, state route number 520 at NE 148th to Interstate 405 at
4 state route number 522, Bellevue to Bothell (both NE 8th to state
5 route number 522 and NE 8th to state route number 527), and a trip
6 internal to the corridor (such as NE 85th to NE 160th) and similar
7 southbound trips;

8 (b) A month-to-month comparison of travel times and travel time
9 reliability for the entire corridor and commonly made trips in the
10 corridor as specified in (a) of this subsection since implementation
11 of the express toll lanes and, to the extent available, a comparison
12 to the travel times and travel time reliability prior to
13 implementation of the express toll lanes;

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

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

26 (3) (a) \$708,000 of the Interstate 405 and state route number 167
27 express toll lanes account—state appropriation, \$1,651,000 of the
28 state route number 520 corridor account—state appropriation, \$709,000
29 of the Tacoma Narrows toll bridge account—state appropriation, and
30 \$932,000 of the Alaskan Way viaduct replacement project account—state
31 appropriation are provided solely for the department to finish
32 implementing a new tolling customer service toll collection system,
33 and are subject to the conditions, limitations, and review provided
34 in section 701 of this act.

35 (b) The department shall continue to work with the office of
36 financial management, office of the chief information officer, and
37 the transportation committees of the legislature on the project
38 management plan that includes a provision for independent
39 verification and validation of contract deliverables from the

1 successful bidder and a provision for quality assurance that includes
2 reporting independently to the office of the chief information
3 officer on an ongoing basis during system implementation.

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

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

11 (b) The nonvendor costs of administering toll operations,
12 including the costs of staffing the division, consultants, and other
13 personal service contracts required for technical oversight and
14 management assistance, insurance, payments related to credit card
15 processing, transponder purchases and inventory management, facility
16 operations and maintenance, and other miscellaneous nonvendor costs;

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

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

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

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

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

28 (iv) Workload costs related to hearings;

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

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

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

34 (5) During the 2021-2023 fiscal biennium, the department plans to
35 issue a request for proposals as the first stage of a competitive
36 procurement process that will replace the toll equipment and select a
37 new tolling operator for the Tacoma Narrows Bridge. The request for
38 proposals and subsequent competitive procurement must incorporate
39 elements that prioritize the overall goal of lowering costs per
40 transaction for the facility, such as incentives for innovative

1 approaches which result in lower transactional costs, requests for
2 efficiencies on the part of the bidder that lower operational costs,
3 and incorporation of technologies such as self-serve credit card
4 machines or other point-of-payment technologies that lower costs or
5 improve operational efficiencies.

6 (6) \$19,915,000 of the Alaskan Way viaduct replacement project
7 account—state appropriation is provided solely for the new state
8 route number 99 tunnel toll facility's expected share of collecting
9 toll revenues, operating customer services, and maintaining toll
10 collection systems. The legislature expects to see appropriate
11 reductions to the other toll facility accounts once tolling on the
12 new state route number 99 tunnel toll facility stabilizes and any
13 previously incurred costs for start-up of the new facility are
14 charged back to the Alaskan Way viaduct replacement project account.
15 The office of financial management shall closely monitor the
16 application of the cost allocation model and ensure that the new
17 state route number 99 tunnel toll facility is adequately sharing
18 costs and the other toll facility accounts are not being overspent or
19 subsidizing the new state route number 99 tunnel toll facility.

20 (7) The department shall submit a plan to the legislature for the
21 Interstate 405 and state route number 167 express toll lanes account
22 detailing how bond proceeds can cover the proposed construction plan
23 on the Interstate 405 and state route number 167 express toll lane
24 corridor outlined on LEAP Transportation Document 2021-1 as developed
25 March 22, 2021, by January 1, 2022. The legislature assumes that
26 bonds will not be issued to support the Interstate 405 and state
27 route number 167 express toll lanes account until after the 2022
28 regular legislative session.

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

31	Transportation Partnership Account—State Appropriation . . .	\$1,377,000
32	Motor Vehicle Account—State Appropriation	\$92,753,000
33	Puget Sound Ferry Operations Account—State	
34	Appropriation	\$263,000
35	Multimodal Transportation Account—State	
36	Appropriation	\$11,259,000
37	Transportation 2003 Account (Nickel Account)—State	
38	Appropriation	\$1,393,000

1 TOTAL APPROPRIATION. \$107,045,000

2 The appropriations in this section are subject to the following
3 conditions and limitations: \$8,546,000 of the multimodal
4 transportation account—state appropriation is provided solely for the
5 department's cost related to the one Washington project, and is
6 subject to the conditions, limitations, and review requirements of
7 section 701 of this act.

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

11 Motor Vehicle Account—State Appropriation \$35,974,000
12 State Route Number 520 Corridor Account—State
13 Appropriation \$34,000
14 TOTAL APPROPRIATION. \$36,008,000

15 NEW SECTION. **Sec. 212. FOR THE DEPARTMENT OF TRANSPORTATION—**
16 **AVIATION—PROGRAM F**

17 Aeronautics Account—State Appropriation \$7,455,000
18 Aeronautics Account—Federal Appropriation \$3,916,000
19 Aeronautics Account—Private/Local Appropriation \$60,000
20 TOTAL APPROPRIATION. \$11,431,000

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

23 (1) \$2,388,000 of the aeronautics account—state appropriation is
24 provided solely for the airport aid grant program, which provides
25 competitive grants to public use airports for pavement, safety,
26 maintenance, planning, and security.

27 (2) \$157,000 of the aeronautics account—state appropriation is
28 provided solely for the implementation of chapter 396, Laws of 2019
29 (aviation coordinating commission).

30 (3) \$280,000 of the aeronautics account—state appropriation is
31 provided solely for the implementation of chapter . . . (Substitute
32 House Bill No. 1379), Laws of 2021 (unpiloted aircraft system). If
33 chapter . . . (Substitute House Bill No. 1379), Laws of 2021 is not
34 enacted by June 30, 2021, the amount provided in this subsection
35 lapses.

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

3	Motor Vehicle Account—State Appropriation	\$58,838,000
4	Motor Vehicle Account—Federal Appropriation	\$500,000
5	Multimodal Transportation Account—State Appropriation . . .	\$258,000
6	TOTAL APPROPRIATION.	\$59,596,000

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

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

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

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

31 (c) The department may sell any adjoining property that is not
32 necessary to support the Rocky Reach Trail and adjacent buffer areas
33 only after the transfer of trail-related property to the Washington
34 state parks and recreation commission is complete. Adjoining property
35 owners must be given the first opportunity to acquire such property
36 that abuts their property, and applicable boundary line or other
37 adjustments must be made to the legal descriptions for recording
38 purposes.

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

9 (3) \$1,600,000 of the motor vehicle account—state appropriation
10 is provided solely for real estate services activities. Consistent
11 with RCW 47.12.120 and during the 2021-2023 fiscal biennium, when
12 initiating, extending, or renewing any rent or lease agreements with
13 a regional transit authority, consideration of value must be
14 equivalent to one hundred percent of economic or market rent.

15 (4) The department shall report to the transportation committees
16 of the legislature by December 1, 2021, on the status of its efforts
17 to consolidate franchises for broadband facilities across the state,
18 including plans for increasing the number of consolidated franchises
19 in the future.

20 (5) During the 2021-2023 biennium, if the department takes
21 possession of the property situated in the city of Edmonds for which
22 a purchase agreement was executed between Unocal and the department
23 in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department
24 confirms that the property is still no longer needed for
25 transportation purposes, the department shall provide the city of
26 Edmonds with the right of first purchase at fair market value in
27 accordance with RCW 47.12.063(3) for the city's intended use of the
28 property to rehabilitate near-shore habitat for salmon and related
29 species.

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

32	Motor Vehicle Account—State Appropriation	\$675,000
33	Electric Vehicle Account—State Appropriation.	\$3,900,000
34	Multimodal Transportation Account—State Appropriation. . .	\$2,400,000
35	TOTAL APPROPRIATION.	\$6,975,000

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) \$3,900,000 of the electric vehicle account—state
5 appropriation is provided solely for the clean alternative fuel
6 vehicle charging and refueling infrastructure program in chapter 287,
7 Laws of 2019 (advancing green transportation adoption).

8 (3) \$2,400,000 of the multimodal transportation account—state
9 appropriation is provided solely for the pilot program established
10 under chapter 287, Laws of 2019 (advancing green transportation
11 adoption) to provide clean alternative fuel vehicle use opportunities
12 to underserved communities and low to moderate income members of the
13 workforce not readily served by transit or located in transportation
14 corridors with emissions that exceed federal or state emissions
15 standards. Consistent with the geographical diversity element
16 described in RCW 47.04.355(4), the legislature strongly encourages
17 the department to consider implementing the pilot in both urban and
18 rural communities if possible, to obtain valuable information on the
19 needs of underserved communities located in different geographical
20 locations in Washington.

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

23	Motor Vehicle Account—State Appropriation	\$493,925,000
24	Motor Vehicle Account—Federal Appropriation	\$7,000,000
25	State Route Number 520 Corridor Account—State	
26	Appropriation	\$4,082,000
27	Tacoma Narrows Toll Bridge Account—State	
28	Appropriation	\$1,479,000
29	Alaskan Way Viaduct Replacement Project	
30	Account—State Appropriation	\$8,157,000
31	Interstate 405 and State Route Number 167 Express	
32	Toll Lanes Account—State Appropriation.	\$2,545,000
33	TOTAL APPROPRIATION.	\$517,188,000

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

36 (1) \$7,529,000 of the motor vehicle account—state appropriation
37 is provided solely for utility fees assessed by local governments as
38 authorized under RCW 90.03.525 for the mitigation of stormwater

1 runoff from state highways. Plan and reporting requirements as
2 required in chapter 435, Laws of 2019 (Local Stormwater Charges)
3 shall be consistent with the January 2012 findings of the Joint
4 Transportation Committee Report for Effective Cost Recovery Structure
5 for WSDOT, Jurisdictions, and Efficiencies in Stormwater Management.

6 (2) \$5,000,000 of the motor vehicle account—state appropriation
7 is provided solely for a contingency pool for snow and ice removal.
8 The department must notify the office of financial management and the
9 transportation committees of the legislature when they have spent the
10 base budget for snow and ice removal and will begin using the
11 contingency pool funding.

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

25 (4) \$1,015,000 of the motor vehicle account—state appropriation
26 is provided solely for a partnership program between the department
27 and the city of Tacoma. The program shall address the safety and
28 public health problems created by homeless encampments on the
29 department's property along state highways within the city limits.
30 \$570,000 is for dedicated department maintenance staff and associated
31 clean-up costs. The department and the city of Tacoma shall enter
32 into a reimbursable agreement to cover up to \$445,000 of the city's
33 expenses for clean-up crews and landfill costs.

34 (5) The department must continue a pilot program for the
35 2021-2023 fiscal biennium at the four highest demand safety rest
36 areas to create and maintain an online calendar for volunteer groups
37 to check availability of weekends for the free coffee program. The
38 calendar must be updated at least weekly and show dates and times
39 that are, or are not, available to participate in the free coffee

1 program. The department must submit a report to the legislature on
2 the ongoing pilot by December 1, 2022, outlining the costs and
3 benefits of the online calendar pilot, and including surveys from the
4 volunteer groups and agency staff to determine its effectiveness.

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

7	Motor Vehicle Account—State Appropriation	\$74,548,000
8	Motor Vehicle Account—Federal Appropriation	\$2,050,000
9	Motor Vehicle Account—Private/Local Appropriation	\$250,000
10	State Route Number 520 Corridor Account—State	
11	Appropriation.	\$175,000
12	Alaskan Way Viaduct Replacement Project Account—	
13	State Appropriation.	\$1,080,000
14	TOTAL APPROPRIATION.	\$78,103,000

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

17 (1) \$6,000,000 of the motor vehicle account—state appropriation
18 is provided solely for low-cost enhancements. The department shall
19 give priority to low-cost enhancement projects that improve safety or
20 provide congestion relief. By December 15th of each odd-numbered
21 year, the department shall provide a report to the legislature
22 listing all low-cost enhancement projects completed in the prior
23 fiscal biennium.

24 (2) (a) During the 2021-2023 fiscal biennium, the department shall
25 continue a pilot program that expands private transportation
26 providers' access to high occupancy vehicle lanes. Under the pilot
27 program, when the department reserves a portion of a highway based on
28 the number of passengers in a vehicle, the following vehicles must be
29 authorized to use the reserved portion of the highway if the vehicle
30 has the capacity to carry eight or more passengers, regardless of the
31 number of passengers in the vehicle: (i) Auto transportation company
32 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter
33 carrier vehicles regulated under chapter 81.70 RCW, except marked or
34 unmarked stretch limousines and stretch sport utility vehicles as
35 defined under department of licensing rules; (iii) private nonprofit
36 transportation provider vehicles regulated under chapter 81.66 RCW;
37 and (iv) private employer transportation service vehicles. For
38 purposes of this subsection, "private employer transportation

1 service" means regularly scheduled, fixed-route transportation
2 service that is offered by an employer for the benefit of its
3 employees. Nothing in this subsection is intended to authorize the
4 conversion of public infrastructure to private, for-profit purposes
5 or to otherwise create an entitlement or other claim by private users
6 to public infrastructure.

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

17 (c) The department shall expand the high occupancy vehicle lane
18 access pilot program to organ transport vehicles transporting a time
19 urgent organ for an organ procurement organization as defined in RCW
20 68.64.010. Under the pilot program, when the department reserves a
21 portion of a highway based on the number of passengers in a vehicle,
22 organ transport vehicles that are clearly and identifiably marked as
23 such on all sides of the vehicle are considered emergency vehicles
24 and must be authorized to use the reserved portion of the highway.

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

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

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

1	Motor Vehicle Account—State Appropriation	\$37,895,000
2	Motor Vehicle Account—Federal Appropriation	\$780,000
3	Motor Vehicle Account—Private/Local Appropriation	\$500,000
4	Multimodal Transportation Account—State	
5	Appropriation	\$2,129,000
6	TOTAL APPROPRIATION.	\$41,304,000

7 The appropriations in this section are subject to the following
8 conditions and limitations: \$2,000,000 of the motor vehicle account—
9 state appropriation and \$1,000,000 of the multimodal transportation
10 account—state appropriation are provided solely for a grant program
11 that makes awards to nonprofit agencies, churches, and other entities
12 to perform outreach to populations underrepresented in the current
13 apprenticeship programs with an emphasis on outreach and support to
14 the juvenile rehabilitation and foster care communities to provide:
15 (1) Preapprenticeship training in one or more of the highway
16 construction trades; (2) support services that may include assistance
17 with transportation, child care, basic tools, housing, and other
18 barrier reducing support that are needed to help women, minorities,
19 veterans, and other disadvantaged individuals enter and succeed in
20 apprenticeship; (3) mentorship and retention training; and (4)
21 cultural competency training to foster and encourage a safe and
22 welcoming worksite for every person on all Washington state
23 department of transportation construction projects. This grant
24 program facilitates access to career connected learning
25 opportunities, including career awareness and exploration, career
26 preparation, and career launch programs, as defined in RCW
27 28C.30.020. The department must report on grants that have been
28 awarded and the amount of funds disbursed by December 1st each year.

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

31	Motor Vehicle Account—State Appropriation	\$25,257,000
32	Motor Vehicle Account—Federal Appropriation	\$34,865,000
33	Motor Vehicle Account—Private/Local Appropriation.	\$400,000
34	Multimodal Transportation Account—State Appropriation	\$769,000
35	Multimodal Transportation Account—Federal	
36	Appropriation	\$2,809,000
37	Multimodal Transportation Account—Private/Local	
38	Appropriation	\$100,000

1	Interstate 405 and State Route Number 167 Express Toll Lanes	
2	Account—State Appropriation.	\$1,879,000
3	TOTAL APPROPRIATION.	\$66,079,000

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

6 (1) \$4,080,000 of the motor vehicle account—federal appropriation
7 is provided solely for the Forward Drive road usage charge research
8 project overseen by the transportation commission using a portion of
9 the amount of the federal grant award. The purpose of the Forward
10 Drive road usage charge research project is to advance research in
11 key policy areas related to road usage charge including assessing
12 impacts of future mobility shifts on road usage charge revenues,
13 conducting an equity analysis, updating and assessing emerging
14 mileage reporting methods, determining opportunities to reduce cost
15 of collection, conducting small-scale pilot tests, and identifying a
16 long-term, detailed phase-in plan.

17 (2) \$1,879,000 of the Interstate 405 and state route number 167
18 express toll lanes account—state appropriation is provided solely for
19 updating the state route number 167 master plan.

20 (3) \$100,000 of the multimodal transportation account—state
21 appropriation is provided solely for the department to partner with
22 the department of commerce in developing statewide vehicle miles
23 traveled targets and a process for developing geography specific
24 vehicle miles traveled targets based on the statewide vehicle miles
25 traveled targets. Given land use patterns are key factors in travel
26 demand and should be taken into consideration when developing the
27 geography specific targets, the department and the department of
28 commerce shall partner with local jurisdictions, regional
29 transportation planning organizations and other stakeholders to
30 inventory existing laws and rules that promote transportation and
31 land use, identify gaps and make recommendations for changes in laws,
32 rules and agency guidance, and establish a framework for considering
33 underserved and rural communities in the evaluation. The department
34 and the department of commerce shall provide an initial technical
35 report by December 31, 2021, an interim report by June 22, 2022, and
36 a final report to the governor and appropriate committees of the
37 legislature by June 30, 2023, that includes a process for
38 establishing geography specific vehicle miles traveled reduction
39 targets and funding requirements for state and local jurisdictions.

1 NEW SECTION. **Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION—**

2 **CHARGES FROM OTHER AGENCIES—PROGRAM U**

3	Aeronautics Account—State Appropriation.	\$1,000
4	Transportation Partnership Account—State Appropriation.	\$23,000
5	Motor Vehicle Account—State Appropriation	\$98,868,000
6	Puget Sound Ferry Operations Account—State Appropriation.	\$220,000
7	Connecting Washington Account—State Appropriation.	\$184,000
8	Multimodal Transportation Account—State	
9	Appropriation	\$4,733,000
10	Interstate 405 and State Route Number 167 Express	
11	Toll Lanes Account—State Appropriation.	\$6,000
12	State Route Number 520 Corridor Account—State	
13	Appropriation.	\$4,000
14	Tacoma Narrows Toll Bridge Account—State	
15	Appropriation.	\$2,000
16	TOTAL APPROPRIATION.	\$104,041,000

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

19 (1) Consistent with existing protocol and practices, for any
20 negotiated settlement of a claim against the state for the department
21 that exceeds five million dollars, the department, in conjunction
22 with the attorney general and the department of enterprise services,
23 shall notify the director of the office of financial management and
24 the transportation committees of the legislature.

25 (2) 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 Washington state ferry
29 system to the director of the office of financial management and the
30 transportation committees of the legislature. The report must include
31 information on: (a) The number of claims and settlements by type; (b)
32 the average claim and settlement by type; (c) defense costs
33 associated with those claims and settlements; and (d) information on
34 the impacts of moving legal costs associated with the Washington
35 state ferry system into the statewide self-insurance pool.

36 (3) Beginning October 1, 2021, and semiannually thereafter, the
37 department, in conjunction with the attorney general and the
38 department of enterprise services, shall provide a report with
39 judgments and settlements dealing with the nonferry operations of the

1 department to the director of the office of financial management and
2 the transportation committees of the legislature. The report must
3 include information on: (a) The number of claims and settlements by
4 type; (b) the average claim and settlement by type; and (c) defense
5 costs associated with those claims and settlements.

6 (4) When the department identifies significant legal issues that
7 have potential transportation budget implications, the department
8 must initiate a briefing for appropriate legislative members or staff
9 through the office of the attorney general and its legislative
10 briefing protocol.

11 NEW SECTION. **Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION—**
12 **PUBLIC TRANSPORTATION—PROGRAM V**

13	State Vehicle Parking Account—State Appropriation	\$784,000
14	Regional Mobility Grant Program Account—State	
15	Appropriation	\$99,004,000
16	Rural Mobility Grant Program Account—State	
17	Appropriation	\$33,168,000
18	Multimodal Transportation Account—State	
19	Appropriation	\$128,740,000
20	Multimodal Transportation Account—Federal	
21	Appropriation	\$3,574,000
22	Multimodal Transportation Account—Local	
23	Appropriation	\$100,000
24	TOTAL APPROPRIATION.	\$265,370,000

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

27 (1) \$62,821,000 of the multimodal transportation account—state
28 appropriation is provided solely for a grant program for special
29 needs transportation provided by transit agencies and nonprofit
30 providers of transportation. Of this amount:

31 (a) \$14,420,000 of the multimodal transportation account—state
32 appropriation is provided solely for grants to nonprofit providers of
33 special needs transportation. Grants for nonprofit providers must be
34 based on need, including the availability of other providers of
35 service in the area, efforts to coordinate trips among providers and
36 riders, and the cost effectiveness of trips provided. Fuel type may
37 not be a factor in the grant selection process.

1 (b) \$48,401,000 of the multimodal transportation account—state
2 appropriation is provided solely for grants to transit agencies to
3 transport persons with special transportation needs. To receive a
4 grant, the transit agency must, to the greatest extent practicable,
5 have a maintenance of effort for special needs transportation that is
6 no less than the previous year's maintenance of effort for special
7 needs transportation. Grants for transit agencies must be prorated
8 based on the amount expended for demand response service and route
9 deviated service in calendar year 2019 as reported in the "Summary of
10 Public Transportation - 2019" published by the department of
11 transportation. No transit agency may receive more than thirty
12 percent of these distributions. Fuel type may not be a factor in the
13 grant selection process.

14 (2) \$33,168,000 of the rural mobility grant program account—state
15 appropriation is provided solely for grants to aid small cities in
16 rural areas as prescribed in RCW 47.66.100. Fuel type may not be a
17 factor in the grant selection process.

18 (3) (a) \$10,290,000 of the multimodal transportation account—state
19 appropriation is provided solely for a vanpool grant program for: (i)
20 Public transit agencies to add vanpools or replace vans; and (ii)
21 incentives for employers to increase employee vanpool use. The grant
22 program for public transit agencies may cover capital costs only;
23 operating costs for public transit agencies are not eligible for
24 funding under this grant program. Additional employees may not be
25 hired from the funds provided in this section for the vanpool grant
26 program, and supplanting of transit funds currently funding vanpools
27 is not allowed. The department shall encourage grant applicants and
28 recipients to leverage funds other than state funds. Fuel type may
29 not be a factor in the grant selection process.

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

32 (4) \$21,326,000 of the regional mobility grant program account—
33 state appropriation is reappropriated and provided solely for the
34 regional mobility grant projects identified in LEAP Transportation
35 Document 2021-2 ALL PROJECTS as developed March 22, 2021, Program -
36 Public Transportation Program (V).

37 (5) (a) \$76,346,000 of the regional mobility grant program account
38 —state appropriation is provided solely for the regional mobility
39 grant projects identified in LEAP Transportation Document 2021-2 ALL

1 PROJECTS as developed March 22, 2021, Program - Public Transportation
2 Program (V). The department shall review all projects receiving grant
3 awards under this program at least semiannually to determine whether
4 the projects are making satisfactory progress. Any project that has
5 been awarded funds, but does not report activity on the project
6 within one year of the grant award, must be reviewed by the
7 department to determine whether the grant should be terminated. The
8 department shall promptly close out grants when projects have been
9 completed, and any remaining funds must be used only to fund projects
10 identified in the LEAP transportation document referenced in this
11 subsection. The department shall provide annual status reports on
12 December 15, 2021, and December 15, 2022, to the office of financial
13 management and the transportation committees of the legislature
14 regarding the projects receiving the grants. It is the intent of the
15 legislature to appropriate funds through the regional mobility grant
16 program only for projects that will be completed on schedule. A
17 grantee may not receive more than twenty-five percent of the amount
18 appropriated in this subsection. Additionally, when allocating
19 funding for the 2023-2025 biennium, no more than thirty percent of
20 the total grant program may directly benefit or support one grantee.
21 The department shall not approve any increases or changes to the
22 scope of a project for the purpose of a grantee expending remaining
23 funds on an awarded grant. Fuel type may not be a factor in the grant
24 selection process.

25 (b) In order to be eligible to receive a grant under (a) of this
26 subsection during the 2021-2023 fiscal biennium, a transit agency
27 must establish a process for private transportation providers to
28 apply for the use of park and ride facilities. For purposes of this
29 subsection, (i) "private transportation provider" means: An auto
30 transportation company regulated under chapter 81.68 RCW; a passenger
31 charter carrier 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; a private nonprofit
34 transportation provider regulated under chapter 81.66 RCW; or a
35 private employer transportation service provider; and (ii) "private
36 employer transportation service" means regularly scheduled, fixed-
37 route transportation service that is offered by an employer for the
38 benefit of its employees.

1 (6) Funds provided for the commute trip reduction (CTR) program
2 may also be used for the growth and transportation efficiency center
3 program.

4 (7) \$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 March 22, 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) \$16,308,000 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.

37 (12) The department must provide telework assistance to employers
38 as part of its CTR activities. The objectives of telework assistance

1 include improving transportation system performance, supporting
2 economic vitality, and increasing equity and access to opportunity.

3 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION—**
4 **MARINE—PROGRAM X**

5	Puget Sound Ferry Operations Account—State	
6	Appropriation	\$418,212,000
7	Puget Sound Ferry Operations Account—Federal	
8	Appropriation	\$124,000,000
9	Puget Sound Ferry Operations Account—Private/Local	
10	Appropriation	\$121,000
11	TOTAL APPROPRIATION.	\$542,333,000

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

14 (1) The office of financial management budget instructions
15 require agencies to recast enacted budgets into activities. The
16 Washington state ferries shall include a greater level of detail in
17 its 2021-2023 supplemental and 2023-2025 omnibus transportation
18 appropriations act requests, as determined jointly by the office of
19 financial management, the Washington state ferries, and the
20 transportation committees of the legislature. This level of detail
21 must include the administrative functions in the operating as well as
22 capital programs.

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

27 (3) \$70,794,000 of the Puget Sound ferry operations account—state
28 appropriation is provided solely for auto ferry vessel operating fuel
29 in the 2021-2023 fiscal biennium, which reflect cost savings from a
30 reduced biodiesel fuel requirement and, therefore, is contingent upon
31 the enactment of section 703 of this act. The amount provided in this
32 subsection represents the fuel budget for the purposes of calculating
33 any ferry fare fuel surcharge. The department shall review future use
34 of alternative fuels and dual fuel configurations, including
35 hydrogen.

36 (4) \$500,000 of the Puget Sound ferry operations account—state
37 appropriation is provided solely for operating costs related to

1 moving vessels for emergency capital repairs. Funds may only be spent
2 after approval by the office of financial management.

3 (5) \$2,400,000 of the Puget Sound ferry operations account—state
4 appropriation is provided solely for staffing and overtime expenses
5 incurred by engine and deck crewmembers. The department must provide
6 updated staffing cost estimates for fiscal years 2022 and 2023 with
7 its annual budget submittal and updated estimates by January 1, 2022.

8 (6) \$688,000 of the Puget Sound ferry operations account—state
9 appropriation is provided solely for new employee training. The
10 department must work to increase its outreach and recruitment of
11 populations underrepresented in maritime careers and continue working
12 to expand apprenticeship and internship programs, with an emphasis on
13 programs that are shown to improve recruitment for positions with the
14 state ferry system.

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

18 (8) \$1,978,000 of the Puget Sound ferry operations account—state
19 appropriation is provided solely for restoration of service to
20 reflect increased ridership, availability of crewing and available
21 revenues. Expenditures may be made to resume service to Sidney,
22 British Columbia, including any service to the San Juans; to provide
23 Saturday service on the Fauntleroy-Vashon-Southworth route; and to
24 resume late night service on other routes in the system.

25 (9) Within amounts provided in this section, the department shall
26 contract with uniformed officers for additional traffic control
27 assistance at the Kingston ferry terminal during peak ferry travel
28 times, with a particular focus on Sundays and holiday weekends.
29 Traffic control methods should include, but not be limited to,
30 holding traffic on the shoulder at Lindvog Road until space opens for
31 cars at the tollbooths and dock, and management of traffic on Highway
32 104 in order to ensure Kingston residents and business owners have
33 access to businesses, roads, and driveways.

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

36	Multimodal Transportation Account—State	
37	Appropriation	\$80,204,000
38	Multimodal Transportation Account—Private/Local	

1	Appropriation	\$46,000
2	Multimodal Transportation Account—Federal	
3	Appropriation	\$500,000
4	TOTAL APPROPRIATION.	\$80,750,000

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

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

19	Motor Vehicle Account—State Appropriation	\$12,029,000
20	Motor Vehicle Account—Federal Appropriation	\$2,567,000
21	Multiuse Roadway Safety Account—State Appropriation	\$132,000
22	TOTAL APPROPRIATION.	\$14,728,000

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

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

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

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

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

37 (2) \$1,098,400 of the motor vehicle account—state appropriation
38 is provided solely for the department, from amounts set aside out of

1 statewide fuel taxes distributed to counties according to RCW
2 46.68.120(3), to contract with the Washington state association of
3 counties to:

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

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

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

15 **TRANSPORTATION AGENCIES—CAPITAL**

16 NEW SECTION. **Sec. 301. FOR THE FREIGHT MOBILITY STRATEGIC**
17 **INVESTMENT BOARD**

18 Freight Mobility Investment Account—State
19 Appropriation \$19,577,000
20 Freight Mobility Multimodal Account—State
21 Appropriation. \$19,695,000
22 TOTAL APPROPRIATION. \$39,272,000

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

25 (1) Except as otherwise provided in this section, the entire
26 appropriations in this section are provided solely for the projects
27 by amount, as listed in the LEAP Transportation Document 2021-2 ALL
28 PROJECTS as developed March 22, 2021, Freight Mobility Strategic
29 Investment Board (FMSIB).

30 (2) It is the intent of the legislature to continue to make
31 strategic investments in a statewide freight mobility transportation
32 system with the help of the freight mobility strategic investment
33 board, including projects that mitigate the impact of freight
34 movement on local communities.

35 (3) (a) For the 2021-2023 project appropriations, unless otherwise
36 provided in this act, the director of the office of financial
37 management may authorize a transfer of appropriation authority

1 between projects managed by the freight mobility strategic investment
2 board in order for the board to manage project spending and support
3 the efficient and timely delivery of all projects in the program. The
4 office of financial management may authorize a transfer of
5 appropriation authority between projects under the following
6 conditions and limitations:

7 (i) Transfers from a project may not be made as a result of the
8 reduction of the scope of a project or be made to support increases
9 in the scope of a project;

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

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

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

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

30 (d) No fewer than 10 days after the receipt of a project transfer
31 request, the director of the office of financial management must
32 provide written notification to the board of any decision regarding
33 project transfers, with copies submitted to the transportation
34 committees of the legislature.

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

36 State Patrol Highway Account—State Appropriation \$4,296,000

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

1 The entire appropriation in this section is provided solely for
2 the following projects:

- 3 (1) \$350,000 for emergency repairs;
- 4 (2) \$695,000 for roof replacements;
- 5 (3) \$350,000 for fuel tank decommissioning;
- 6 (4) \$750,000 for generator and electrical replacement;
- 7 (5) \$195,000 for the exterior envelope project at Yakima office;
- 8 (6) \$466,000 for equipment shelters;
- 9 (7) \$650,000 for weatherization projects;
- 10 (8) \$200,000 for roof replacement reappropriation; and
- 11 (9) \$640,000 for water and fire suppression systems
- 12 reappropriation.

13 The Washington state patrol may transfer funds between projects
14 specified in this section to address cash flow requirements. If a
15 project specified in this section is completed for less than the
16 amount provided, the remainder may be transferred to another project
17 specified in this section not to exceed the total appropriation
18 provided in this section.

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

20 Rural Arterial Trust Account—State Appropriation	\$55,028,000
21 Motor Vehicle Account—State Appropriation	\$1,456,000
22 County Arterial Preservation Account—State	
23 Appropriation	\$37,379,000
24 TOTAL APPROPRIATION.	\$93,863,000

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

26 Small City Pavement and Sidewalk Account—State	
27 Appropriation	\$4,100,000
28 Transportation Improvement Account—State	
29 Appropriation	\$201,000,000
30 Complete Streets Grant Program Account—State	
31 Appropriation	\$14,670,000
32 TOTAL APPROPRIATION.	\$219,770,000

33 The appropriations in this section are subject to the following
34 conditions and limitations: \$2,500,000 of the transportation
35 improvement account—state appropriation is provided solely for the
36 Relight Washington Program. The transportation improvement board
37 shall conduct a survey of all cities that are not currently eligible

1 for the Relight Washington Program to determine demand for the
2 program regardless of the current eligibility criteria. The
3 transportation improvement board shall report the results of the
4 survey to the governor and the transportation committees of the
5 legislature by October 1, 2021.

6 NEW SECTION. **Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION—**
7 **FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—**
8 **CAPITAL**

9	Motor Vehicle Account—State Appropriation	\$13,752,000
10	Connecting Washington Account—State Appropriation	\$3,289,000
11	TOTAL APPROPRIATION.	\$17,041,000

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

14 (1) \$3,289,000 of the connecting Washington account—state
15 appropriation is provided solely for a new Olympic region maintenance
16 and administration facility to be located on the department-owned
17 site at the intersection of Marvin Road and 32nd Avenue in Lacey,
18 Washington.

19 (2) (a) \$2,900,000 of the motor vehicle account—state
20 appropriation is provided solely for the department facility located
21 at 15700 Dayton Ave N in Shoreline. This appropriation is contingent
22 upon the department of ecology signing a not less than twenty-year
23 agreement to pay a share of any financing contract issued pursuant to
24 chapter 39.94 RCW.

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

27 (c) Total project costs are not to exceed \$47,930,000.

28 NEW SECTION. **Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION—**
29 **IMPROVEMENTS—PROGRAM I**

30	Transportation 2003 Account (Nickel Account)—State	
31	Appropriation	\$149,000
32	Transportation Partnership Account—State	
33	Appropriation	\$119,053,000
34	Motor Vehicle Account—State Appropriation	\$88,517,000
35	Motor Vehicle Account—Federal Appropriation	\$388,903,000
36	Motor Vehicle Account—Private/Local Appropriation	\$58,628,000
37	Connecting Washington Account—State	

1	Appropriation	\$2,839,983,000
2	Transportation Future Funding Program Account—State	
3	Appropriation	\$40,050,000
4	Special Category C Account—State Appropriation	\$105,363,000
5	Multimodal Transportation Account—State	
6	Appropriation	\$984,000
7	State Route Number 520 Corridor	
8	Account—State Appropriation.	\$15,940,000
9	Interstate 405 and State Route Number 167 Express	
10	Toll Lanes Account—State Appropriation.	\$30,308,000
11	TOTAL APPROPRIATION.	\$3,687,878,000

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

14 (1) Except as provided otherwise in this section, the entire
15 connecting Washington account—state appropriation and the entire
16 transportation partnership account—state appropriation are provided
17 solely for the projects and activities as listed by fund, project,
18 and amount in LEAP Transportation Document 2021-1 as developed March
19 22, 2021, Program - Highway Improvements Program (I). However,
20 limited transfers of specific line-item project appropriations may
21 occur between projects for those amounts listed subject to the
22 conditions and limitations in section 601 of this act.

23 (2) Except as provided otherwise in this section, the entire
24 motor vehicle account—state appropriation and motor vehicle account—
25 federal appropriation are provided solely for the projects and
26 activities listed in LEAP Transportation Document 2021-2 ALL PROJECTS
27 as developed March 22, 2021, Program - Highway Improvements Program
28 (I). Any federal funds gained through efficiencies, adjustments to
29 the federal funds forecast, or the federal funds redistribution
30 process must then be applied to highway and bridge preservation
31 activities or fish passage barrier corrections (0BI4001).

32 (3) Within the motor vehicle account—state appropriation and
33 motor vehicle account—federal appropriation, the department may
34 transfer funds between programs I and P, except for funds that are
35 otherwise restricted in this act. Ten days prior to any transfer, the
36 department must submit its request to the office of financial
37 management and the transportation committees of the legislature and
38 consider any concerns raised. The department shall submit a report on

1 fiscal year funds transferred in the prior fiscal year using this
2 subsection as part of the department's annual budget submittal.

3 (4) The connecting Washington account—state appropriation
4 includes up to \$2,364,874,000 in proceeds from the sale of bonds
5 authorized in RCW 47.10.889.

6 (5) The special category C account—state appropriation includes
7 up to \$86,706,000 in proceeds from the sale of bonds authorized in
8 RCW 47.10.812.

9 (6) The transportation partnership account—state appropriation
10 includes up to \$69,992,000 in proceeds from the sale of bonds
11 authorized in RCW 47.10.873.

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

22 (8) \$193,699,000 of the connecting Washington account—state
23 appropriation is provided solely for the US 395 North Spokane
24 Corridor project (M00800R).

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

32 (10) \$492,349,000 of the connecting Washington account—state
33 appropriation and \$355,000 of the motor vehicle account—private/local
34 appropriation are provided solely for the SR 520 Seattle Corridor
35 Improvements - West End project (M00400R). Upon completion of the
36 Montlake Phase of the West End project (current anticipated contract
37 completion of 2023), the Washington state department of
38 transportation shall sell that portion of the property not used for

1 permanent transportation improvements and initiate a process to
2 convey that surplus property to a subsequent owner.

3 (11) \$382,880,000 of the connecting Washington account—state
4 appropriation, \$17,869,000 of the motor vehicle account—private/local
5 appropriation, and \$82,165,000 of the motor vehicle account—federal
6 appropriation are provided solely for the SR 167/SR 509 Puget Sound
7 Gateway project (M00600R).

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

10 (b) In making budget allocations to the Puget Sound Gateway
11 project, the department shall continue to collaborate with the
12 affected stakeholders as it implements the corridor construction and
13 implementation plan for state route number 167 and state route number
14 509.

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

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

27 (13) (a) \$489,527,000 of the connecting Washington account—state
28 appropriation, \$194,959,000 of the motor vehicle account—federal
29 appropriation, \$1,849,000 of the motor vehicle account—state
30 appropriation, and \$40,050,000 of the transportation future funding
31 program account—state appropriation are provided solely for the Fish
32 Passage Barrier Removal project (0BI4001) with the intent of fully
33 complying with the court injunction by 2030.

34 (b) The department shall coordinate with the Brian Abbott fish
35 passage barrier removal board to use a watershed approach by
36 replacing both state and local culverts guided by the principle of
37 providing the greatest fisheries habitat gain at the earliest time.
38 The department shall deliver high habitat value fish passage barrier
39 corrections that it has identified, guided by the following factors:

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

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

8 (d) Of the amount provided in this subsection, \$40,050,000 of the
9 transportation future funding program account—state appropriation
10 reflects accrued practical design savings from other projects that
11 will be deposited in the transportation future funding program
12 account during the 2021-2023 biennium in accordance with the
13 requirements of sections 718 and 719 of this act. This transfer is
14 expected to help fund the cost of fully complying with the court
15 injunction by 2030.

16 (e) Of the amount provided in this subsection, \$142,923,000 of
17 the motor vehicle account—federal appropriation reflects the
18 department's portion of the unrestricted funds from the coronavirus
19 response and relief supplemental appropriations act of 2021. If the
20 final amount from this act changes while the legislature is not in
21 session, the department shall follow the existing unanticipated
22 receipt process and adjust the list referenced in subsection (1) of
23 this section accordingly, supplanting state funds with federal funds
24 if possible as directed in section 314 of this act.

25 (14) \$14,669,000 of the connecting Washington account—state
26 appropriation and \$3,037,000 of the motor vehicle account—private/
27 local appropriation are provided solely for the I-90/Barker to
28 Harvard - Improve Interchanges & Local Roads project (L2000122). The
29 connecting Washington account appropriation for the improvements that
30 fall within the city of Liberty Lake may only be expended if the city
31 of Liberty Lake agrees to cover any project costs within the city of
32 Liberty Lake above the \$20,900,000 of state appropriation provided
33 for the total project on the list referenced in subsection (1) of
34 this section.

35 (15) \$15,189,000 of the motor vehicle account—federal
36 appropriation, \$259,000 of the motor vehicle account—state
37 appropriation, and \$15,481,000 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 (16) \$18,914,000 of the Special Category C account—state
4 appropriation is provided solely for the SR 18 Widening - Issaquah/
5 Hobart Rd to Raging River project (L1000199) for improving and
6 widening state route number 18 to four lanes from Issaquah-Hobart
7 Road to Raging River.

8 (17) The department shall itemize all future requests for the
9 construction of buildings on a project list and submit them through
10 the transportation executive information system as part of the
11 department's annual budget submittal. It is the intent of the
12 legislature that new facility construction must be transparent and
13 not appropriated within larger highway construction projects.

14 (18) Any advisory group that the department convenes during the
15 2021-2023 fiscal biennium must consider the interests of the entire
16 state of Washington.

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

27 Further, the legislature determines construction aggregate and
28 recycled concrete materials substantially meet widely recognized
29 international, national, and local standards and specifications
30 referenced in American society for testing and materials, American
31 concrete institute, Washington state department of transportation,
32 Seattle department of transportation, American public works
33 association, federal aviation administration, and federal highway
34 administration specifications, and are described as necessary and
35 desirable products for recycling and reuse by state and federal
36 agencies.

37 As these recyclable materials have well established markets, are
38 substantially a primary or secondary product of necessary
39 construction processes and production, and are managed as an item of

1 commercial value, construction aggregate and recycled concrete
2 materials are exempt from chapter 173-350 WAC.

3 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION—**
4 **PRESERVATION—PROGRAM P**

5	Recreational Vehicle Account—State Appropriation	\$1,520,000
6	Transportation 2003 Account (Nickel Account)—State	
7	Appropriation	\$49,105,000
8	Transportation Partnership Account—State	
9	Appropriation	\$15,183,000
10	Motor Vehicle Account—State Appropriation	\$85,444,000
11	Motor Vehicle Account—Federal Appropriation	\$492,282,000
12	Motor Vehicle Account—Private/Local	
13	Appropriation	\$10,792,000
14	Connecting Washington Account—State Appropriation	\$156,363,000
15	State Route Number 520 Corridor Account—State	
16	Appropriation	\$1,891,000
17	Tacoma Narrows Toll Bridge Account—State	
18	Appropriation	\$9,730,000
19	Alaskan Way Viaduct Replacement Project Account—State	
20	Appropriation.	\$314,000
21	Interstate 405 and State Route Number 167 Express	
22	Toll Lanes Account—State Appropriation.	\$26,039,000
23	TOTAL APPROPRIATION.	\$848,663,000

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 2021-1 as developed March
31 22, 2021, Program - Highway Preservation Program (P). However,
32 limited transfers of specific line-item project appropriations may
33 occur between projects for those amounts listed subject to the
34 conditions and limitations in section 601 of 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 2021-2 ALL PROJECTS

1 as developed March 22, 2021, Program - Highway Preservation Program
2 (P). Any federal funds gained through efficiencies, adjustments to
3 the federal funds forecast, or the federal funds redistribution
4 process must then be applied to highway and bridge preservation
5 activities or fish passage barrier corrections (OBI4001).

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

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

29 (5) \$5,000,000 of the motor vehicle account—state appropriation
30 is provided solely for extraordinary costs incurred from litigation
31 awards, settlements, or dispute mitigation activities not eligible
32 for funding from the self-insurance fund (L2000290). The amount
33 provided in this subsection must be held in unallotted status until
34 the department submits a request to the office of financial
35 management that includes documentation detailing litigation-related
36 expenses. The office of financial management may release the funds
37 only when it determines that all other funds designated for
38 litigation awards, settlements, and dispute mitigation activities
39 have been exhausted. No funds provided in this subsection may be

1 expended on any legal fees related to the SR 99/Alaskan Way viaduct
2 replacement project (809936Z).

3 (6) \$14,358,000 of the motor vehicle account—federal
4 appropriation is provided solely for preservation projects within
5 project L1100071 that ensure the reliable movement of freight on the
6 national highway freight system. The department shall give priority
7 to those projects that can be advertised by September 30, 2021.

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

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

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

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

27 The appropriations in this section are subject to the following
28 conditions and limitations: \$579,000 of the motor vehicle account—
29 state appropriation is provided solely for the SR 99 Aurora Bridge
30 ITS project (L2000338).

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

33	Puget Sound Capital Construction Account—State	
34	Appropriation	\$128,759,000
35	Puget Sound Capital Construction Account—Federal	
36	Appropriation	\$139,188,000
37	Puget Sound Capital Construction Account—Private/Local	

1	Appropriation	\$312,000
2	Transportation Partnership Account—State	
3	Appropriation	\$8,410,000
4	Connecting Washington Account—State Appropriation	\$75,640,000
5	Capital Vessel Replacement Account—State	
6	Appropriation.	\$152,453,000
7	TOTAL APPROPRIATION.	\$504,762,000

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

10 (1) Except as provided otherwise in this section, the entire
11 appropriations in this section are provided solely for the projects
12 and activities as listed in LEAP Transportation Document 2021-2 ALL
13 PROJECTS as developed March 22, 2021, Program - Washington State
14 Ferries Capital Program (W).

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) through (6) of
21 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 acceptance
3 project (L2000300). The ferry system shall work with Washington
4 technology solutions and the tolling division on the development of a
5 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). The commencement of construction
17 of new vessels for the ferry system is important not only for safety
18 reasons, but also to keep skilled marine construction jobs in the
19 Puget Sound region and to sustain the capacity of the region to meet
20 the ongoing construction and preservation needs of the ferry system
21 fleet of vessels. The legislature has determined that the current
22 vessel procurement process must move forward with all due speed,
23 balancing the interests of both the taxpayers and shipyards. To
24 accomplish construction of vessels in accordance with RCW 47.60.810,
25 the prevailing shipbuilder, for vessels initially funded after July
26 1, 2020, is encouraged to follow the historical practice of
27 subcontracting the construction of ferry superstructures to a
28 separate nonaffiliated contractor located within the Puget Sound
29 region, that is qualified in accordance with RCW 47.60.690.

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

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

35	Essential Rail Assistance Account—State Appropriation . . .	\$550,000
36	Transportation Infrastructure Account—State	
37	Appropriation	\$2,018,000
38	Multimodal Transportation Account—State	

1	Appropriation	\$80,031,000
2	Multimodal Transportation Account—Federal	
3	Appropriation	\$41,219,000
4	TOTAL APPROPRIATION.	\$123,818,000

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 by project and amount in LEAP Transportation
10 Document 2021-2 ALL PROJECTS as developed March 22, 2021, Program -
11 Rail Program (Y).

12 (2) \$1,651,000 of the transportation infrastructure account—state
13 appropriation is provided solely for new low-interest loans approved
14 by the department through the freight rail investment bank (FRIB)
15 program. The department shall issue FRIB program loans with a
16 repayment period of no more than ten years, and charge only so much
17 interest as is necessary to recoup the department's costs to
18 administer the loans. The department shall report annually to the
19 transportation committees of the legislature and the office of
20 financial management on all FRIB loans issued.

21 (3) \$6,817,000 of the multimodal transportation account—state
22 appropriation and \$367,000 of the transportation infrastructure
23 account—state appropriation are provided solely for new statewide
24 emergent freight rail assistance projects identified in the LEAP
25 transportation document referenced in subsection (1) of this section.

26 (4) \$367,000 of the transportation infrastructure account—state
27 appropriation and \$1,100,000 of the multimodal transportation account
28 —state appropriation are provided solely to reimburse Highline Grain,
29 LLC for approved work completed on Palouse River and Coulee City
30 (PCC) railroad track in Spokane county between the BNSF Railway
31 Interchange at Cheney and Geiger Junction and must be administered in
32 a manner consistent with freight rail assistance program projects.
33 The value of the public benefit of this project is expected to meet
34 or exceed the cost of this project in: Shipper savings on
35 transportation costs; jobs saved in rail-dependent industries; and/or
36 reduced future costs to repair wear and tear on state and local
37 highways due to fewer annual truck trips (reduced vehicle miles
38 traveled). The amounts provided in this subsection are not a
39 commitment for future legislatures, but it is the legislature's

1 intent that future legislatures will work to approve biennial
2 appropriations until the full \$7,337,000 cost of this project is
3 reimbursed.

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

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

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

13 (ii) Revenues from trackage rights agreement fees paid by
14 shippers; and

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

19 (6) The department shall issue a call for projects for the
20 freight rail assistance program, and shall evaluate the applications
21 in a manner consistent with past practices as specified in section
22 309, chapter 367, Laws of 2011. By November 15, 2022, the department
23 shall submit a prioritized list of recommended projects to the office
24 of financial management and the transportation committees of the
25 legislature.

26 (7) \$33,964,000 of the multimodal transportation account—state
27 appropriation and \$37,500,000 of the multimodal transportation
28 account—federal appropriation are provided solely for Passenger Rail
29 Equipment Replacement (project 700010C.) The appropriations in this
30 subsection include insurance proceeds received by the state. The
31 department must use these funds only to purchase replacement
32 equipment that has been competitively procured and for service
33 recovery needs and corrective actions related to the December 2017
34 derailment.

35 (8) \$500,000 of the multimodal transportation account—state
36 appropriation is provided solely for contingency funding for emergent
37 freight rail assistance projects funded in subsection (3) of this
38 section. Project sponsors may apply to the department for contingency
39 funds needed due to unforeseeable cost increases. The department

1 shall submit a report of any contingency funds provided under this
2 subsection as part of the department's annual budget submittal.

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

5	Highway Infrastructure Account—State Appropriation	\$793,000
6	Highway Infrastructure Account—Federal Appropriation	\$1,600,000
7	Transportation Partnership Account—State	
8	Appropriation	\$750,000
9	Motor Vehicle Account—State Appropriation	\$11,064,000
10	Motor Vehicle Account—Federal Appropriation	\$53,072,000
11	Motor Vehicle Account—Private/Local Appropriation	\$6,600,000
12	Connecting Washington Account—State Appropriation	\$128,292,000
13	Multimodal Transportation Account—State	
14	Appropriation	\$50,615,000
15	TOTAL APPROPRIATION.	\$252,786,000

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

18 (1) Except as provided otherwise in this section, the entire
19 appropriations in this section are provided solely for the projects
20 and activities as listed by project and amount in LEAP Transportation
21 Document 2021-2 ALL PROJECTS as developed March 22, 2021, Program -
22 Local Programs Program (Z).

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

26 (a) \$27,613,000 of the multimodal transportation account—state
27 appropriation is provided solely for pedestrian and bicycle safety
28 program projects (L2000188).

29 (b) \$19,344,000 of the motor vehicle account—federal
30 appropriation and \$12,397,000 of the multimodal transportation
31 account—state appropriation are provided solely for safe routes to
32 school projects (L2000189). The department may consider the special
33 situations facing high-need areas, as defined by schools or project
34 areas in which the percentage of the children eligible to receive
35 free and reduced-price meals under the national school lunch program
36 is equal to, or greater than, the state average as determined by the
37 department, when evaluating project proposals against established

1 funding criteria while ensuring continued compliance with federal
2 eligibility requirements.

3 (3) The department shall submit a report to the transportation
4 committees of the legislature by December 1, 2021, and December 1,
5 2022, on the status of projects funded as part of the pedestrian
6 safety/safe routes to school grant program. The report must include,
7 but is not limited to, a list of projects selected and a brief
8 description of each project's status.

9 (4) \$6,561,000 of the multimodal transportation account—state
10 appropriation is provided solely for bicycle and pedestrian projects
11 listed in the LEAP transportation document referenced in subsection
12 (1) of this section.

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

16 (6) \$12,500,000 of the motor vehicle account—federal
17 appropriation is provided solely for national highway freight network
18 projects identified on the project list submitted in accordance with
19 section 218(4)(b), chapter 14, Laws of 2016 on October 31, 2016
20 (L1000169).

21 (7) The department shall convene a Washington freight advisory
22 committee, and in doing so, shall follow the recommendations from the
23 freight stakeholder group contained in the report submitted to the
24 governor and the transportation committees of the legislature on
25 December 1, 2020. In following those recommendations, when the
26 department updates its federally-compliant freight plan, it shall
27 consult the Washington freight advisory committee on the freight plan
28 update and on the investment plan component that describes how the
29 estimated funding allocation for the national highway freight program
30 for federal fiscal years 2022-2025 will be invested and matched. The
31 department shall complete the freight plan update in compliance with
32 federal requirements and deadlines and shall provide an update on the
33 development of the freight plan, including the investment plan
34 component, when submitting its 2022 supplemental appropriations
35 request.

36 (8) \$9,000,000 of the motor vehicle account—federal appropriation
37 is provided solely for acceleration of local preservation projects
38 that ensure the reliable movement of freight on the national highway
39 freight system (G2000100). The department will identify projects

1 through its current national highway system asset management call for
2 projects with applications due in February 2021. The department shall
3 give priority to those projects that can be obligated by September
4 30, 2021.

5 NEW SECTION. **Sec. 312. ANNUAL REPORTING REQUIREMENTS FOR**
6 **CAPITAL PROGRAM**

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

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

29 NEW SECTION. **Sec. 313. QUARTERLY REPORTING REQUIREMENTS FOR**
30 **CAPITAL PROGRAM**

31 On a quarterly basis, the department of transportation shall
32 provide to the office of financial management and the legislative
33 transportation committees a report for all capital projects, except
34 for ferry projects subject to the reporting requirements established
35 elsewhere in this act, that must include:

36 (1) A TEIS version containing actual capital expenditures for all
37 projects consistent with the structure of the most recently enacted
38 budget;

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

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

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

9 NEW SECTION. **Sec. 314. ADDITIONAL FEDERAL FUNDS**

10 (1) If the department of transportation receives federal funding
11 not appropriated in this act, the department shall apply such funds
12 to any of the following activities in lieu of state funds, if
13 compliant with federal funding restrictions, and in the order that
14 most reduces administrative burden and minimizes the use of bond
15 proceeds:

16 (a) Projects on LEAP Transportation Document 2021-2 ALL PROJECTS
17 as developed March 22, 2021; or

18 (b) Other department of transportation operating or capital
19 expenditures funded by appropriations from state accounts in this
20 act.

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

33 NEW SECTION. **Sec. 315. FEDERAL FUNDS RECEIVED FOR CAPITAL**
34 **PROJECT EXPENDITURES**

35 To the greatest extent practicable, the department of
36 transportation shall expend federal funds received for capital
37 project expenditures before state funds.

1 TRANSFERS AND DISTRIBUTIONS

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

6	Transportation Partnership Account—State Appropriation. . .	\$1,112,000
7	Connecting Washington Account—State Appropriation. . . .	\$11,824,000
8	Special Category C Account—State Appropriation.	\$434,000
9	Highway Bond Retirement Account—State	
10	Appropriation.	\$1,489,078,000
11	Ferry Bond Retirement Account—State Appropriation. . . .	\$17,150,000
12	Transportation Improvement Board Bond Retirement	
13	Account—State Appropriation.	\$11,770,000
14	Nondebt-Limit Reimbursable Bond Retirement	
15	Account—State Appropriation.	\$29,323,000
16	Toll Facility Bond Retirement Account—State	
17	Appropriation.	\$76,376,000
18	TOTAL APPROPRIATION.	\$1,637,067,000

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

22	Transportation Partnership Account—State	
23	Appropriation.	\$222,000
24	Connecting Washington Account—State Appropriation.	\$2,365,000
25	Special Category C Account—State Appropriation.	\$87,000
26	TOTAL APPROPRIATION.	\$2,674,000

27 NEW SECTION. **Sec. 403. FOR THE STATE TREASURER—STATE REVENUES**
28 **FOR DISTRIBUTION**

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

1 distribution to cities and counties. \$23,438,000

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

3 Motor Vehicle Account—State Appropriation: For motor
4 vehicle fuel tax refunds and statutory transfers. \$1,974,599,000

5 NEW SECTION. **Sec. 405. FOR THE DEPARTMENT OF LICENSING—**
6 **TRANSFERS**

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

9 NEW SECTION. **Sec. 406. FOR THE STATE TREASURER—ADMINISTRATIVE**
10 **TRANSFERS**

11 (1) Highway Safety Account—State Appropriation:
12 For transfer to the State Patrol Highway
13 Account—State. \$47,000,000

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

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

19 (3) (a) Transportation Partnership Account—State
20 Appropriation: For transfer to the Tacoma Narrows Toll Bridge Account
21 —State. \$32,459,000

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

28 (4) Motor Vehicle Account—State Appropriation:
29 For transfer to the County Arterial Preservation
30 Account—State. \$7,666,000

31 (5) Motor Vehicle Account—State Appropriation:
32 For transfer to the Freight Mobility Investment
33 Account—State. \$8,511,000

34 (6) Motor Vehicle Account—State Appropriation:
35 For transfer to the Rural Arterial Trust Account—State. . . \$9,331,000

36 (7) Motor Vehicle Account—State Appropriation:

1 For transfer to the Transportation Improvement
2 Account—State. \$18,688,000
3 (8) Motor Vehicle Account—State Appropriation:
4 For transfer to the Transportation 2003 Account
5 (Nickel Account)—State. \$20,000,000
6 (9) Motor Vehicle Account—State Appropriation:
7 For transfer to the County Road Administration Board
8 Emergency Loan Account—State. \$1,000,000
9 (10) Rural Mobility Grant Program Account—State
10 Appropriation: For transfer to the Multimodal
11 Transportation Account—State. \$3,000,000
12 (11) State Route Number 520 Civil Penalties
13 Account—State Appropriation: For transfer to the
14 State Route Number 520 Corridor Account—State. \$1,532,000
15 (12) Capital Vessel Replacement Account—State
16 Appropriation: For transfer to the Connecting
17 Washington Account—State. \$35,000,000
18 (13) Capital Vessel Replacement Account—State
19 Appropriation: For transfer to the Transportation
20 Partnership Account—State. \$9,138,000
21 (14) Multimodal Transportation Account—State
22 Appropriation: For transfer to the Complete Streets
23 Grant Program Account—State. \$14,670,000
24 (15) Multimodal Transportation Account—State
25 Appropriation: For transfer to the Connecting
26 Washington Account—State. \$200,000,000
27 (16) Multimodal Transportation Account—State
28 Appropriation: For transfer to the Freight Mobility
29 Multimodal Account—State. \$8,511,000
30 (17) Multimodal Transportation Account—State
31 Appropriation: For transfer to the Pilotage
32 Account—State. \$1,500,000
33 (18) Multimodal Transportation Account—State
34 Appropriation: For transfer to the Puget Sound
35 Capital Construction Account—State. \$60,000,000
36 (19) Multimodal Transportation Account—State
37 Appropriation: For transfer to the Regional Mobility
38 Grant Program Account—State. \$27,679,000

1	(20) Multimodal Transportation Account—State	
2	Appropriation: For transfer to the Rural Mobility	
3	Grant Program Account—State.	\$15,223,000
4	(21) (a) Alaskan Way Viaduct Replacement Project	
5	Account—State Appropriation: For transfer to the	
6	Transportation Partnership Account—State.	\$24,987,000
7	(b) The amount transferred in this subsection represents	
8	repayment of debt service incurred for the construction of the SR 99/	
9	Alaskan Way Viaduct Replacement project (809936Z).	
10	(22) Tacoma Narrows Toll Bridge Account—State	
11	Appropriation: For transfer to the Motor Vehicle	
12	Account—State.	\$950,000
13	(23) Transportation Infrastructure Account—State	
14	Appropriation: For transfer to the Multimodal	
15	Transportation Account—State.	\$8,500,000
16	(24) Puget Sound Ferry Operations Account—State	
17	Appropriation: For transfer to the Puget Sound	
18	Capital Construction Account—State.	\$28,000,000
19	(25) Connecting Washington Account—State	
20	Appropriation: For transfer to the Motor Vehicle	
21	Account—State.	\$104,487,000
22	(26) (a) General Fund Account—State	
23	Appropriation: For transfer to the State Patrol	
24	Highway 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(2) of this act.	
28	<u>NEW SECTION.</u> Sec. 407. FOR THE STATE TREASURER—BOND RETIREMENT	
29	AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR	
30	DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE	
31	Toll Facility Bond Retirement Account—Federal	
32	Appropriation	\$199,129,000
33	Toll Facility Bond Retirement Account—State	
34	Appropriation	\$25,372,000
35	TOTAL APPROPRIATION.	\$224,501,000

36 **COMPENSATION**

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

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

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

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

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

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

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

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

1 designated by the employer as not requiring backfill take 24 furlough
2 days during the biennium.

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

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

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

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

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

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

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

31 An agreement has been reached between the governor and the marine
32 engineers' beneficial association unlicensed engine room employees
33 pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium.
34 Funding is provided to fund the agreement, which does not include
35 either wage increases or the furlough requirement.

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

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

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

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

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

19 An agreement has been reached between the governor and the
20 masters, mates, and pilots - mates pursuant to chapter 47.64 RCW for
21 the 2021-2023 fiscal biennium. Funding is provided to fund the
22 agreement, which does not include either wage increases or the
23 furlough requirement.

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

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

31 NEW SECTION. **Sec. 513. DEPARTMENT OF TRANSPORTATION MARINE**
32 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—MM&P WATCH CENTER**
33 **SUPERVISORS**

34 An agreement has been reached between the governor and the
35 masters, mates, and pilots - watch center supervisors pursuant to

1 chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is
2 provided to fund the agreement, which does not include wage increases
3 but does include furloughs only for the following positions: Fleet
4 facility security officers and workforce development leads.

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

7 An agreement has been reached between the governor and the
8 inlandboatmen's union of the Pacific pursuant to chapter 47.64 RCW
9 through an interest arbitration award for the 2021-2023 fiscal
10 biennium. Funding is provided to fund the agreement, which does not
11 include either wage increases or the furlough requirement.

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

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

19 NEW SECTION. **Sec. 516. COLLECTIVE BARGAINING AGREEMENT—PTE**
20 **LOCAL 17**

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

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

28 An agreement has not been reached between the governor and the
29 Washington public employees association under the provisions of
30 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Pursuant to RCW
31 41.80.010(6), funding is provided for fiscal year 2022 to fund the
32 terms of the 2019-2021 agreement and for fiscal year 2023 to fund the
33 terms according to law.

1 NEW SECTION. **Sec. 518. COLLECTIVE BARGAINING AGREEMENT—**
2 **COALITION OF UNIONS**

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

12 NEW SECTION. **Sec. 519. COLLECTIVE BARGAINING AGREEMENT—WSP**
13 **TROOPERS ASSOCIATION**

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

21 NEW SECTION. **Sec. 520. COLLECTIVE BARGAINING AGREEMENT—WSP**
22 **LIEUTENANTS AND CAPTAINS ASSOCIATION**

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

30 NEW SECTION. **Sec. 521. COMPENSATION—REPRESENTED EMPLOYEES—**
31 **HEALTH CARE—COALITION—INSURANCE BENEFITS**

32 An agreement was reached for the 2021-2023 biennium between the
33 governor and the health care coalition under the provisions of
34 chapter 41.80 RCW. Appropriations in this act for state agencies,
35 including institutions of higher education, are sufficient to
36 implement the provisions of the 2021-2023 collective bargaining

1 agreement, which maintains the provisions of the 2019-2021 agreement,
2 and are subject to the following conditions and limitations:

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

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

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

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

28 NEW SECTION. **Sec. 523. COMPENSATION—NONREPRESENTED EMPLOYEES—**
29 **INSURANCE BENEFITS**

30 Appropriations for state agencies in this act are sufficient for
31 nonrepresented state employee health benefits for state agencies,
32 including institutions of higher education, and are subject to the
33 following conditions and limitations: The employer monthly funding
34 rate for insurance benefit premiums, public employees' benefits board
35 administration, and the uniform medical plan, shall not exceed \$936
36 per eligible employee for fiscal year 2022. For fiscal year 2023, the

1 monthly employer funding rate shall not exceed \$1091 per eligible
2 employee.

3 NEW SECTION. **Sec. 524. COMPENSATION—REVISE PENSION CONTRIBUTION**
4 **RATES**

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

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

13 Funding is provided within the amounts appropriated for the cost
14 to agencies of additional staff necessary to provide coverage in
15 positions that require continual presence, as a result of
16 implementing chapter . . . (Substitute House Bill No. 1016), Laws of
17 2021 (making Juneteenth a legal holiday). If chapter . . .
18 (Substitute House Bill No. 1016), Laws of 2021 is not enacted by June
19 30, 2021, this section does not take effect.

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

22 Puget Sound Ferry Operations Account—State
23 Appropriation \$2,798,000

24 The appropriations in this section are subject to the following
25 conditions and limitations: Funding is provided solely for
26 eliminating the furlough days in the agreement reached with the
27 inlandboatmen's union of the Pacific and approved in part V of this
28 act. Expenditure of the amounts provided for this purpose is
29 contingent upon execution of an appropriate memorandum of
30 understanding between the governor or the governor's designee and the
31 exclusive bargaining representative, consistent with the terms of
32 this section. Appropriations for state agencies are increased by the
33 amounts specified in LEAP Transportation Document 2021 -
34 Compensation, dated March 22, 2021, to fund the provisions of this
35 section upon execution of the memorandum of understanding.

1 eliminating the furlough days in the agreement reached with the ferry
2 agents, supervisors, and project administrators association and
3 approved in part V of this act. Expenditure of the amounts provided
4 for this purpose is contingent upon execution of an appropriate
5 memorandum of understanding between the governor or the governor's
6 designee and the exclusive bargaining representative, consistent with
7 the terms of this section. Appropriations for state agencies are
8 increased by the amounts specified in LEAP Transportation Document
9 2021 - Compensation, dated March 22, 2021, to fund the provisions of
10 this section upon execution of the memorandum of understanding.

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

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

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

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

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

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

1 amounts specified in LEAP Transportation Document 2021 -
2 Compensation, dated March 22, 2021, to fund the provisions of this
3 section upon execution of the memorandum of understanding.

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

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

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

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

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

26 The appropriations in this section are subject to the following
27 conditions and limitations: Funding is provided solely for
28 eliminating the furlough days in the agreement reached with the
29 Washington federation of state employees and approved in part V of
30 this act. Expenditure of the amounts provided for this purpose is
31 contingent upon execution of an appropriate memorandum of
32 understanding between the governor or the governor's designee and the
33 exclusive bargaining representative, consistent with the terms of
34 this section. Appropriations for state agencies are increased by the
35 amounts specified in LEAP Transportation Document 2021 -
36 Compensation, dated March 22, 2021, to fund the provisions of this
37 section upon execution of the memorandum of understanding.

1 Appropriations in this act provide sufficient funding to
2 eliminate the furlough days required in the following collective
3 bargaining agreements for the 2021-2023 biennium:

4 (1) Office and professional employees international union local
5 8;

6 (2) Ferry agents, supervisors, and project administrators
7 association;

8 (3) Service employees international union local 6;

9 (4) Pacific Northwest regional council of carpenters;

10 (5) Marine engineers' beneficial association port engineers;

11 (6) Masters, mates, and pilots - watch center supervisors;

12 (7) Inlandboatmen's union of the Pacific;

13 (8) Washington public employees association general government;

14 (9) Washington federation of state employees;

15 (10) Professional and technical employees local 17; and

16 (11) The coalition of unions.

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

22 NEW SECTION. **Sec. 539. COLLECTIVE BARGAINING AGREEMENTS—**
23 **ELIMINATING GENERAL WAGE DECREASE**

24 Appropriations in this act provide sufficient funding solely for
25 the purpose of eliminating the 1.9 percent wage reduction from July
26 1, 2021, to June 30, 2022, provided in the arbitration award for the
27 Puget Sound metal trades council. Expenditure of the amounts provided
28 for this purpose is contingent upon execution of an appropriate
29 modification of the agreement between the governor or the governor's
30 designee and the exclusive bargaining representative, consistent with
31 the terms of this section.

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

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

1 **IMPLEMENTING PROVISIONS**

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

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

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

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

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

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

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

36 (f) Transfers may not be made while the legislature is in
37 session;

1 (g) Transfers to a project may not be made with funds designated
2 as attributable to practical design savings as described in RCW
3 47.01.480;

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

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

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

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

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

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

31 (3) At the time the department submits a request to transfer
32 funds under this section, a copy of the request must be submitted to
33 the chairs and ranking members of the transportation committees of
34 the legislature.

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

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

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

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

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

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

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

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

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

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

1 (b) Identifies, for each project, the amount of cost savings or
2 increases in funding that have been identified as compared to the
3 2017 enacted omnibus transportation appropriations act.

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

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

9 (1) The department of transportation shall post on its website
10 every report that is due from the department to the legislature
11 during the 2021-2023 fiscal biennium on one web page. The department
12 must post both completed reports and planned reports on a single web
13 page.

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

17 NEW SECTION. **Sec. 606. TRANSIT, BICYCLE, AND PEDESTRIAN**
18 **ELEMENTS REPORTING**

19 (1) By November 15th of each year, the department of
20 transportation must report on amounts expended to benefit transit,
21 bicycle, or pedestrian elements within all connecting Washington
22 projects in programs I, P, and Z identified in LEAP Transportation
23 Document 2021-2 ALL PROJECTS as developed March 22, 2021. The report
24 must address each modal category separately and identify if
25 eighteenth amendment protected funds have been used and, if not, the
26 source of funding.

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

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

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

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

5 (3) Before approval, the office of financial management shall
6 work with legislative staff of the house of representatives and
7 senate transportation committees to review the requested project
8 scope changes.

9 (4) No fewer than ten days after the receipt of a scope change
10 request, the director of the office of financial management must
11 provide written notification to the department of any decision
12 regarding project scope changes, with copies submitted to the
13 transportation committees of the legislature.

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

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

19 The department of transportation may provide up to three million
20 dollars in toll credits to Kitsap transit for its role in passenger-
21 only ferry service and ferry corridor-related projects. The number of
22 toll credits provided must be equal to, but no more than, the number
23 sufficient to meet federal match requirements for grant funding for
24 passenger-only ferry service, but must not exceed the amount
25 authorized in this section.

26 **MISCELLANEOUS 2021-2023 FISCAL BIENNIUM**

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

28 (1) Agencies must apply to the office of financial management and
29 the office of the state chief information officer for approval before
30 beginning a project or proceeding with each discrete stage of a
31 project subject to this section. At each stage, the office of the
32 state chief information officer must certify that the project has an
33 approved technology budget and investment plan, complies with state
34 information technology and security requirements, and other policies
35 defined by the office of the state chief information officer. The
36 office of financial management must notify the fiscal committees of
37 the legislature of the receipt of each application and may not

1 approve a funding request for ten business days from the date of
2 notification.

3 (2) (a) Each project must have a technology budget. The technology
4 budget must have the detail by fiscal month for the 2021-2023 fiscal
5 biennium. The technology budget must use a method similar to the
6 state capital budget, identifying project costs, each fund source,
7 and anticipated deliverables through each stage of the entire project
8 investment and across fiscal periods and biennia from project onset
9 through implementation and close out, as well as at least five years
10 of maintenance and operations costs.

11 (b) As part of the development of a technology budget and at each
12 request for funding, the agency shall submit an updated technology
13 budget, if changes occurred, to include detailed financial
14 information to the office of financial management and the office of
15 the chief information officer. The technology budget must describe
16 the total cost of the project, as well as maintenance and operations
17 costs, to include and identify at least:

18 (i) Fund sources;

19 (ii) Full time equivalent staffing level to include job
20 classification assumptions;

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

23 (iv) Object and subobject codes of expenditures;

24 (v) Anticipated deliverables;

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

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

28 (c) If a project technology budget changes and a revised
29 technology budget is completed, a comparison of the revised
30 technology budget to the last approved technology budget must be
31 posted to the dashboard, to include a narrative rationale on what
32 changed, why, and how that impacts the project in scope, budget, and
33 schedule.

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

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

37 (ii) The office of the chief information officer staff assigned
38 to the project;

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

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

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

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

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

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

21 (i) Project changes each fiscal month;

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

24 (iii) Financial status of information technology projects under
25 oversight;

26 (iv) Coordination with agencies;

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

28 (vi) Monthly office of the chief information officer status
29 reports;

30 (vii) Historical project budget and expenditures through fiscal
31 year 2021;

32 (viii) Budget and expenditures each fiscal month;

33 (ix) Estimated annual maintenance and operations costs by fiscal
34 year; and

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

37 (A) Office of the chief information officer;

38 (B) Agency project team; and

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

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

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

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

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

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

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

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

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

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

26 (e) The agency must consult with the contracting division of the
27 department of enterprise services for a review of all contracts and
28 agreements related to the project's information technology
29 procurements.

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

34 (9) The office of the chief information officer may suspend or
35 terminate a project at any time if it determines that the project is
36 not meeting or not expected to meet anticipated performance and
37 technology outcomes. Once suspension or termination occurs, the
38 agency shall unallot any unused funding and shall not make any
39 expenditure for the project without the approval of the office of
40 financial management. The office of the chief information officer

1 must report on July 1st and December 1st each calendar year any
2 suspension or termination of a project in the previous six-month
3 period to the legislative fiscal committees.

4 (10) The office of the chief information officer, in consultation
5 with the office of financial management, may identify additional
6 projects to be subject to this section, including projects that are
7 not separately identified within an agency budget. The office of the
8 chief information officer must report on July 1st and December 1st
9 each calendar year any additional projects to be subjected to this
10 section that were identified in the previous six-month period to the
11 legislative fiscal committees.

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

14 (a) For the Washington state patrol: Aerial criminal
15 investigation tools;

16 (b) For the department of licensing: Website accessibility and
17 usability; and

18 (c) For the department of transportation: Maintenance management
19 system, land mobile radio system replacement, new csc system and
20 operator, PROPEL - WSDOT support of one Washington, and capital
21 systems replacement.

22 NEW SECTION. **Sec. 702. ACQUISITION OF PROPERTIES AND FACILITIES**
23 **THROUGH FINANCIAL CONTRACTS**

24 (1) The department of transportation is authorized, subject to
25 the conditions in section 305(2) of this act, to enter into a
26 financing contract pursuant to chapter 39.94 RCW through the state
27 treasurer's lease-purchase program for the purposes indicated. The
28 department may use any funds, appropriated or nonappropriated, in not
29 more than the principal amounts indicated, plus financing expenses
30 and required reserves, if any. Expenditures made by the department of
31 transportation for the indicated purposes before the issue date of
32 the authorized financing contract and any certificates of
33 participation therein may be reimbursed from proceeds of the
34 financing contract and any certificates of participation therein to
35 the extent provided in the agency's financing plan approved by the
36 state finance committee.

37 (2) Department of transportation: Enter into a financing contract
38 for up to \$32,500,000 plus financing expenses and required reserves

1 pursuant to chapter 39.94 RCW to renovate the existing office
2 building at 15700 Dayton Ave N, Shoreline.

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

5 (1) Effective June 1, 2006, for agencies complying with the
6 ultra-low sulfur diesel mandate of the United States environmental
7 protection agency for on-highway diesel fuel, agencies shall use
8 biodiesel as an additive to ultra-low sulfur diesel for lubricity,
9 provided that the use of a lubricity additive is warranted and that
10 the use of biodiesel is comparable in performance and cost with other
11 available lubricity additives. The amount of biodiesel added to the
12 ultra-low sulfur diesel fuel shall be not less than two percent.

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

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

22 (4) By December 1, 2009, the department of enterprise services
23 shall:

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

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

29 (5) During the (~~2017-2019 and~~) 2019-2021 and 2021-2023 fiscal
30 biennia, the Washington state ferries is required to use a minimum of
31 five percent biodiesel as compared to total volume of all diesel
32 purchases made by the Washington state ferries for the operation of
33 the Washington state ferries diesel-powered vessels, as long as the
34 price of a B5 or B10 biodiesel blend does not exceed the price of
35 conventional diesel fuel by five percent or more.

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

1 (1) The ignition interlock device revolving account program is
2 created within the department to assist in covering the monetary
3 costs of installing, removing, and leasing an ignition interlock
4 device, and applicable licensing, for indigent persons who are
5 required under RCW 46.20.385, 46.20.720, and 46.61.5055 to install an
6 ignition interlock device in all vehicles owned or operated by the
7 person. For purposes of this subsection, "indigent" has the same
8 meaning as in RCW 10.101.010, as determined by the department. During
9 the 2019-2021 and 2021-2023 fiscal (~~(biennium)~~) biennia, the ignition
10 interlock device revolving account program also includes ignition
11 interlock enforcement work conducted by the Washington state patrol.

12 (2) A pilot program is created within the ignition interlock
13 device revolving account program for the purpose of monitoring
14 compliance by persons required to use ignition interlock devices and
15 by ignition interlock companies and vendors.

16 (3) The department, the state patrol, and the Washington traffic
17 safety commission shall coordinate to establish a compliance pilot
18 program that will target at least one county from eastern Washington
19 and one county from western Washington, as determined by the
20 department, state patrol, and Washington traffic safety commission.

21 (4) At a minimum, the compliance pilot program shall:

22 (a) Review the number of ignition interlock devices that are
23 required to be installed in the targeted county and the number of
24 ignition interlock devices actually installed;

25 (b) Work to identify those persons who are not complying with
26 ignition interlock requirements or are repeatedly violating ignition
27 interlock requirements; and

28 (c) Identify ways to track compliance and reduce noncompliance.

29 (5) As part of monitoring compliance, the Washington traffic
30 safety commission shall also track recidivism for violations of RCW
31 46.61.502 and 46.61.504 by persons required to have an ignition
32 interlock driver's license under RCW 46.20.385 and 46.20.720.

33 **Sec. 705.** RCW 82.21.030 and 2020 c 20 s 1483 are each amended to
34 read as follows:

35 (1)(a) A tax is imposed on the privilege of possession of
36 hazardous substances in this state. Except as provided in (b) of this
37 subsection, the rate of the tax is seven-tenths of one percent
38 multiplied by the wholesale value of the substance. Moneys collected

1 under this subsection (1)(a) must be deposited in the model toxics
2 control capital account.

3 (b) Beginning July 1, 2019, the rate of the tax on petroleum
4 products is one dollar and nine cents per barrel. The tax collected
5 under this subsection (1)(b) on petroleum products must be deposited
6 as follows, after first depositing the tax as provided in (c) of this
7 subsection (~~((1))~~), except that during the 2021-2023 biennium the
8 deposit as provided in (c) of this subsection may be prorated equally
9 across each month of the biennium:

10 (i) Sixty percent to the model toxics control operating account
11 created under RCW 70A.305.180;

12 (ii) Twenty-five percent to the model toxics control capital
13 account created under RCW 70A.305.190; and

14 (iii) Fifteen percent to the model toxics control stormwater
15 account created under RCW 70A.305.200.

16 (c) Until the beginning of the ensuing biennium after the
17 enactment of an additive transportation funding act, fifty million
18 dollars per biennium to the motor vehicle fund to be used exclusively
19 for transportation stormwater activities and projects. For purposes
20 of this subsection, "additive transportation funding act" means an
21 act in which the combined total of new revenues deposited into the
22 motor vehicle fund and the multimodal transportation account exceed
23 two billion dollars per biennium attributable solely to an increase
24 in revenue from the enactment of the act.

25 (d) The department must compile a list of petroleum products that
26 are not easily measured on a per barrel basis. Petroleum products
27 identified on the list are subject to the rate under (a) of this
28 subsection in lieu of the volumetric rate under (b) of this
29 subsection. The list will be made in a form and manner prescribed by
30 the department and must be made available on the department's
31 internet website. In compiling the list, the department may accept
32 technical assistance from persons that sell, market, or distribute
33 petroleum products and consider any other resource the department
34 finds useful in compiling the list.

35 (2) Chapter 82.32 RCW applies to the tax imposed in this chapter.
36 The tax due dates, reporting periods, and return requirements
37 applicable to chapter 82.04 RCW apply equally to the tax imposed in
38 this chapter.

39 (3) Beginning July 1, 2020, and every July 1st thereafter, the
40 rate specified in subsection (1)(b) of this section must be adjusted

1 to reflect the percentage change in the implicit price deflator for
2 nonresidential structures as published by the United States
3 department of commerce, bureau of economic analysis for the most
4 recent twelve-month period ending December 31st of the prior year.

5 **Sec. 706.** RCW 46.68.060 and 2019 c 416 s 705 are each amended to
6 read as follows:

7 There is hereby created in the state treasury a fund to be known
8 as the highway safety fund to the credit of which must be deposited
9 all moneys directed by law to be deposited therein. This fund must be
10 used for carrying out the provisions of law relating to driver
11 licensing, driver improvement, financial responsibility, cost of
12 furnishing abstracts of driving records and maintaining such case
13 records, and to carry out the purposes set forth in RCW 43.59.010,
14 and chapters 46.72 and 46.72A RCW. During the 2013-2015 and 2015-2017
15 fiscal biennia, the legislature may transfer from the highway safety
16 fund to the Puget Sound ferry operations account, the motor vehicle
17 fund, and the multimodal transportation account such amounts as
18 reflect the excess fund balance of the highway safety fund. During
19 the ~~((and the))~~ 2017-2019, 2019-2021, and 2021-2023 fiscal biennia,
20 the legislature may direct the state treasurer to make transfers of
21 moneys in the highway safety fund to the multimodal transportation
22 account and the state patrol highway account.

23 **Sec. 707.** RCW 47.12.370 and 2003 c 187 s 1 are each amended to
24 read as follows:

25 (1) The department may enter into exchange agreements with local,
26 state, or federal agencies, tribal governments, or private nonprofit
27 nature conservancy corporations as defined in RCW 64.04.130, to
28 convey properties under the jurisdiction of the department that serve
29 as environmental mitigation sites, as full or part consideration for
30 the grantee assuming all future maintenance and operation obligations
31 and costs required to maintain and operate the environmental
32 mitigation site in perpetuity.

33 ~~((Tribal))~~ (a) Except as provided in (b) of this subsection,
34 tribal governments shall only be eligible to participate in an
35 exchange agreement if they:

36 ~~((a))~~ (i) Provide the department with a valid waiver of their
37 tribal sovereign immunity from suit. The waiver must allow the

1 department to enforce the terms of the exchange agreement or
2 quitclaim deed in state court; and

3 ~~((b))~~ (ii) Agree that the property shall not be placed into
4 trust status.

5 (b) During the 2021-2023 fiscal biennium, the restrictions in (a)
6 of this subsection do not apply to any exchange agreement with a
7 tribal government for the acquisition of real property required by
8 the department for the SR 167/SR 509 Puget Sound Gateway project.

9 (3) The conveyances must be by quitclaim deed, or other form of
10 conveyance, executed by the secretary of transportation, and must
11 expressly restrict the use of the property to a mitigation site
12 consistent with preservation of the functions and values of the site,
13 and must provide for the automatic reversion to the department if the
14 property is not used as a mitigation site or is not maintained in a
15 manner that complies with applicable permits, laws, and regulations
16 pertaining to the maintenance and operation of the mitigation site.

17 **Sec. 708.** RCW 46.68.325 and 2019 c 416 s 708 are each amended to
18 read as follows:

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

23 (2) Beginning September 2011, by the last day of September,
24 December, March, and June of each year, the state treasurer shall
25 transfer from the multimodal transportation account to the rural
26 mobility grant program account two million five hundred thousand
27 dollars.

28 (3) During the 2015-2017 fiscal biennium, the legislature may
29 transfer from the rural mobility grant program account to the
30 multimodal transportation account such amounts as reflect the excess
31 fund balance of the rural mobility grant program account.

32 (4) During the 2017-2019 ~~((and the))~~, 2019-2021, and 2021-2023
33 fiscal biennia, the legislature may direct the state treasurer to
34 make transfers of moneys in the rural mobility grant program account
35 to the multimodal transportation account.

36 **Sec. 709.** RCW 47.56.876 and 2019 c 416 s 710 are each amended to
37 read as follows:

1 A special account to be known as the state route number 520 civil
2 penalties account is created in the state treasury. All state route
3 number 520 bridge replacement and HOV program civil penalties
4 generated from the nonpayment of tolls on the state route number 520
5 corridor must be deposited into the account, as provided under RCW
6 47.56.870(4)(b)(vii). Moneys in the account may be spent only after
7 appropriation. Expenditures from the account may be used to fund any
8 project within the state route number 520 bridge replacement and HOV
9 program, including mitigation; however, through the 2021-2023 fiscal
10 biennium, expenditures may include operating expenses of the state
11 route number 520 corridor. During the 2013-2015 and 2015-2017 fiscal
12 biennia, the legislature may transfer from the state route number 520
13 civil penalties account to the state route number 520 corridor
14 account such amounts as reflect the excess fund balance of the state
15 route number 520 civil penalties account. Funds transferred must be
16 used solely for capital expenditures for the state route number 520
17 bridge replacement and HOV project. During the ((2017-2019 and the))
18 2019-2021 and 2021-2023 fiscal biennia, the legislature may direct
19 the state treasurer to make transfers of moneys in the state route
20 number 520 civil penalties account to the state route number 520
21 corridor account.

22 **Sec. 710.** RCW 46.68.370 and 2019 c 416 s 713 are each amended to
23 read as follows:

24 The license plate technology account is created in the state
25 treasury. All receipts collected under RCW 46.17.015 must be
26 deposited into this account. Expenditures from this account must
27 support current and future license plate technology and systems
28 integration upgrades for both the department and correctional
29 industries. Moneys in the account ((~~fund~~)) may be spent only after
30 appropriation. Additionally, the moneys in this account may be used
31 to reimburse the motor vehicle account for any appropriation made to
32 implement the digital license plate system. During the 2011-2013 and
33 2013-2015 fiscal biennia, the legislature may transfer from the
34 license plate technology account to the highway safety ((~~account~~
35 ~~fund~~)) fund such amounts as reflect the excess fund balance of the
36 license plate technology account. During the 2019-2021 ((~~biennium~~))
37 and 2021-2023 biennia, the account may also be used for the
38 maintenance of recently modernized information technology systems for
39 vehicle registrations.

1 **Sec. 711.** RCW 46.68.300 and 2019 c 416 s 714 are each amended to
2 read as follows:

3 The freight mobility investment account is hereby created in the
4 state treasury. Money in the account may be spent only after
5 appropriation. Expenditures from the account may be used only for
6 freight mobility projects that have been approved by the freight
7 mobility strategic investment board in RCW 47.06A.020 and may include
8 any principal and interest on bonds authorized for the projects or
9 improvements. During the 2019-2021 and 2021-2023 fiscal (~~(biennium)~~)
10 biennia, the expenditures from the account may also be used for the
11 administrative expenses of the freight mobility strategic investment
12 board.

13 **Sec. 712.** RCW 47.60.322 and 2019 c 416 s 716 are each amended to
14 read as follows:

15 (1) The capital vessel replacement account is created in the
16 motor vehicle fund. All revenues generated from the vessel
17 replacement surcharge under RCW 47.60.315(7) and service fees
18 collected by the department of licensing or county auditor or other
19 agent appointed by the director under RCW 46.17.040, 46.17.050, and
20 46.17.060 must be deposited into the account. Moneys in the account
21 may be spent only after appropriation. Expenditures from the account
22 may be used only for the construction or purchase of ferry vessels
23 and to pay the principal and interest on bonds authorized for the
24 construction or purchase of ferry vessels. However, expenditures from
25 the account must first be used to support the construction or
26 purchase, including any applicable financing costs, of a ferry vessel
27 with a carrying capacity of at least one hundred forty-four cars.

28 (2) The state treasurer may transfer moneys from the capital
29 vessel replacement account to the transportation 2003 account (nickel
30 account) for debt service on bonds issued for the construction of
31 144-car class ferry vessels.

32 (3) The legislature may transfer from the capital vessel
33 replacement account to the connecting Washington account created
34 under RCW 46.68.395 such amounts as reflect the excess fund balance
35 of the capital vessel replacement account to be used for ferry
36 terminal construction and preservation.

37 (4) During the 2019-2021 and 2021-2023 fiscal (~~(biennium)~~)
38 biennia, the legislature may direct the state treasurer to make
39 transfers of moneys in the capital vessel replacement account to the

1 transportation partnership account and the connecting Washington
2 account.

3 **Sec. 713.** RCW 46.68.290 and 2020 c 219 s 705 are each amended to
4 read as follows:

5 (1) The transportation partnership account is hereby created in
6 the state treasury. All distributions to the account from RCW
7 46.68.090 must be deposited into the account. Money in the account
8 may be spent only after appropriation. Expenditures from the account
9 must be used only for projects or improvements identified as 2005
10 transportation partnership projects or improvements in the omnibus
11 transportation appropriations act, including any principal and
12 interest on bonds authorized for the projects or improvements.

13 (2) The legislature finds that:

14 (a) Citizens demand and deserve accountability of transportation-
15 related programs and expenditures. Transportation-related programs
16 must continuously improve in quality, efficiency, and effectiveness
17 in order to increase public trust;

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

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

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

26 (a) "Performance audit" means an objective and systematic
27 assessment of a state agency or agencies or any of their programs,
28 functions, or activities by the state auditor or designee in order to
29 help improve agency efficiency, effectiveness, and accountability.
30 Performance audits include economy and efficiency audits and program
31 audits.

32 (b) "Transportation-related agency" means any state agency,
33 board, or commission that receives funding primarily for
34 transportation-related purposes. At a minimum, the department of
35 transportation, the transportation improvement board or its successor
36 entity, the county road administration board or its successor entity,
37 and the traffic safety commission are considered transportation-
38 related agencies. The Washington state patrol and the department of

1 licensing shall not be considered transportation-related agencies
2 under chapter 314, Laws of 2005.

3 (4) Within the authorities and duties under chapter 43.09 RCW,
4 the state auditor shall establish criteria and protocols for
5 performance audits. Transportation-related agencies shall be audited
6 using criteria that include generally accepted government auditing
7 standards as well as legislative mandates and performance objectives
8 established by state agencies. Mandates include, but are not limited
9 to, agency strategies, timelines, program objectives, and mission and
10 goals as required in RCW 43.88.090.

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

15 (6) The audits may include:

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

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

21 (c) Analysis of gaps and overlaps in programs and services and
22 recommendations for improving, dropping, blending, or separating
23 functions to correct gaps or overlaps;

24 (d) Analysis and recommendations for pooling information
25 technology systems used within the transportation-related agency, and
26 evaluation of information processing and telecommunications policy,
27 organization, and management;

28 (e) Analysis of the roles and functions of the transportation-
29 related agency, its programs, and its services and their compliance
30 with statutory authority and recommendations for eliminating or
31 changing those roles and functions and ensuring compliance with
32 statutory authority;

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

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

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

3 (i) Identification and recognition of best practices;

4 (j) Evaluation of planning, budgeting, and program evaluation
5 policies and practices;

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

7 (l) Evaluation of purchasing operations and management policies
8 and practices;

9 (m) Evaluation of organizational structure and staffing levels,
10 particularly in terms of the ratio of managers and supervisors to
11 nonmanagement personnel; and

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

15 (7) Within the authorities and duties under chapter 43.09 RCW,
16 the state auditor must provide the preliminary performance audit
17 reports to the audited state agency for comment. The auditor also may
18 seek input on the preliminary report from other appropriate
19 officials. Comments must be received within thirty days after receipt
20 of the preliminary performance audit report unless a different time
21 period is approved by the state auditor. The final performance audit
22 report shall include the objectives, scope, and methodology; the
23 audit results, including findings and recommendations; the agency's
24 response and conclusions; and identification of best practices.

25 (8) The state auditor shall provide final performance audit
26 reports to the citizens of Washington, the governor, the joint
27 legislative audit and review committee, the appropriate legislative
28 committees, and other appropriate officials. Final performance audit
29 reports shall be posted on the internet.

30 (9) The audited transportation-related agency is responsible for
31 follow-up and corrective action on all performance audit findings and
32 recommendations. The audited agency's plan for addressing each audit
33 finding and recommendation shall be included in the final audit
34 report. The plan shall provide the name of the contact person
35 responsible for each action, the action planned, and the anticipated
36 completion date. If the audited agency does not agree with the audit
37 findings and recommendations or believes action is not required, then
38 the action plan shall include an explanation and specific reasons.

39 The office of financial management shall require periodic
40 progress reports from the audited agency until all resolution has

1 occurred. The office of financial management is responsible for
2 achieving audit resolution. The office of financial management shall
3 annually report by December 31st the status of performance audit
4 resolution to the appropriate legislative committees and the state
5 auditor. The legislature shall consider the performance audit results
6 in connection with the state budget process.

7 The auditor may request status reports on specific audits or
8 findings.

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

13 (11) During the 2015-2017 fiscal biennium, the legislature may
14 transfer from the transportation partnership account to the
15 connecting Washington account such amounts as reflect the excess fund
16 balance of the transportation partnership account.

17 (12) During (~~the 2017-2019 and~~) the 2019-2021 and 2021-2023
18 fiscal biennia, the legislature may direct the state treasurer to
19 make transfers of moneys in the transportation partnership account to
20 the connecting Washington account, the motor vehicle fund, the Tacoma
21 Narrows toll bridge account, and the capital vessel replacement
22 account.

23 **Sec. 714.** RCW 82.44.135 and 2020 c 219 s 706 are each amended to
24 read as follows:

25 (1) Before a local government subject to this chapter may impose
26 a motor vehicle excise tax, the local government must contract with
27 the department for the collection of the tax. The department may
28 charge a reasonable amount, not to exceed one percent of tax
29 collections, or two and one-half percent during the 2019-2021
30 (~~biennium~~) and 2021-2023 biennia, for the administration and
31 collection of the tax.

32 (2) For fiscal year 2021, the department shall charge a minimum
33 of seven million eight hundred two thousand dollars, and for the
34 2021-2023 fiscal biennium, the department shall charge a minimum of
35 \$15,604,000, which (~~is~~) are the reasonable (~~amount~~) amounts aimed
36 at achieving full cost recovery for the administration and collection
37 of a motor vehicle excise tax. The amount of the full reimbursement
38 for the administration and collection of the motor vehicle excise tax
39 must be deducted before distributing any revenues to a regional

1 transit authority. Any reimbursement to ensure full cost recovery
2 beyond the amount specified in this subsection may be negotiated
3 between the department and the regional transit authority if full
4 cost recovery has not been achieved, or if based on emergent issues.

5 **Sec. 715.** RCW 46.68.395 and 2020 c 219 s 707 are each amended to
6 read as follows:

7 (1) The connecting Washington account is created in the motor
8 vehicle fund. Moneys in the account may be spent only after
9 appropriation. Expenditures from the account must be used only for
10 projects or improvements identified as connecting Washington projects
11 or improvements in a transportation appropriations act, including any
12 principal and interest on bonds authorized for the projects or
13 improvements.

14 (2) Moneys in the connecting Washington account may not be
15 expended on the state route number 99 Alaskan Way viaduct replacement
16 project.

17 (3) During the 2019-2021 and 2021-2023 fiscal (~~biennium~~)
18 biennia, the legislature may direct the state treasurer to make
19 transfers of moneys in the connecting Washington account to the motor
20 vehicle fund.

21 NEW SECTION. **Sec. 716.** (1) The agency financial transaction
22 account is created in the state treasury. Designated receipts from
23 cost recovery charges for credit card and other financial transaction
24 fees pursuant to this act must be deposited into the account. Moneys
25 in the account may be spent only after appropriation. Expenditures
26 from the account may be used only for paying credit card and
27 financial transaction fees, and other related costs incurred by state
28 agencies.

29 (2) This section expires June 30, 2023.

30 (3) If either Senate Bill No. 5167 or House Bill No. 1115 (cost
31 recovery of state agency credit card and transaction fees) is enacted
32 by June 30, 2021, this section has no force and effect.

33 **Sec. 717.** RCW 46.68.063 and 2019 c 416 s 712 are each amended to
34 read as follows:

35 The department of licensing technology improvement and data
36 management account is created in the highway safety fund. All
37 receipts from fees collected under RCW 46.12.630(5) must be deposited

1 into the account. Expenditures from the account may be used only for
2 investments in technology and data management at the department.
3 During the 2019-2021 (~~biennium~~) and 2021-2023 biennia, the account
4 may also be used for responding to public records requests. Moneys in
5 the account may be spent only after appropriation.

6 **Sec. 718.** RCW 46.68.396 and 2015 3rd sp.s. c 12 s 2 are each
7 amended to read as follows:

8 The transportation future funding program account is created in
9 the connecting Washington account established in chapter 44, Laws of
10 2015 3rd sp. sess. Moneys in the account may be spent only after
11 appropriation. Expenditures from the account must be used only for
12 preservation projects, to accelerate the schedule of connecting
13 Washington projects identified in chapter 43, Laws of 2015 3rd sp.
14 sess., for new connecting Washington projects, and for principal and
15 interest on bonds authorized for the projects. It is the
16 legislature's intent that moneys not be appropriated from the account
17 until 2024 and that moneys in the account be expended in equal
18 amounts between preservation and improvement projects. However,
19 during the 2021-2023 biennium, moneys in the account may be
20 appropriated for fish passage barrier removal. Moneys in the account
21 may not be expended on the state route number 99 Alaskan Way viaduct
22 replacement project.

23 **Sec. 719.** RCW 47.01.480 and 2015 3rd sp.s. c 12 s 1 are each
24 amended to read as follows:

25 (1)(a) For projects identified as connecting Washington projects
26 and supported by revenues under chapter 44, Laws of 2015 3rd sp.
27 sess., it is the priority of the legislature that the department
28 deliver the named projects. The legislature encourages the department
29 to continue to institutionalize innovation and collaboration in
30 design and project delivery with an eye toward the most efficient use
31 of resources. In doing so, the legislature expects that, for some
32 projects, costs will be reduced during the project design phase due
33 to the application of practical design. However, significant changes
34 to a project title or scope arising from the application of practical
35 design requires legislative approval. The legislature will utilize
36 existing mechanisms and processes to ensure timely and efficient
37 approval. Practical design-related changes to the scope may be
38 proposed by the department, for the legislature's approval, only if

1 the project's intended performance is substantially unchanged and the
2 local governments and interested stakeholders impacted by the project
3 have been consulted and have reviewed the proposed changes.

4 (b) To the greatest extent practicable, a contract for the
5 construction of a project with any change to the title or scope,
6 whether significant or not, arising from the application of practical
7 design must not be let until the department has provided a detailed
8 notice describing the change to the chairs and ranking members of the
9 house of representatives and senate transportation committees or, if
10 during the interim, to the joint transportation committee.

11 (c) To determine the savings attributable to practical design,
12 each connecting Washington project must be evaluated. For design-bid-
13 build projects, the evaluation must occur at the end of the project
14 design phase. For design-build projects, the evaluation must occur at
15 the completion of thirty percent design. Each year as a part of its
16 annual budget submittal, the department must include a detailed
17 summary of how practical design has been applied and the associated
18 savings gained. The annual summary must also include for each
19 project: Details regarding any savings gained specifically through
20 changes in the cost of materials, changes in the scope of a project
21 and associated impacts on risk, the retirement of any risk reserves,
22 and unused contingency funds.

23 (2)(a) The transportation future funding program is intended to
24 provide for future emergent transportation projects, accelerating the
25 schedule for existing connecting Washington projects, and highway
26 preservation investments, beginning in fiscal year 2024, based on
27 savings accrued from the application of practical design and any
28 retired risk or unused contingency funding on connecting Washington
29 projects. However, for the 2021-2023 biennium the transportation
30 future funding program may be used to fund fish passage barrier
31 removal projects.

32 (b) Beginning July 1, 2016, the department must submit a report
33 to the state treasurer and the transportation committees of the
34 legislature once every six months identifying the amount of savings
35 attributable to the application of practical design, retired risk,
36 and unused contingency funding, and report when the savings become
37 available. The state treasurer must transfer the available amounts
38 identified in the report to the transportation future funding program
39 account created in RCW 46.68.396.

1 (c) Beginning in fiscal year 2024, as a part of its budget
2 submittal, the department may provide a list of highway improvement
3 projects or preservation investments for potential legislative
4 approval as part of the transportation future funding program.
5 Highway improvement projects considered for inclusion under the
6 transportation future funding program may include new connecting
7 Washington projects, or accelerate the schedule for existing
8 connecting Washington projects, and must: Address significant safety
9 concerns; alleviate congestion and advance mobility; provide
10 compelling economic development gains; leverage partnership funds
11 from local, federal, or other sources; or require a next phase of
12 funding to build upon initial investments provided by the
13 legislature.

14 (d) It is the intent of the legislature that if savings
15 attributable to the application of practical design are used to
16 accelerate existing connecting Washington projects, savings must also
17 be used for new connecting Washington projects of equal cost.

18 **Sec. 720.** RCW 47.60.530 and 2017 c 313 s 714 are each amended to
19 read as follows:

20 (1) The Puget Sound ferry operations account is created in the
21 motor vehicle fund.

22 (2) The following funds must be deposited into the account:

23 (a) All moneys directed by law;

24 (b) All revenues generated from ferry fares; and

25 (c) All revenues generated from commercial advertising,
26 concessions, parking, and leases as allowed under RCW 47.60.140.

27 (3) Moneys in the account may be spent only after appropriation.

28 (4) Expenditures from the account may be used only for the
29 maintenance, administration, and operation of the Washington state
30 ferry system.

31 (5) During the 2015-2017 fiscal biennium, the legislature may
32 transfer from the Puget Sound ferry operations account to the
33 connecting Washington account such amounts as reflect the excess fund
34 balance of the Puget Sound ferry operations account.

35 (6) During the 2017-2019 fiscal biennium, the legislature may
36 direct the state treasurer to make transfers of moneys in the Puget
37 Sound ferry operations account to the connecting Washington account.

38 (7) During the 2021-2023 fiscal biennium, the legislature may
39 direct the state treasurer to make transfers of moneys in the Puget

1 Sound ferry operations account to the Puget Sound capital
2 construction account.

3 **Sec. 721.** RCW 47.60.315 and 2019 c 431 s 3 are each amended to
4 read as follows:

5 (1) The commission shall adopt fares and pricing policies by
6 rule, under chapter 34.05 RCW, according to the following schedule:

7 (a) Each year the department shall provide the commission a
8 report of its review of fares and pricing policies, with
9 recommendations for the revision of fares and pricing policies for
10 the ensuing year;

11 (b) By September 1st of each year, beginning in 2008, the
12 commission shall adopt by rule fares and pricing policies for the
13 ensuing year.

14 (2) The commission may adopt by rule fares that are effective for
15 more or less than one year for the purposes of transitioning to the
16 fare schedule in subsection (1) of this section.

17 (3) The commission may increase ferry fares included in the
18 schedule of charges adopted under this section by a percentage that
19 exceeds the fiscal growth factor.

20 (4) The chief executive officer of the ferry system may authorize
21 the use of promotional, discounted, and special event fares to the
22 general public and commercial enterprises for the purpose of
23 maximizing capacity use and the revenues collected by the ferry
24 system. The department shall report to the commission a summary of
25 the promotional, discounted, and special event fares offered during
26 each fiscal year and the financial results from these activities.

27 (5) Fare revenues and other revenues deposited in the Puget Sound
28 ferry operations account created in RCW 47.60.530 may not be used to
29 support the Puget Sound capital construction account created in RCW
30 47.60.505, unless the support for capital is separately identified in
31 the fare or except as provided in section 720 of this act during the
32 2021-2023 biennium.

33 (6) The commission may not raise fares until the fare rules
34 contain pricing policies developed under RCW 47.60.290, or September
35 1, 2009, whichever is later.

36 (7) The commission shall impose a vessel replacement surcharge of
37 twenty-five cents on every one-way and round-trip ferry fare sold,
38 including multiride and monthly pass fares. This surcharge must be

1 clearly indicated to ferry passengers and drivers and, if possible,
2 on the fare media itself.

3 (8) Except as provided in subsection (10) of this section,
4 beginning May 1, 2020, the commission shall impose an additional
5 vessel replacement surcharge in an amount sufficient to fund twenty-
6 five year debt service on one 144-auto hybrid vessel taking into
7 account funds provided in chapter 417, Laws of 2019 or chapter . . .
8 (SSB 5419), Laws of 2019. The department of transportation shall
9 provide to the commission vessel and debt service cost estimates.
10 Information on vessels constructed or purchased with revenue from the
11 surcharges must be publicly posted including, but not limited to, the
12 commission web site.

13 (9) The vessel replacement surcharges imposed in this section may
14 only be used for the construction or purchase of ferry vessels and to
15 pay the principal and interest on bonds authorized for the
16 construction or purchase of new ferry vessels.

17 (10) The commission shall not impose the additional vessel
18 replacement surcharge in subsection (8) of this section if doing so
19 would increase fares by more than ten percent.

20 **Sec. 722.** RCW 34.05.350 and 2011 1st sp.s. c 2 s 1 are each
21 amended to read as follows:

22 (1) If an agency for good cause finds:

23 (a) That immediate adoption, amendment, or repeal of a rule is
24 necessary for the preservation of the public health, safety, or
25 general welfare, and that observing the time requirements of notice
26 and opportunity to comment upon adoption of a permanent rule would be
27 contrary to the public interest;

28 (b) That state or federal law or federal rule or a federal
29 deadline for state receipt of federal funds requires immediate
30 adoption of a rule; or

31 (c) In order to implement the requirements or reductions in
32 appropriations enacted in any budget for fiscal year 2009, 2010,
33 2011, 2012, (~~or~~) 2013, or in an omnibus transportation
34 appropriations act for the 2021-2023 biennium related to setting toll
35 rates or ferry fares, which necessitates the need for the immediate
36 adoption, amendment, or repeal of a rule, and that observing the time
37 requirements of notice and opportunity to comment upon adoption of a
38 permanent rule would be contrary to the fiscal needs or requirements
39 of the agency,

1 the agency may dispense with those requirements and adopt, amend, or
2 repeal the rule on an emergency basis. The agency's finding and a
3 concise statement of the reasons for its finding shall be
4 incorporated in the order for adoption of the emergency rule or
5 amendment filed with the office of the code reviser under RCW
6 34.05.380 and with the rules review committee.

7 (2) An emergency rule adopted under this section takes effect
8 upon filing with the code reviser, unless a later date is specified
9 in the order of adoption, and may not remain in effect for longer
10 than one hundred twenty days after filing. Identical or substantially
11 similar emergency rules may not be adopted in sequence unless
12 conditions have changed or the agency has filed notice of its intent
13 to adopt the rule as a permanent rule, and is actively undertaking
14 the appropriate procedures to adopt the rule as a permanent rule.
15 This section does not relieve any agency from compliance with any law
16 requiring that its permanent rules be approved by designated persons
17 or bodies before they become effective.

18 (3) Within seven days after the rule is adopted, any person may
19 petition the governor requesting the immediate repeal of a rule
20 adopted on an emergency basis by any department listed in RCW
21 43.17.010. Within seven days after submission of the petition, the
22 governor shall either deny the petition in writing, stating his or
23 her reasons for the denial, or order the immediate repeal of the
24 rule. In ruling on the petition, the governor shall consider only
25 whether the conditions in subsection (1) of this section were met
26 such that adoption of the rule on an emergency basis was necessary.
27 If the governor orders the repeal of the emergency rule, any sanction
28 imposed based on that rule is void. This subsection shall not be
29 construed to prohibit adoption of any rule as a permanent rule.

30 **Sec. 723.** RCW 70A.205.425 and 2020 c 20 s 1192 are each amended
31 to read as follows:

32 (1) All receipts from tire fees imposed under RCW 70A.205.405,
33 except as provided in subsection (2) of this section, must be
34 deposited in the waste tire removal account created under RCW
35 70A.205.415. Moneys in the account may be spent only after
36 appropriation. Expenditures from the account may be used for the
37 cleanup of unauthorized waste tire piles and measures that prevent
38 future accumulation of unauthorized waste tire piles.

1 (2) On September 1st of odd-numbered years, the state treasurer
2 must transfer any cash balance in excess of one million dollars from
3 the waste tire removal account created under RCW 70A.205.415 to the
4 motor vehicle fund for the purpose of road wear related maintenance
5 on state and local public highways. However, during the 2021-2023
6 fiscal biennium, the first \$2,220,000 of the excess must be
7 transferred to the state patrol highway account for the purpose of
8 completely satisfying the Washington state patrol's signed agreement
9 referenced in section 301(2), chapter 470, Laws of 2009 regarding
10 reimbursement for expenses incurred to construct a water line to the
11 Washington state patrol's Shelton academy.

12 **2019-2021 FISCAL BIENNIUM**

13 **GENERAL GOVERNMENT AGENCIES—OPERATING**

14 **Sec. 801.** 2019 c 416 s 101 (uncodified) is amended to read as
15 follows:

16 **FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

17 Motor Vehicle Account—State Appropriation (~~(\$545,000)~~)
18 \$536,000

19 **Sec. 802.** 2020 c 219 s 101 (uncodified) is amended to read as
20 follows:

21 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

22 Motor Vehicle Account—State Appropriation (~~(\$1,419,000)~~)
23 \$1,388,000
24 Multimodal Transportation Account—State Appropriation. . . . \$300,000
25 Puget Sound Ferry Operations Account—State Appropriation . . \$121,000
26 TOTAL APPROPRIATION. (~~(\$1,840,000)~~)
27 \$1,809,000

28 The appropriations in this section are subject to the following
29 conditions and limitations: \$300,000 of the multimodal transportation
30 account—state appropriation is provided solely for the office of
31 financial management, in direct coordination with the office of state
32 treasurer, to evaluate, coordinate, and assist in efforts by state
33 agencies in developing cost recovery mechanisms for credit card and
34 other financial transaction fees currently paid from state funds.
35 This may include disbursing interagency reimbursements for the

1 implementation costs incurred by the affected agencies. As part of
2 the first phase of this effort, the office of financial management,
3 with the assistance of relevant agencies, must develop implementation
4 plans and take all necessary steps to ensure that the actual cost-
5 recovery mechanisms will be in place by January 1, 2020, for the
6 vehicles and drivers programs of the department of licensing. By
7 November 1, 2019, the office of financial management must provide a
8 report to the joint transportation committee on the phase 1
9 implementation plan and options to expand similar cost recovery
10 mechanisms to other state agencies and programs, including the
11 ferries division.

12 **Sec. 803.** 2020 c 219 s 102 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF AGRICULTURE**

15 Motor Vehicle Account—State Appropriation (~~(\$1,359,000)~~)
16 \$1,350,000

17 **Sec. 804.** 2019 c 416 s 106 (uncodified) is amended to read as
18 follows:

19 **FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**

20 Motor Vehicle Account—State Appropriation (~~(\$652,000)~~)
21 \$647,000

22 **Sec. 805.** 2020 c 219 s 104 (uncodified) is amended to read as
23 follows:

24 **FOR THE HOUSE OF REPRESENTATIVES**

25 Motor Vehicle Account—State Appropriation (~~(\$3,082,000)~~)
26 \$3,052,000

27 **Sec. 806.** 2020 c 219 s 105 (uncodified) is amended to read as
28 follows:

29 **FOR THE SENATE**

30 Motor Vehicle Account—State Appropriation \$2,999,000

31 **TRANSPORTATION AGENCIES—OPERATING**

32 **Sec. 901.** 2020 c 219 s 201 (uncodified) is amended to read as
33 follows:

1 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

2	Highway Safety Account—State Appropriation	((\$4,675,000))
3		<u>\$4,647,000</u>
4	Highway Safety Account—Federal Appropriation	((\$27,051,000))
5		<u>\$26,943,000</u>
6	Highway Safety Account—Private/Local Appropriation	\$118,000
7	School Zone Safety Account—State Appropriation	\$850,000
8	TOTAL APPROPRIATION.	((\$32,694,000))
9		<u>\$32,558,000</u>

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

12 (1) \$150,000 of the highway safety account—state appropriation is
13 provided solely for the implementation of chapter 54, Laws of 2019
14 (Cooper Jones Active Transportation Safety Council). If chapter 54,
15 Laws of 2019 is not enacted by June 30, 2019, the amount provided in
16 this subsection lapses.

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

21 (a) Any programs authorized by the commission must be authorized
22 by December 31, 2020.

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

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

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

35 (ii) The law enforcement agency of the city or county government
36 shall install two signs facing opposite directions within two hundred
37 feet, or otherwise consistent with the uniform manual on traffic
38 control devices, where the automated vehicle noise enforcement camera
39 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		<u>\$2,995,000</u>
2	County Arterial Preservation Account—State	
3	Appropriation	\$1,677,000
4	TOTAL APPROPRIATION.	((\$5,734,000))
5		<u>\$5,809,000</u>

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

10 **Sec. 903.** 2020 c 219 s 203 (uncodified) is amended to read as
11 follows:

12 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

13	Transportation Improvement Account—State	
14	Appropriation	((\$3,854,000))
15		<u>\$3,825,000</u>

16 **Sec. 904.** 2020 c 219 s 204 (uncodified) is amended to read as
17 follows:

18 **FOR THE JOINT TRANSPORTATION COMMITTEE**

19	Motor Vehicle Account—State Appropriation	((\$2,187,000))
20		<u>\$2,173,000</u>
21	Multimodal Transportation Account—State Appropriation.	((\$917,000))
22		<u>\$895,000</u>
23	Highway Safety Account—State Appropriation.	\$275,000
24	TOTAL APPROPRIATION.	((\$3,379,000))
25		<u>\$3,343,000</u>

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

- 28 (1) \$400,000 of the motor vehicle account—state appropriation and
29 \$50,000 of the multimodal transportation account—state appropriation
30 is for the joint transportation committee to conduct a comprehensive
31 assessment of statewide transportation needs and priorities, and
32 existing and potential transportation funding mechanisms to address
33 those needs and priorities. The assessment must include: (a)
34 Recommendations on the critical state and local transportation
35 projects, programs, and services needed to achieve an efficient,
36 effective, statewide transportation system over the next ten years;
37 (b) a comprehensive menu of funding options for the legislature to

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		<u>\$1,861,000</u>
10	Interstate 405 and <u>State</u> Route Number 167 Express Toll Lanes	
11	Account—State Appropriation.	((\$410,000))
12		<u>\$406,000</u>
13	State Route Number 520 Corridor Account—State	
14	Appropriation.	((\$271,000))
15		<u>\$262,000</u>
16	Tacoma Narrows Toll Bridge Account—State	
17	Appropriation.	((\$158,000))
18		<u>\$152,000</u>
19	Alaskan Way Viaduct Replacement Project	
20	Account—State Appropriation.	((\$136,000))
21		<u>\$132,000</u>
22	TOTAL APPROPRIATION.	((\$3,299,000))
23		<u>\$2,813,000</u>

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	(\$5,052,000)
35		<u>\$5,023,000</u>
36	State Wildlife Account—State Appropriation	(\$511,000)
37		<u>\$510,000</u>
38	Highway Safety Account—State Appropriation	(\$242,965,000)

1		<u>\$222,441,000</u>
2	Highway Safety Account—Federal Appropriation	\$1,294,000
3	Motor Vehicle Account—State Appropriation	((\$71,447,000))
4		<u>\$65,416,000</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	((\$5,779,000))
9		<u>\$4,687,000</u>
10	Department of Licensing Services Account—State	
11	Appropriation	((\$7,696,000))
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.	((\$366,677,000))
24		<u>\$338,989,000</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 of the highway safety account—state appropriation
36 is provided solely for communication and outreach activities
37 necessary to inform the public of federally acceptable identification
38 options including, but not limited to, enhanced drivers' licenses and
39 enhanced identicards. The department shall continue the outreach plan

1 that includes informational material that can be effectively
2 communicated to all communities and populations in Washington. To
3 accomplish this work, the department shall contract with an external
4 vendor with demonstrated experience and expertise in outreach and
5 marketing to underrepresented communities in a culturally-responsive
6 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	((\$59,059,000))
29		<u>\$39,033,000</u>
30	State Route Number 520 Civil Penalties Account—State	
31	Appropriation	((\$4,145,000))
32		<u>\$13,530,000</u>
33	Tacoma Narrows Toll Bridge Account—State	
34	Appropriation	((\$33,806,000))
35		<u>\$34,073,000</u>
36	Alaskan Way Viaduct Replacement Project Account—State	
37	Appropriation.	((\$21,616,000))
38		<u>\$19,857,000</u>

1 Interstate 405 and State Route Number 167 Express
2 Toll Lanes Account—State Appropriation. (~~(\$27,457,000)~~)
3 \$23,637,000
4 Motor Vehicle Account—State Appropriation. \$4,170,000
5 TOTAL APPROPRIATION. (~~(\$146,083,000)~~)
6 \$134,300,000

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

9 (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state
10 appropriation and \$11,034,000 of the state route number 520 corridor
11 account—state appropriation are provided solely for the purposes of
12 addressing unforeseen operations and maintenance costs on the Tacoma
13 Narrows bridge and the state route number 520 bridge, respectively.
14 The office of financial management shall place the amounts provided
15 in this subsection, which represent a portion of the required minimum
16 fund balance under the policy of the state treasurer, in unallotted
17 status. The office may release the funds only when it determines that
18 all other funds designated for operations and maintenance purposes
19 have been exhausted.

20 (2) As long as the facility is tolled, the department must
21 provide quarterly reports to the transportation committees of the
22 legislature on the Interstate 405 express toll lane project
23 performance measures listed in RCW 47.56.880(4). These reports must
24 include:

25 (a) Information on the travel times and travel time reliability
26 (at a minimum, average and 90th percentile travel times) maintained
27 during peak and nonpeak periods in the express toll lanes and general
28 purpose lanes for both the entire corridor and commonly made trips in
29 the corridor including, but not limited to, northbound from Bellevue
30 to Rose Hill, state route number 520 at NE 148th to Interstate 405 at
31 state route number 522, Bellevue to Bothell (both NE 8th to state
32 route number 522 and NE 8th to state route number 527), and a trip
33 internal to the corridor (such as NE 85th to NE 160th) and similar
34 southbound trips;

35 (b) A month-to-month comparison of travel times and travel time
36 reliability for the entire corridor and commonly made trips in the
37 corridor as specified in (a) of this subsection since implementation
38 of the express toll lanes and, to the extent available, a comparison

1 to the travel times and travel time reliability prior to
2 implementation of the express toll lanes;

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

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

15 (3) (a) (~~(\$2,114,000)~~) \$1,406,000 of the Interstate 405 and state
16 route number 167 express toll lanes account—state appropriation,
17 (~~(\$4,920,000)~~) \$3,269,000 of the state route number 520 corridor
18 account—state appropriation, (~~(\$2,116,000)~~) \$1,407,000 of the Tacoma
19 Narrows toll bridge account—state appropriation, and (~~(\$2,776,000)~~)
20 \$1,844,000 of the Alaskan Way viaduct replacement project account—
21 state appropriation are provided solely for the department to finish
22 implementing a new tolling customer service toll collection system,
23 and are subject to the conditions, limitations, and review provided
24 in section 701 (~~(of this act)~~), chapter 219, Laws of 2020.

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

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

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

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

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

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

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

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

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

18 (iv) Workload costs related to hearings;

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

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

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

24 (5) (~~(\$24,735,000)~~) \$21,623,000 of the Interstate 405 and state
25 route number 167 express toll lanes account—state appropriation is
26 provided solely for operational costs related to the express toll
27 lane facility.

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

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

3 ~~(7)~~ ~~\$18,840,000~~) \$18,013,000 of the Alaskan Way viaduct
4 replacement project account—state appropriation is provided solely
5 for the new state route number 99 tunnel toll facility's expected
6 share of collecting toll revenues, operating customer services, and
7 maintaining toll collection systems. The legislature expects to see
8 appropriate reductions to the other toll facility accounts once
9 tolling on the new state route number 99 tunnel toll facility
10 commences and any previously incurred costs for start-up of the new
11 facility are charged back to the Alaskan Way viaduct replacement
12 project account. The office of financial management shall closely
13 monitor the application of the cost allocation model and ensure that
14 the new state route number 99 tunnel toll facility is adequately
15 sharing costs and the other toll facility accounts are not being
16 overspent or subsidizing the new state route number 99 tunnel toll
17 facility.

18 ~~((8))~~ (7) \$608,000 of the Interstate 405 and state route number
19 167 express toll lanes account—state appropriation are provided
20 solely for increased levels of service from the Washington state
21 patrol for enforcement of toll lane violations on the Interstate 405
22 and state route number 167 express toll lanes. The department shall
23 compile monthly data on the number of Washington state patrol
24 enforcement hours on each facility and the percentage of time during
25 peak hours that speeds are at or above forty-five miles per hour on
26 each facility. The department shall provide this data in a report to
27 the transportation committees of the legislature on at least a
28 calendar quarterly basis.

29 ~~((9))~~ (8) The department shall develop an ongoing cost
30 allocation method to assign appropriate costs to each of the toll
31 funds for services provided by each Washington state department of
32 transportation program and all relevant transportation agencies,
33 including the Washington state patrol and the transportation
34 commission. This method should update the toll cost allocation method
35 used in the 2020 supplemental transportation appropriations act. By
36 December 1, 2020, a report with the recommended method and any
37 changes or potential impacts to toll rates shall be submitted to the
38 transportation committees of the legislature and the office of
39 financial management.

1 expenditures made to date for the purposes of this project, and
2 expenditures projected through the remainder of the project timeline.

3 (2) \$1,375,000 of the motor vehicle account—state appropriation
4 is provided solely for the department's cost related to the one
5 Washington project.

6 (3) \$21,500,000 of the motor vehicle account—state appropriation
7 is provided solely for the activities of the information technology
8 program in developing and maintaining information systems that
9 support the operations and program delivery of the department,
10 ensuring compliance with section 701 (~~of this act~~), chapter 219,
11 Laws of 2020, and the requirements of the office of the chief
12 information officer under RCW 43.88.092 to evaluate and prioritize
13 any new financial and capital systems replacement or modernization
14 project and any other information technology project. During the
15 2019-2021 fiscal biennium, the department may use the distributed
16 direct program support or other cost allocation method to fund a new
17 capital systems replacement or modernization project. The department
18 shall submit a decision package for implementation of a new capital
19 systems replacement project to the governor and the transportation
20 committees of the legislature as part of the normal budget process
21 for the 2021-2023 biennium.

22 **Sec. 911.** 2020 c 219 s 211 (uncodified) is amended to read as
23 follows:

24 **FOR THE DEPARTMENT OF TRANSPORTATION—FACILITY MAINTENANCE,**
25 **OPERATIONS, AND CONSTRUCTION—PROGRAM D—OPERATING**

26 Motor Vehicle Account—State Appropriation	((\$34,807,000))
	<u>\$33,819,000</u>
28 State Route Number 520 Corridor Account—State	
29 Appropriation	\$34,000
30 TOTAL APPROPRIATION.	((\$34,841,000))
31	<u>\$33,853,000</u>

32 **Sec. 912.** 2020 c 219 s 212 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F**

35 Aeronautics Account—State Appropriation	((\$7,743,000))
36	<u>\$6,773,000</u>
37 Aeronautics Account—Federal Appropriation	\$3,043,000

1 Aeronautics Account—Private/Local Appropriation \$60,000
2 TOTAL APPROPRIATION. (~~(\$10,846,000)~~)
3 \$9,876,000

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

6 (1) (~~(\$2,862,000)~~) \$2,505,000 of the aeronautics account—state
7 appropriation is provided solely for the airport aid grant program,
8 which provides competitive grants to public use airports for
9 pavement, safety, maintenance, planning, and security.

10 (2) (~~(\$268,000)~~) \$218,000 of the aeronautics account—state
11 appropriation is provided solely for one FTE dedicated to planning
12 aviation emergency services and addressing emerging aeronautics
13 requirements.

14 (3) \$200,000 of the aeronautics account—state appropriation is
15 provided solely for the department to convene an electric aircraft
16 work group to study the state of the electrically powered aircraft
17 industry and assess infrastructure needs related to the deployment of
18 electric or hybrid-electric aircraft for commercial air travel in
19 Washington state.

20 (a) The chair of the work group may be a consultant specializing
21 in aeronautics. The work group must include, but is not limited to,
22 representation from the electric aircraft industry, the aircraft
23 manufacturing industry, electric utility districts, the battery
24 industry, the department of commerce, the department of
25 transportation aviation division, the airline pilots association, a
26 primary airport representing an airport association, and the airline
27 industry.

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

29 (i) Infrastructure requirements necessary to facilitate electric
30 aircraft operations at airports;

31 (ii) Potential economic and public benefits including, but not
32 limited to, the direct and indirect impact on the number of
33 manufacturing and service jobs and the wages from those jobs in
34 Washington state;

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

37 (iv) Educational and workforce requirements for manufacturing and
38 maintaining electric aircraft;

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

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

7 (vii) Recommendations to further the advancement of the
8 electrification of aircraft for regional commercial use within
9 Washington state, including specific, measurable goals for the years
10 2030, 2040, and 2050 that reflect progressive and substantial
11 increases in the utilization of electric and hybrid-electric
12 commercial aircraft.

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

16 (4) (~~(\$350,000)~~) \$193,000 of the aeronautics account—state
17 appropriation is provided solely for the implementation of chapter
18 396, Laws of 2019 (aviation coordinating commission).

19 (5) Within amounts appropriated in this section, the aviation
20 division of the department shall assist and consult with the
21 department of revenue in their efforts to update the document titled
22 "Washington Action Plan - FAA Policy Concerning Airport Revenue" to
23 reflect changes to Washington tax code regarding hazardous
24 substances. The department of revenue, in consultation with the
25 aviation division of the Washington state department of
26 transportation, is tasked with developing and recommending a
27 methodology to segregate and track actual amounts collected from the
28 hazardous substance tax under chapter 82.21 RCW and the petroleum
29 products tax under chapter 82.23A RCW as imposed on aviation fuel.
30 The department of revenue is directed to submit a report, including
31 the recommended methodology, to the fiscal committees of the house of
32 representatives and the senate by January 11, 2021.

33 **Sec. 913.** 2020 c 219 s 213 (uncodified) is amended to read as
34 follows:

35 **FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND**
36 **SUPPORT—PROGRAM H**

37 Motor Vehicle Account—State Appropriation	((\$59,788,000))
38	<u>\$55,549,000</u>

1	Motor Vehicle Account—Federal Appropriation	\$500,000
2	Multimodal Transportation Account—State Appropriation . . .	\$258,000
3	TOTAL APPROPRIATION.	(\$60,546,000)
4		<u>\$56,307,000</u>

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

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

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

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

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

37 (2) With respect to Parcel 12 of the real property conveyed by
38 the state of Washington to the city of Mercer Island under that
39 certain quitclaim deed, dated April 19, 2000, recorded in King county

1 under recording no. 20000425001234, the requirement in the deed that
2 the property be used for road/street purposes only will be deemed
3 satisfied by the department of transportation so long as commuter
4 parking, as part of the vertical development of the property, is one
5 of the significant uses of the property.

6 (3) \$1,600,000 of the motor vehicle account—state appropriation
7 is provided solely for real estate services activities. Consistent
8 with RCW 47.12.120 and during the 2019-2021 fiscal biennium, when
9 initiating, extending, or renewing any rent or lease agreements with
10 a regional transit authority, consideration of value must be
11 equivalent to one hundred percent of economic or market rent.

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

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

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

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

27 **Sec. 914.** 2020 c 219 s 214 (uncodified) is amended to read as
28 follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—**
30 **PROGRAM K**

31	Motor Vehicle Account—State Appropriation	((\$670,000))
32		<u>\$654,000</u>
33	Electric Vehicle Account—State Appropriation.	((\$2,000,000))
34		<u>\$100,000</u>
35	Multimodal Transportation Account—State Appropriation. ((\$1,634,000))	
36		<u>\$350,000</u>
37	TOTAL APPROPRIATION.	((\$4,304,000))
38		<u>\$1,104,000</u>

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

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

6 (2) \$350,000 of the multimodal transportation account—state
7 appropriation is provided solely for the department to execute a
8 transit oriented development pilot project at Kingsgate park and ride
9 in Kirkland intended to be completed by December 31, 2023. The
10 purpose of the pilot project is to demonstrate how appropriate
11 department properties may be used to provide multiple public benefits
12 such as affordable and market rate housing, commercial development,
13 and institutional facilities in addition to transportation purposes.
14 To accomplish the pilot project, the department is authorized to
15 exercise all legal and administrative powers authorized in statute
16 that may include, but is not limited to, the transfer, lease, or sale
17 of some or all of the property to another governmental agency, public
18 development authority, or nonprofit developer approved by the
19 department and partner agencies. The department may also partner with
20 sound transit, King county, the city of Kirkland, and any other
21 federal, regional, or local jurisdiction on any policy changes
22 necessary from those jurisdictions to facilitate the pilot project.
23 By December 1, 2019, the department must report to the legislature on
24 any legislative actions necessary to facilitate the pilot project and
25 future transit oriented development projects.

26 (3) (~~(\$2,000,000)~~) \$100,000 of the electric vehicle account—state
27 appropriation is provided solely for the clean alternative fuel
28 vehicle charging and refueling infrastructure program in chapter 287,
29 Laws of 2019 (advancing green transportation adoption).

30 (~~(\$1,200,000 of the multimodal transportation account—state~~
31 ~~appropriation is provided solely for the pilot program established~~
32 ~~under chapter 287, Laws of 2019 (advancing green transportation~~
33 ~~adoption) to provide clean alternative fuel vehicle use opportunities~~
34 ~~to underserved communities and low to moderate income members of the~~
35 ~~workforce not readily served by transit or located in transportation~~
36 ~~corridors with emissions that exceed federal or state emissions~~
37 ~~standards.~~

38 (~~\$84,000 of the multimodal transportation account—state~~
39 ~~appropriation is provided solely for an interagency transfer to the~~

1 department of commerce for the purpose of conducting a study as
2 described in chapter 287, Laws of 2019 (advancing green
3 transportation adoption) to identify opportunities to reduce barriers
4 to electric vehicle adoption by lower income residents of the state
5 through the use of vehicle and infrastructure financing assistance.

6 (6)) Building on the information and experience gained from the
7 transit oriented development project at the Kingsgate park and ride,
8 the department must identify a pilot park and ride with future
9 public-private partnership development potential in Pierce county and
10 report back to the transportation committees of the legislature by
11 June 30, 2021, with a proposal for moving forward with a pilot
12 project.

13 **Sec. 915.** 2020 c 219 s 215 (uncodified) is amended to read as
14 follows:

15 **FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M**

16	Motor Vehicle Account—State Appropriation	((\$486,514,000))
17		<u>\$461,472,000</u>
18	Motor Vehicle Account—Federal Appropriation	\$7,000,000
19	State Route Number 520 Corridor Account—State	
20	Appropriation	((\$4,447,000))
21		<u>\$4,422,000</u>
22	Tacoma Narrows Toll Bridge Account—State	
23	Appropriation	((\$1,549,000))
24		<u>\$1,539,000</u>
25	Alaskan Way Viaduct Replacement Project	
26	Account—State Appropriation	((\$9,537,000))
27		<u>\$8,844,000</u>
28	Interstate 405 and State Route Number 167 Express	
29	Toll Lanes Account—State Appropriation.	\$4,528,000
30	TOTAL APPROPRIATION.	((\$513,575,000))
31		<u>\$487,805,000</u>

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

34 (1) (a) \$6,170,000 of the motor vehicle account—state
35 appropriation is provided solely for utility fees assessed by local
36 governments as authorized under RCW 90.03.525 for the mitigation of
37 stormwater runoff from state highways. Plan and reporting
38 requirements as required in chapter 435, Laws of 2019 (Local

1 Stormwater Charges) shall be consistent with the January 2012
2 findings of the Joint Transportation Committee Report for Effective
3 Cost Recovery Structure for WSDOT, Jurisdictions, and Efficiencies in
4 Stormwater Management.

5 (b) Pursuant to RCW 90.03.525(3), the department and the
6 utilities imposing charges to the department shall negotiate with the
7 goal of agreeing to rates such that the total charges to the
8 department for the 2019-2021 fiscal biennium do not exceed the amount
9 provided in this subsection. The department shall report to the
10 transportation committees of the legislature on the amount of funds
11 requested, the funds granted, and the strategies used to keep costs
12 down, by January 17, 2021. If chapter 435, Laws of 2019 (local
13 stormwater charges) is enacted by June 30, 2019, this subsection
14 (1)(b) does not take effect.

15 (2) (~~(\$4,447,000)~~) \$4,422,000 of the state route number 520
16 corridor account—state appropriation is provided solely to maintain
17 the state route number 520 floating bridge. These funds must be used
18 in accordance with RCW 47.56.830(3).

19 (3) (~~(\$1,549,000)~~) \$1,539,000 of the Tacoma Narrows toll bridge
20 account—state appropriation is provided solely to maintain the new
21 Tacoma Narrows bridge. These funds must be used in accordance with
22 RCW 47.56.830(3).

23 (4) \$2,050,000 of the Interstate 405 and state route number 167
24 express toll lanes account—state appropriation is provided solely to
25 maintain the Interstate 405 and state route number 167 express toll
26 lanes between Lynnwood and Bellevue, and Renton and the southernmost
27 point of the express toll lanes. These funds must be used in
28 accordance with RCW 47.56.830(3).

29 (5) \$2,478,000 of the Interstate 405 and state route number 167
30 express toll lanes account—state appropriation is provided solely for
31 maintenance for the 2019-2021 fiscal biennium only on the Interstate
32 405 roadway between Renton and Bellevue.

33 (6) \$5,000,000 of the motor vehicle account—state appropriation
34 is provided solely for a contingency pool for snow and ice removal.
35 The department must notify the office of financial management and the
36 transportation committees of the legislature when they have spent the
37 base budget for snow and ice removal and will begin using the
38 contingency pool funding.

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

14 (8) \$1,015,000 of the motor vehicle account—state appropriation
15 is provided solely for a partnership program between the department
16 and the city of Tacoma. The program shall address the safety and
17 public health problems created by homeless encampments on the
18 department's property along state highways within the city limits.
19 \$570,000 is for dedicated department maintenance staff and associated
20 clean-up costs. The department and the city of Tacoma shall enter
21 into a reimbursable agreement to cover up to \$445,000 of the city's
22 expenses for clean-up crews and landfill costs.

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

33 **Sec. 916.** 2020 c 219 s 216 (uncodified) is amended to read as
34 follows:

35 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
36 **OPERATING**

37 Motor Vehicle Account—State Appropriation	(\$76,211,000)
38	<u>\$73,219,000</u>

1	Motor Vehicle Account—Federal Appropriation	\$2,050,000
2	Motor Vehicle Account—Private/Local Appropriation	\$250,000
3	State Route Number 520 Corridor Account—State	
4	Appropriation.	\$53,000
5	Tacoma Narrows Toll Bridge Account—State Appropriation. . . .	\$31,000
6	Alaskan Way Viaduct Replacement Project Account—	
7	State Appropriation.	\$26,000
8	Interstate 405 and State Route Number 167 Express	
9	Toll Lanes Account—State Appropriation.	\$32,000
10	TOTAL APPROPRIATION.	(\$78,653,000)
11		<u>\$75,661,000</u>

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

14 (1) \$6,000,000 of the motor vehicle account—state appropriation
15 is provided solely for low-cost enhancements. The department shall
16 give priority to low-cost enhancement projects that improve safety or
17 provide congestion relief. By December 15th of each odd-numbered
18 year, the department shall provide a report to the legislature
19 listing all low-cost enhancement projects completed in the prior
20 fiscal biennium.

21 (2) (a) During the 2019-2021 fiscal biennium, the department shall
22 continue a pilot program that expands private transportation
23 providers' access to high occupancy vehicle lanes. Under the pilot
24 program, when the department reserves a portion of a highway based on
25 the number of passengers in a vehicle, the following vehicles must be
26 authorized to use the reserved portion of the highway if the vehicle
27 has the capacity to carry eight or more passengers, regardless of the
28 number of passengers in the vehicle: (i) Auto transportation company
29 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter
30 carrier vehicles regulated under chapter 81.70 RCW, except marked or
31 unmarked stretch limousines and stretch sport utility vehicles as
32 defined under department of licensing rules; (iii) private nonprofit
33 transportation provider vehicles regulated under chapter 81.66 RCW;
34 and (iv) private employer transportation service vehicles. For
35 purposes of this subsection, "private employer transportation
36 service" means regularly scheduled, fixed-route transportation
37 service that is offered by an employer for the benefit of its
38 employees. Nothing in this subsection is intended to authorize the
39 conversion of public infrastructure to private, for-profit purposes

1 or to otherwise create an entitlement or other claim by private users
2 to public infrastructure.

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

13 (c) The department shall expand the high occupancy vehicle lane
14 access pilot program to organ transport vehicles transporting a time
15 urgent organ for an organ procurement organization as defined in RCW
16 68.64.010. Under the pilot program, when the department reserves a
17 portion of a highway based on the number of passengers in a vehicle,
18 organ transport vehicles that are clearly and identifiably marked as
19 such on all sides of the vehicle are considered emergency vehicles
20 and must be authorized to use the reserved portion of the highway.

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

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

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

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

1 (5) \$32,000 of the Interstate 405 and state route number 167
 2 express toll lanes account—state appropriation, \$53,000 of the state
 3 route number 520 corridor account—state appropriation, \$31,000 of the
 4 Tacoma Narrows toll bridge account—state appropriation, and \$26,000
 5 of the Alaskan Way viaduct replacement project account—state
 6 appropriation are provided solely for the traffic operations
 7 program's proportional share of time spent supporting tolling
 8 operations for the respective tolling facilities.

9 **Sec. 917.** 2020 c 219 s 217 (uncodified) is amended to read as
 10 follows:

11 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND**
 12 **SUPPORT—PROGRAM S**

13	Motor Vehicle Account—State Appropriation	((\$38,251,000))
14		<u>\$35,914,000</u>
15	Motor Vehicle Account—Federal Appropriation	\$1,380,000
16	Motor Vehicle Account—Private/Local Appropriation	\$500,000
17	Multimodal Transportation Account—State	
18	Appropriation	\$1,129,000
19	State Route Number 520 Corridor Account—State	
20	Appropriation.	\$199,000
21	Tacoma Narrows Toll Bridge Account—State Appropriation. . .	\$116,000
22	Alaskan Way Viaduct Replacement Project Account—	
23	State Appropriation.	\$100,000
24	Interstate 405 and State Route Number 167 Express	
25	Toll Lanes Account—State Appropriation.	\$119,000
26	TOTAL APPROPRIATION.	((\$41,794,000))
27		<u>\$39,457,000</u>

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

30 (1) \$2,000,000 of the motor vehicle account—state appropriation
 31 is provided solely for a grant program that makes awards for the
 32 following: (a) Support for nonprofit agencies, churches, and other
 33 entities to help provide outreach to populations underrepresented in
 34 the current apprenticeship programs; (b) preapprenticeship training;
 35 and (c) child care, transportation, and other supports that are
 36 needed to help women, veterans, and minorities enter and succeed in
 37 apprenticeship. The department must report on grants that have been
 38 awarded and the amount of funds disbursed by December 1st each year.

1 If moneys are provided in the omnibus operating appropriations act
2 for a career connected learning grant program, defined in
3 chapter . . . (Substitute House Bill No. 1336), Laws of 2019, or
4 otherwise, the amount provided in this subsection lapses.

5 (2) \$150,000 of the motor vehicle account—state appropriation is
6 provided solely for a user-centered and mobile-compatible web site
7 redesign using estimated web site ad revenues.

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

26 (4) \$119,000 of the Interstate 405 and state route number 167
27 express toll lanes account—state appropriation, \$199,000 of the state
28 route number 520 corridor account—state appropriation, \$116,000 of
29 the Tacoma Narrows toll bridge account—state appropriation, and
30 \$100,000 of the Alaskan Way viaduct replacement project account—state
31 appropriation are provided solely for the transportation management
32 and support program's proportional share of time spent supporting
33 tolling operations for the respective tolling facilities.

34 **Sec. 918.** 2020 c 219 s 218 (uncodified) is amended to read as
35 follows:

36 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA,**
37 **AND RESEARCH—PROGRAM T**

38 Interstate 405 and State Route Number 167 Express Toll Lanes

1	Account—State Appropriation.	((\$3,123,000))
2		<u>\$121,000</u>
3	Motor Vehicle Account—State Appropriation	((\$26,587,000))
4		<u>\$24,053,000</u>
5	Motor Vehicle Account—Federal Appropriation	((\$35,385,000))
6		<u>\$32,508,000</u>
7	Motor Vehicle Account—Private/Local Appropriation.	\$1,200,000
8	Multimodal Transportation Account—State Appropriation . . .	\$710,000
9	Multimodal Transportation Account—Federal	
10	Appropriation	\$2,809,000
11	Multimodal Transportation Account—Private/Local	
12	Appropriation	\$100,000
13	State Route Number 520 Corridor Account—State	
14	Appropriation.	((\$763,000))
15		<u>\$83,000</u>
16	((Tacoma Narrows Toll Bridge Account—State Appropriation. . .	\$121,000
17	Alaskan Way Viaduct Replacement Project Account—	
18	State Appropriation.	\$104,000)
19	TOTAL APPROPRIATION.	((\$70,902,000))
20		<u>\$61,584,000</u>

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

23 (1) \$130,000 of the motor vehicle account—state appropriation is
24 provided solely for completion of a corridor study to identify
25 potential improvements between exit 116 and exit 99 of Interstate 5.
26 The study should further develop mid- and long-term strategies from
27 the corridor sketch, and identify potential US 101/I-5 interchange
28 improvements, a strategic plan for the Nisqually River bridges,
29 regional congestion relief options, and ecosystem benefits to the
30 Nisqually River estuary for salmon productivity and flood control.

31 (2) The study on state route number 518 referenced in section
32 218(5), chapter 297, Laws of 2018 must be submitted to the
33 transportation committees of the legislature by November 30, 2019.

34 (3) \$100,000 of the motor vehicle account—state appropriation is
35 provided solely to complete the Tacoma mall direct access feasibility
36 study.

37 (4) ((~~\$4,600,000~~)) \$673,000 of the motor vehicle account—federal
38 appropriation is provided solely to complete the road usage charge
39 pilot project overseen by the transportation commission using the

1 remaining unspent amount of the federal grant award. The purpose of
2 the road usage charge pilot project is to explore the viability of a
3 road usage charge as a possible replacement for the gas tax.

4 (5) \$1,050,000 of the motor vehicle account—federal appropriation
5 is provided solely for the Forward Drive road usage charge research
6 project overseen by the transportation commission using a portion of
7 the amount of the federal grant award. The purpose of the Forward
8 Drive road usage charge research project is to advance research in
9 key policy areas related to road usage charge including assessing
10 impacts of future mobility shifts on road usage charge revenues,
11 conducting an equity analysis, updating and assessing emerging
12 mileage reporting methods, determining opportunities to reduce cost
13 of collection, conducting small-scale pilot tests, and identifying a
14 long-term, detailed phase-in plan.

15 ~~(((\$3,000,000)) (6) \$121,000 of the Interstate 405 and state route~~
16 ~~number 167 express toll lanes account—state appropriation is provided~~
17 ~~solely for updating the state route number 167 master plan. ((If~~
18 ~~chapter 421, Laws of 2019 (addressing tolling) is not enacted by June~~
19 ~~30, 2019, the amount provided in this subsection lapses.~~

20 ~~(6) \$123,000 of the Interstate 405 and state route number 167~~
21 ~~express toll lanes account—state appropriation, \$207,000 of the state~~
22 ~~route number 520 corridor account—state appropriation, \$121,000 of~~
23 ~~the Tacoma Narrows toll bridge account—state appropriation, and~~
24 ~~\$104,000 of the Alaskan Way viaduct replacement project account—state~~
25 ~~appropriation are provided solely for the transportation planning,~~
26 ~~data, and research program's proportional share of time spent~~
27 ~~supporting tolling operations for the respective tolling~~
28 ~~facilities.))~~

29 (7) By December 31, 2020, the department shall provide to the
30 governor and the transportation committees of the legislature a
31 report examining the feasibility of doing performance-based
32 evaluations for projects. The department must incorporate feedback
33 from stakeholder groups, including traditionally underserved and
34 historically disadvantaged populations, and the report shall include
35 the project evaluation procedures that would be used for the
36 performance-based evaluation.

37 ~~(8) ((\$556,000 of the state route number 520 corridor account—~~
38 ~~state appropriation is provided solely for the department to contract~~
39 ~~with the University of Washington—department of mechanical~~

1 engineering, to study measures to reduce noise impacts from the state
 2 route number 520 bridge expansion joints. The field testing shall be
 3 scheduled during existing construction, maintenance, or other
 4 scheduled closures to minimize impacts. The testing must also ensure
 5 safety of the traveling public. The study shall examine testing
 6 methodologies and project timelines and costs. A final report must be
 7 submitted to the transportation committees of the legislature and the
 8 governor by December 1, 2021.

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

21 **Sec. 919.** 2020 c 219 s 219 (uncodified) is amended to read as
 22 follows:

23 **FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—**
 24 **PROGRAM U**

25	Motor Vehicle Account—State Appropriation	((\$79,474,000))
26		<u>\$81,890,000</u>
27	Multimodal Transportation Account—State	
28	Appropriation	\$2,833,000
29	Interstate 405 and State Route Number 167 Express	
30	Toll Lanes Account—State Appropriation.	\$122,000
31	State Route Number 520 Corridor Account—State	
32	Appropriation.	\$205,000
33	Tacoma Narrows Toll Bridge Account—State	
34	Appropriation.	\$120,000
35	Alaskan Way Viaduct Replacement Project Account—State	
36	Appropriation.	\$102,000
37	TOTAL APPROPRIATION.	((\$82,856,000))
38		<u>\$85,362,000</u>

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

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

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

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

29 (4) \$122,000 of the Interstate 405 and state route number 167
30 express toll lanes account—state appropriation, \$205,000 of the state
31 route number 520 corridor account—state appropriation, \$120,000 of
32 the Tacoma Narrows toll bridge account—state appropriation, and
33 \$102,000 of the Alaskan Way viaduct replacement project account—state
34 appropriation are provided solely for the charges from other
35 agencies' program's proportional share of supporting tolling
36 operations for the respective tolling facilities.

37 (5) When the department identifies significant legal issues that
38 have potential transportation budget implications, the department
39 must initiate a briefing for appropriate legislative members or staff

1 through the office of the attorney general and its legislative
2 briefing protocol.

3 **Sec. 920.** 2020 c 219 s 220 (uncodified) is amended to read as
4 follows:

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

6 State Vehicle Parking Account—State Appropriation	\$784,000
7 Regional Mobility Grant Program Account—State	
8 Appropriation	(\$88,698,000)
9	<u>\$83,834,000</u>
10 Rural Mobility Grant Program Account—State	
11 Appropriation	\$32,223,000
12 Multimodal Transportation Account—State	
13 Appropriation	(\$122,355,000)
14	<u>\$116,748,000</u>
15 Multimodal Transportation Account—Federal	
16 Appropriation	\$3,574,000
17 Multimodal Transportation Account—Local	
18 Appropriation	\$100,000
19 TOTAL APPROPRIATION.	(\$247,734,000)
20	<u>\$237,263,000</u>

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

23 (1) \$62,698,000 of the multimodal transportation account—state
24 appropriation is provided solely for a grant program for special
25 needs transportation provided by transit agencies and nonprofit
26 providers of transportation. Of this amount:

27 (a) \$14,297,000 of the multimodal transportation account—state
28 appropriation is provided solely for grants to nonprofit providers of
29 special needs transportation. Grants for nonprofit providers must be
30 based on need, including the availability of other providers of
31 service in the area, efforts to coordinate trips among providers and
32 riders, and the cost effectiveness of trips provided. Fuel type may
33 not be a factor in the grant selection process.

34 (b) \$48,401,000 of the multimodal transportation account—state
35 appropriation is provided solely for grants to transit agencies to
36 transport persons with special transportation needs. To receive a
37 grant, the transit agency must, to the greatest extent practicable,
38 have a maintenance of effort for special needs transportation that is

1 no less than the previous year's maintenance of effort for special
2 needs transportation. Grants for transit agencies must be prorated
3 based on the amount expended for demand response service and route
4 deviated service in calendar year 2017 as reported in the "Summary of
5 Public Transportation - 2017" published by the department of
6 transportation. No transit agency may receive more than thirty
7 percent of these distributions. Fuel type may not be a factor in the
8 grant selection process.

9 (2) \$32,223,000 of the rural mobility grant program account—state
10 appropriation is provided solely for grants to aid small cities in
11 rural areas as prescribed in RCW 47.66.100. Fuel type may not be a
12 factor in the grant selection process.

13 (3) (a) \$10,539,000 of the multimodal transportation account—state
14 appropriation is provided solely for a vanpool grant program for: (i)
15 Public transit agencies to add vanpools or replace vans; and (ii)
16 incentives for employers to increase employee vanpool use. The grant
17 program for public transit agencies will cover capital costs only;
18 operating costs for public transit agencies are not eligible for
19 funding under this grant program. Additional employees may not be
20 hired from the funds provided in this section for the vanpool grant
21 program, and supplanting of transit funds currently funding vanpools
22 is not allowed. The department shall encourage grant applicants and
23 recipients to leverage funds other than state funds. Fuel type may
24 not be a factor in the grant selection process.

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

27 (4) \$27,483,000 of the regional mobility grant program account—
28 state appropriation is reappropriated and provided solely for the
29 regional mobility grant projects identified in LEAP Transportation
30 Document ((2020)) 2021-2 ALL PROJECTS as developed March ((11, 2020))
31 22, 2021, Program - Public Transportation Program (V).

32 (5) (a) ((~~\$61,215,000~~)) \$40,327,000 of the regional mobility grant
33 program account—state appropriation is provided solely for the
34 regional mobility grant projects identified in LEAP Transportation
35 Document ((2020)) 2021-2 ALL PROJECTS as developed March ((11, 2020))
36 22, 2021, Program - Public Transportation Program (V). The department
37 shall review all projects receiving grant awards under this program
38 at least semiannually to determine whether the projects are making
39 satisfactory progress. Any project that has been awarded funds, but

1 does not report activity on the project within one year of the grant
2 award, must be reviewed by the department to determine whether the
3 grant should be terminated. The department shall promptly close out
4 grants when projects have been completed, and any remaining funds
5 must be used only to fund projects identified in the LEAP
6 transportation document referenced in this subsection. The department
7 shall provide annual status reports on December 15, 2019, and
8 December 15, 2020, to the office of financial management and the
9 transportation committees of the legislature regarding the projects
10 receiving the grants. It is the intent of the legislature to
11 appropriate funds through the regional mobility grant program only
12 for projects that will be completed on schedule. A grantee may not
13 receive more than twenty-five percent of the amount appropriated in
14 this subsection. ~~((Additionally, when allocating funding for the
15 2021-2023 biennium, no more than thirty percent of the total grant
16 program may directly benefit or support one grantee.))~~ The department
17 shall not approve any increases or changes to the scope of a project
18 for the purpose of a grantee expending remaining funds on an awarded
19 grant. Fuel type may not be a factor in the grant selection process.

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

34 (6) Funds provided for the commute trip reduction (CTR) program
35 may also be used for the growth and transportation efficiency center
36 program.

37 (7) \$7,670,000 of the multimodal transportation account—state
38 appropriation and \$784,000 of the state vehicle parking account—state
39 appropriation are provided solely for CTR grants and activities. Fuel

1 type may not be a factor in the grant selection process. Of this
2 amount:

3 (a) \$1,000,000 of the multimodal transportation account—state
4 appropriation is provided solely for the department to continue a
5 pilot transit pass incentive program. Businesses and nonprofit
6 organizations located in a county adjacent to Puget Sound with a
7 population of more than seven hundred thousand that have never
8 offered transit subsidies to employees are eligible to apply to the
9 program for a fifty percent rebate on the cost of employee transit
10 subsidies provided through the regional ORCA fare collection system.
11 No single business or nonprofit organization may receive more than
12 ten thousand dollars from the program.

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

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

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

29 (c) (~~(\$1,000,000)~~) \$200,000 of the multimodal transportation
30 account—state appropriation is provided solely for a first mile/last
31 mile connections grant program. Eligible grant recipients include
32 cities, businesses, nonprofits, and transportation network companies
33 with first mile/last mile solution proposals. Transit agencies are
34 not eligible. The commute trip reduction board shall develop grant
35 parameters, evaluation criteria, and evaluate grant proposals. The
36 commute trip reduction board shall provide the transportation
37 committees of the legislature a report on the effectiveness of this
38 grant program and best practices for continuing the program.

1 (8) Except as provided otherwise in this subsection,
2 (~~(\$33,370,000)~~) \$32,008,000 of the multimodal transportation account—
3 state appropriation is provided solely for connecting Washington
4 transit projects identified in LEAP Transportation Document (~~(2020)~~)
5 2021-2 ALL PROJECTS as developed March (~~(11, 2020)~~) 22, 2021. It is
6 the intent of the legislature that entities identified to receive
7 funding in the LEAP document referenced in this subsection receive
8 the amounts specified in the time frame specified in that LEAP
9 document. If an entity has already completed a project in the LEAP
10 document referenced in this subsection before the time frame
11 identified, the entity may substitute another transit project or
12 projects that cost a similar or lesser amount.

13 (9) \$1,000,000 of the multimodal transportation account—state
14 appropriation is provided solely for transit coordination grants.
15 Fuel type may not be a factor in the grant selection process.

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

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

26 (i) King County Metro - RapidRide Expansion, Burien-Delridge
27 (G2000031);

28 (ii) King County Metro - Route 40 Northgate to Downtown
29 (G2000032);

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

31 (iv) Pierce Transit - SR 7 Express Service (G2000045).

32 (b) At least ten business days before advancing a project
33 pursuant to this subsection, the department must notify the office of
34 financial management and the transportation committees of the
35 legislature. The advancement of a project may not hinder the delivery
36 of the projects for which the reappropriations are necessary for the
37 2021-2023 fiscal biennium.

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

1 (12) \$750,000 of the multimodal transportation account—state
2 appropriation is provided solely for Intercity Transit for the Dash
3 shuttle program.

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

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

12 (ii) Providing administrative support to other interested school
13 districts in King county to prepare for implementing similar programs
14 for their students.

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

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

19 (ii) Available ridership data;

20 (iii) A cost estimate, including a detailed description of the
21 various expenses leading to the cost estimate, and any other factors
22 relevant to expanding the program to other King county school
23 districts;

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

28 (v) Opportunities for subsidized ORCA cards or local grant or
29 matching funds; and

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

32 (14) (~~(\$12,000,000)~~) \$7,007,000 of the multimodal transportation
33 account—state appropriation is provided solely for the green
34 transportation capital grant program established in chapter 287, Laws
35 of 2019 (advancing green transportation adoption).

36 (15) \$555,000 of the multimodal transportation account—state
37 appropriation is provided solely for an interagency transfer to the
38 Washington State University extension energy program to establish and

1 administer a technical assistance and education program for public
2 agencies on the use of alternative fuel vehicles.

3 ~~((17))~~ (16) The appropriations in this section include savings
4 due to anticipated project underruns; however, it is unknown which
5 projects will provide savings. The legislature intends to provide
6 sufficient flexibility for the department to manage to this savings
7 target. To provide this flexibility, the office of financial
8 management may authorize, through an allotment modification,
9 reductions in the appropriated amounts that are provided solely for a
10 particular purpose within this section subject to the following
11 conditions and limitations:

12 (a) No allotment modifications may be made to amounts provided
13 solely for the special needs transportation grant program;

14 (b) The department must confirm that any modification requested
15 under this subsection of amounts provided solely for a specific
16 purpose are not expected to be used for that purpose in this
17 biennium;

18 (c) Allotment modifications authorized under this subsection may
19 not result in increased funding for any project beyond the amount
20 provided for that project in the 2019-2021 fiscal biennium in LEAP
21 Transportation Document ~~((2020))~~ 2021-2 ALL PROJECTS as developed
22 March ~~((11, 2020))~~ 22, 2021;

23 (d) Allotment modifications authorized under this subsection
24 apply only to amounts appropriated in this section from the
25 multimodal transportation account—state; and

26 (e) By December 1, 2020, the department must submit a report to
27 the transportation committees of the legislature regarding the
28 actions taken under this subsection.

29 ~~((18))~~ (17) (a) The Washington state department of
30 transportation public transportation division, working with the
31 Thurston regional planning council, shall provide state agency
32 management, the office of financial management, and the
33 transportation committees of the legislature with results of their
34 regional mobility grant program demonstration project I-5/US 101
35 Practical Solutions: State Capitol Campus Transportation Demand
36 Management - Mobile Work. This includes reporting after the 2020
37 legislative session on the measurable results of an early pilot
38 initiative, "Telework Tuesday," beginning in January 2020.

39 (b) Capitol campus state agency management is directed to fully
40 participate in this work, which aims to reduce greenhouse gases,

1 require less office space and parking investments; provide low cost
2 congestion relief on I-5 during peak periods, US 101, and the local
3 transportation network; and improve retention and recruitment of
4 public employees. The agencies should actively: Encourage employees
5 qualified to telework to participate in this program and increase the
6 number of employees who qualify for mobile work and schedule shifts.

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

13 **Sec. 921.** 2020 c 219 s 221 (uncodified) is amended to read as
14 follows:

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

16 Motor Vehicle Account—State Appropriation.	\$250,000
17 Puget Sound Ferry Operations Account—State	
18 Appropriation	((\$545,997,000))
19	<u>\$487,367,000</u>
20 Puget Sound Ferry Operations Account—Federal	
21 Appropriation	((\$7,932,000))
22	<u>\$47,169,000</u>
23 Puget Sound Ferry Operations Account—Private/Local	
24 Appropriation	\$121,000
25 TOTAL APPROPRIATION.	((\$554,300,000))
26	<u>\$534,907,000</u>

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

29 (1) The office of financial management budget instructions
30 require agencies to recast enacted budgets into activities. The
31 Washington state ferries shall include a greater level of detail in
32 its 2019-2021 supplemental and 2021-2023 omnibus transportation
33 appropriations act requests, as determined jointly by the office of
34 financial management, the Washington state ferries, and the
35 transportation committees of the legislature. This level of detail
36 must include the administrative functions in the operating as well as
37 capital programs.

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

5 (3) (~~(\$73,161,000)~~) \$67,052,000 of the Puget Sound ferry
6 operations account—state appropriation is provided solely for auto
7 ferry vessel operating fuel in the 2019-2021 fiscal biennium, which
8 reflect cost savings from a reduced biodiesel fuel requirement and,
9 therefore, is contingent upon the enactment of section 703, chapter
10 416, Laws of 2019. The amount provided in this subsection represents
11 the fuel budget for the purposes of calculating any ferry fare fuel
12 surcharge. The department shall review future use of alternative
13 fuels and dual fuel configurations, including hydrogen.

14 (4) \$650,000 of the Puget sound ferry operations account—state
15 appropriation is provided solely for increased staffing at Washington
16 ferry terminals to meet increased workload and customer expectations.
17 Within the amount provided in this subsection, the department shall
18 contract with uniformed officers for additional traffic control
19 assistance at the Kingston ferry terminal during peak ferry travel
20 times, with a particular focus on Sundays and holiday weekends.
21 Traffic control methods should include, but not be limited to,
22 holding traffic on the shoulder at Lindvog Road until space opens for
23 cars at the tollbooths and dock, and management of traffic on Highway
24 104 in order to ensure Kingston residents and business owners have
25 access to businesses, roads, and driveways.

26 (5) \$254,000 of the Puget Sound ferry operations account—state
27 appropriation is provided solely for a dedicated inventory logistics
28 manager on a one-time basis.

29 (6) \$500,000 of the Puget Sound ferry operations account—state
30 appropriation is provided solely for operating costs related to
31 moving vessels for emergency capital repairs. Funds may only be spent
32 after approval by the office of financial management.

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

1 (8) \$160,000 of the Puget Sound ferry operations account—state
2 appropriation is provided solely for a ferry fleet baseline noise
3 study, conducted by a consultant, for the purpose of establishing
4 plans and data-driven goals to reduce ferry noise when Southern
5 resident orca whales are present. In addition, the study must
6 establish prioritized strategies to address vessels serving routes
7 with the greatest exposure to orca whale movements.

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

15 (b) The Washington state transportation center must use new
16 traffic management models and scheduling tools to examine proposed
17 improvements for the triangle route. The department shall report to
18 the standing transportation committees of the legislature by January
19 15, 2021. The report must include:

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

24 (ii) Recommendations for emergency boat allocations, regular
25 schedule policies, and emergency schedule policies based on all
26 customers alternative travel options to ensure that any dock with no
27 road access is prioritized in scheduling and scheduled service is
28 provided based on population size, demographics, and local medical
29 services;

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

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

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

4 (10) \$15,139,000 of the Puget Sound ferry operations account—
5 state appropriation is provided solely for training. Of the amount
6 provided in this subsection:

7 (a) \$2,500,000 is for training for new employees.

8 (b) \$160,000 is for electronic chart display and information
9 system training.

10 (c) \$379,000 is for marine evacuation slide training.

11 (11) \$1,600,000 of the Puget Sound ferry operations account—state
12 appropriation is provided solely for naval architecture staff support
13 for the marine maintenance program.

14 (12) \$336,000 of the Puget Sound ferry operations account—state
15 appropriation is provided solely for inspections of fall restraint
16 systems.

17 (13) \$4,361,000 of the Puget Sound ferry operations account—state
18 appropriation is provided solely for overtime expenses incurred by
19 engine and deck crew members.

20 (14) \$1,200,000 of the Puget Sound ferry operations account—state
21 appropriation is provided solely for familiarization for new
22 assignments of engine crew and terminal staff.

23 (15) \$100,000 of the Puget Sound ferry operations account—state
24 appropriation is provided solely to develop a plan for upgrading a
25 second vessel to meet the international convention for the safety of
26 life at sea standards. The plan must identify the option with the
27 lowest impacts to sailing schedules.

28 (16) The department must request reimbursement from the federal
29 transit administration for the maximum amount of ferry operating
30 expenses eligible for reimbursement under federal law.

31 **Sec. 922.** 2020 c 219 s 222 (uncodified) is amended to read as
32 follows:

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

34 Multimodal Transportation Account—State	
35 Appropriation	((\$70,244,000))
36	<u>\$45,883,000</u>
37 Multimodal Transportation Account—Private/Local	
38 Appropriation	\$717,000

1	(Multimodal Transportation Account—Federal	
2	Appropriation	\$500,000))
3	TOTAL APPROPRIATION.	((\$71,461,000))
4		<u>\$46,600,000</u>

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

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

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

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

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

20 (i) Development of proposed corridor governance, general powers,
21 operating structure, legal instruments, and contracting requirements,
22 in the context of the roles of relevant jurisdictions, including
23 federal, state, provincial, and local governments;

24 (ii) Development of a long-term funding and financing strategy
25 for project initiation, development, construction, and program
26 administration of the high-speed corridor, building on the funding
27 and financing chapter of the 2019 business case analysis and aligned
28 with the recommendations of (b) (i) of this subsection; and

29 (iii) Development of recommendations for a department-led ultra-
30 high speed corridor engagement plan for policy leadership from
31 elected officials.

32 (c) This study must build on the results of the 2018 Washington
33 state ultra high-speed ground transportation business case analysis
34 and the 2019 Washington state ultra high-speed ground transportation
35 study findings report. The department shall consult with the
36 transportation committees of the legislature regarding all issues
37 related to proposed corridor governance.

38 (d) The development work referenced in (b) of this subsection is
39 intended to identify and make recommendations related to specific

1 entities, including interjurisdictional entities, policies, and
2 processes required for the purposes of furthering preliminary
3 analysis efforts for the ultra high-speed ground transportation
4 corridor. This development work is not intended to authorize one or
5 more entities to assume decision making authority for the design,
6 construction, or operation of an ultra high-speed rail corridor.

7 (e) By December 1, 2020, the department shall provide to the
8 governor and the transportation committees of the legislature a
9 report of the study's findings regarding the three elements noted in
10 this subsection. As applicable, the report should also be sent to the
11 executive and legislative branches of government in the state of
12 Oregon and appropriate government bodies in the province of British
13 Columbia.

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

25 **Sec. 923.** 2020 c 219 s 223 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**
28 **OPERATING**

29 Motor Vehicle Account—State Appropriation	((\$12,187,000))
30	<u>\$11,404,000</u>
31 Motor Vehicle Account—Federal Appropriation	\$2,567,000
32 Multiuse Roadway Safety Account—State Appropriation	\$450,000
33 Multimodal Transportation Account—State	
34 Appropriation	\$350,000
35 TOTAL APPROPRIATION.	((\$15,554,000))
36	<u>\$14,771,000</u>

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

1 (1) \$350,000 of the multimodal transportation account—state
2 appropriation is provided solely for a study by the Puget Sound
3 regional council of new passenger ferry service to better connect
4 communities throughout the twelve county Puget Sound region. The
5 study must assess potential new routes, identify future terminal
6 locations, and provide recommendations to accelerate the
7 electrification of the ferry fleet. The study must identify future
8 passenger only demand throughout Western Washington, analyze
9 potential routes and terminal locations on Puget Sound, Lake
10 Washington, and Lake Union with an emphasis on preserving waterfront
11 opportunities in public ownership and opportunities for partnership.
12 The study must determine whether and when the passenger ferry service
13 achieves a net reduction in carbon emissions including an analysis of
14 the emissions of modes that passengers would otherwise have used. The
15 study must estimate capital and operating costs for routes and
16 terminals. The study must include early and continuous outreach with
17 all interested stakeholders and a report to the legislature and all
18 interested parties by January 31, 2021.

19 (2) \$1,142,000 of the motor vehicle account—state appropriation
20 is provided solely for the department, from amounts set aside out of
21 statewide fuel taxes distributed to counties according to RCW
22 46.68.120(3), to contract with the Washington state association of
23 counties to:

24 (a) In coordination with stakeholders, identify county-owned fish
25 passage barriers, with priority given to barriers that share the same
26 stream system as state-owned fish passage barriers. The study must
27 identify, map, and provide a preliminary assessment of county-owned
28 barriers that need correction, and provide, where possible,
29 preliminary costs estimates for each barrier correction. The study
30 must provide recommendations on:

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

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

36 (b) Update the local agency guidelines manual, including
37 exploring alternatives within the local agency guidelines manual on
38 county priorities;

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

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

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

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

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

16 (4) \$280,000 of the motor vehicle account—state appropriation is
17 provided solely for Wahkiakum county for operation of the ferry
18 between Puget Island and Westport, Oregon. These funds are provided
19 outside the existing continuing agreement described in RCW 47.56.720,
20 are not appropriated for that purpose, and therefore do not
21 constitute payments under the agreement.

22 **TRANSPORTATION AGENCIES—CAPITAL**

23 **Sec. 1001.** 2020 c 219 s 301 (uncodified) is amended to read as
24 follows:

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

26	Freight Mobility Investment Account—State	
27	Appropriation	((\$23,015,000))
28		<u>\$17,344,000</u>
29	Highway Safety Account—State Appropriation.	\$81,000
30	Motor Vehicle Account—State Appropriation.	((\$4,907,000))
31		<u>\$3,165,000</u>
32	Freight Mobility Multimodal Account—State	
33	Appropriation	((\$4,992,000))
34		<u>\$4,454,000</u>
35	Motor Vehicle Account—Federal Appropriation	\$1,899,000
36	Freight Mobility Multimodal Account—Private/Local	
37	Appropriation	\$1,250,000

1 TOTAL APPROPRIATION. ((~~\$36,144,000~~))
2 \$28,193,000

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

5 (1) Except as otherwise provided in this section, the entire
6 appropriations in this section are provided solely for the projects
7 by amount, as listed in the LEAP Transportation Document (~~(2020-3 as~~
8 ~~developed March 11, 2020, Conference FMSIB Project List)~~) 2021-2 ALL
9 PROJECTS as developed March 22, 2021, Freight Mobility Strategic
10 Investment Board (FMSIB).

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

15 ~~((4))~~ (3) It is the intent of the legislature to continue to
16 make strategic investments in a statewide freight mobility
17 transportation system with the help of the freight mobility strategic
18 investment board, including projects that mitigate the impact of
19 freight movement on local communities.

20 **Sec. 1002.** 2020 c 219 s 302 (uncodified) is amended to read as
21 follows:

22 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

23 Rural Arterial Trust Account—State Appropriation . . . ((~~\$62,884,000~~))
24 \$51,184,000
25 Motor Vehicle Account—State Appropriation \$1,456,000
26 County Arterial Preservation Account—State
27 Appropriation \$39,590,000
28 TOTAL APPROPRIATION. ((~~\$103,930,000~~))
29 \$92,230,000

30 **Sec. 1003.** 2020 c 219 s 304 (uncodified) is amended to read as
31 follows:

32 **FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—**
33 **(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL**

34 Motor Vehicle Account—State Appropriation ((~~\$51,187,000~~))
35 \$51,282,000
36 Connecting Washington Account—State Appropriation . . . ((~~\$51,523,000~~))
37 \$50,746,000

1 TOTAL APPROPRIATION. ((~~\$102,710,000~~))
2 \$102,028,000

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

5 (1) ((~~\$51,523,000~~)) \$50,746,000 of the connecting Washington
6 account—state appropriation is provided solely for a new Olympic
7 region maintenance and administration facility to be located on the
8 department-owned site at the intersection of Marvin Road and 32nd
9 Avenue in Lacey, Washington.

10 (2) (a) ((~~\$43,297,000~~)) \$41,827,000 of the motor vehicle account—
11 state appropriation is provided solely for the department facility
12 located at 15700 Dayton Ave N in Shoreline. This appropriation is
13 contingent upon the department of ecology signing a not less than
14 twenty-year agreement to pay a share of any financing contract issued
15 pursuant to chapter 39.94 RCW.

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

18 (c) Total project costs are not to exceed ((~~\$46,500,000~~))
19 \$47,930,000.

20 (3) ((~~\$1,565,000~~)) \$3,130,000 from the motor vehicle account—
21 state appropriation is provided solely for furniture for the
22 renovated Northwest Region Headquarters at Dayton Avenue. The
23 department must efficiently furnish the renovated building.

24 **Sec. 1004.** 2020 c 219 s 305 (uncodified) is amended to read as
25 follows:

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

27 Transportation Partnership Account—State

28 Appropriation ((~~\$385,619,000~~))
29 \$395,679,000

30 Motor Vehicle Account—State Appropriation ((~~\$102,543,000~~))
31 \$60,911,000

32 Motor Vehicle Account—Federal Appropriation ((~~\$151,857,000~~))
33 \$156,148,000

34 Motor Vehicle Account—Private/Local Appropriation ((~~\$70,404,000~~))
35 \$66,284,000

36 Connecting Washington Account—State

37 Appropriation ((~~\$2,355,205,000~~))
38 \$1,628,144,000

1	Special Category C Account—State Appropriation . . .	((\$36,134,000))
2		<u>\$19,123,000</u>
3	Multimodal Transportation Account—State	
4	Appropriation	((\$3,853,000))
5		<u>\$3,522,000</u>
6	Alaskan Way Viaduct Replacement Project Account—State	
7	Appropriation	\$77,956,000
8	Transportation 2003 Account (Nickel Account)—State	
9	Appropriation	((\$10,429,000))
10		<u>\$9,403,000</u>
11	Interstate 405 and State Route Number 167 Express	
12	Toll Lanes Account—State Appropriation.	((\$90,027,000))
13		<u>\$33,742,000</u>
14	TOTAL APPROPRIATION.	((\$3,284,027,000))
15		<u>\$2,450,912,000</u>

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

18 (1) Except as provided otherwise in this section, the entire
19 connecting Washington account—state appropriation and the entire
20 transportation partnership account—state appropriation are provided
21 solely for the projects and activities as listed by fund, project,
22 and amount in LEAP Transportation Document ((2020)) 2021-1 as
23 developed March ((11, 2020)) 22, 2021, Program - Highway Improvements
24 Program (I). However, limited transfers of specific line-item project
25 appropriations may occur between projects for those amounts listed
26 subject to the conditions and limitations in section 601 of this act.

27 (2) Except as provided otherwise in this section, the entire
28 motor vehicle account—state appropriation and motor vehicle account—
29 federal appropriation are provided solely for the projects and
30 activities listed in LEAP Transportation Document ((2020)) 2021-2 ALL
31 PROJECTS as developed March ((11, 2020)) 22, 2021, Program - Highway
32 Improvements Program (I). Any federal funds gained through
33 efficiencies, adjustments to the federal funds forecast, ((~~additional~~
34 ~~congressional action not related to a specific project or purpose,~~))
35 or the federal funds redistribution process must then be applied to
36 highway and bridge preservation activities or fish passage barrier
37 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) The connecting Washington account—state appropriation
9 includes up to (~~(\$1,835,325,000)~~) \$1,085,325,000 in proceeds from the
10 sale of bonds authorized in RCW 47.10.889.

11 (5) The special category C account—state appropriation includes
12 up to (~~(\$24,910,000)~~) \$19,123,000 in proceeds from the sale of bonds
13 authorized in RCW 47.10.812.

14 (6) The transportation partnership account—state appropriation
15 includes up to (~~(\$162,658,000)~~) \$175,140,000 in proceeds from the
16 sale of bonds authorized in RCW 47.10.873.

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

20 (8) (~~(\$168,757,000)~~) \$162,005,000 of the transportation
21 partnership account—state appropriation, (~~(\$19,790,000)~~) \$17,898,000
22 of the motor vehicle account—private/local appropriation, \$3,384,000
23 of the transportation 2003 account (nickel account)—state
24 appropriation, \$77,956,000 of the Alaskan Way viaduct replacement
25 project account—state appropriation, and (~~(\$1,838,000)~~) \$854,000 of
26 the multimodal transportation account—state appropriation are
27 provided solely for the SR 99/Alaskan Way Viaduct Replacement project
28 (809936Z). It is the intent of the legislature that the \$25,000,000
29 increase in funding provided in the 2021-2023 fiscal biennium be
30 covered by any legal damages paid to the state as a result of a
31 lawsuit related to contractual provisions for construction and
32 delivery of the Alaskan Way viaduct replacement project. The
33 legislature intends that the \$25,000,000 of the transportation
34 partnership account—state funds be repaid when those damages are
35 recovered.

36 (9) (~~(\$3,000,000)~~) \$2,667,000 of the multimodal transportation
37 account—state appropriation is provided solely for transit mitigation
38 for the SR 99/Viaduct Project - Construction Mitigation project
39 (809940B).

1 (10) (~~(\$168,655,000)~~) \$148,097,000 of the connecting Washington
2 account—state appropriation, \$1,052,000 of the special category C
3 account—state appropriation, and (~~(\$738,000)~~) \$1,338,000 of the motor
4 vehicle account—private/local appropriation are provided solely for
5 the US 395 North Spokane Corridor project (M00800R).

6 (11) (~~(\$82,991,000)~~) \$29,187,000 of the Interstate 405 and state
7 route number 167 express toll lanes account—state appropriation is
8 provided solely for the I-405/SR 522 to I-5 Capacity Improvements
9 project (L2000234) for activities related to adding capacity on
10 Interstate 405 between state route number 522 and Interstate 5, with
11 the goals of increasing vehicle throughput and aligning project
12 completion with the implementation of bus rapid transit in the
13 vicinity of the project.

14 (12)(a) (~~(\$422,099,000)~~) \$356,007,000 of the connecting
15 Washington account—state appropriation and (~~(\$456,000)~~) \$400,000 of
16 the motor vehicle account—private/local appropriation are provided
17 solely for the SR 520 Seattle Corridor Improvements - West End
18 project (M00400R).

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

22 (i) Work with the operator of the Montlake boulevard market
23 located on parcel number 1-23190 to negotiate a lease allowing
24 continued operations up to January 1, 2020. After that time, the
25 department shall identify an area in the vicinity of the Montlake
26 property for a temporary market or other food service to be provided
27 during the period of project construction. Should the current
28 operator elect not to participate in providing that temporary
29 service, the department shall then develop an outreach plan with the
30 city to solicit community input on the food services provided, and
31 then advertise the opportunity to other potential vendors. Further,
32 the department shall work with the city of Seattle and existing
33 permit processes to facilitate vendor access to and use of the area
34 in the vicinity of the Montlake property.

35 (ii) Upon completion of the Montlake Phase of the West End
36 project (current anticipated contract completion of 2023), WSDOT
37 shall sell that portion of the property not used for permanent
38 transportation improvements and initiate a process to convey that
39 surplus property to a subsequent owner.

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

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

20 (14) (~~(\$310,469,000)~~) \$172,911,000 of the connecting Washington
21 account—state appropriation (~~(is)~~), \$15,099,000 of the motor vehicle
22 account—private/local appropriation, and \$1,500,000 of the motor
23 vehicle—federal appropriation are provided solely for the SR 167/SR
24 509 Puget Sound Gateway project (M00600R).

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

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

31 (c) In making budget allocations to the Puget Sound Gateway
32 project, the department shall implement the project's construction as
33 a single corridor investment. The department shall develop a
34 coordinated corridor construction and implementation plan for state
35 route number 167 and state route number 509 in collaboration with
36 affected stakeholders. Specific funding allocations must be based on
37 where and when specific project segments are ready for construction
38 to move forward and investments can be best optimized for timely

1 project completion. Emphasis must be placed on avoiding gaps in fund
2 expenditures for either project.

3 (d) It is the legislature's intent that the department shall
4 construct a full single-point urban interchange at the junction of
5 state route number 161 (Meridian avenue) and state route number 167
6 and a full single-point urban interchange at the junction of state
7 route number 509 and 188th Street. If the department receives
8 additional funds from an outside source for this project after the
9 base project is fully funded, the funds must first be applied toward
10 the completion of these two full single-point urban interchanges.

11 (e) In designing the state route number 509/state route number
12 516 interchange component of the SR 167/SR 509 Puget Sound Gateway
13 project (M00600R), the department shall make every effort to utilize
14 the preferred "4B" design.

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

20 (g) If sufficient bonding authority to complete this project is
21 not provided within chapter 421, Laws of 2019 (addressing tolling),
22 or within a bond authorization act referencing chapter 421, Laws of
23 2019 by June 30, 2019, it is the intent of the legislature to return
24 the Puget Sound Gateway project (M00600R) to its previously
25 identified construction schedule by moving \$128,900,000 in connecting
26 Washington account—state appropriation back to the 2027-2029 biennium
27 from the 2023-2025 biennium on the list referenced in subsection (2)
28 of this section. If sufficient bonding authority is provided, it is
29 the intent of the legislature to advance the project to allow for
30 earlier completion and inflationary savings.

31 (15) It is the intent of the legislature that, for the I-5/North
32 Lewis County Interchange project (L2000204), the department develop
33 and design the project with the objective of significantly improving
34 access to the industrially zoned properties in north Lewis county.
35 The design must consider the county's process of investigating
36 alternatives to improve such access from Interstate 5 that began in
37 March 2015.

38 (16) (~~(\$1,029,000)~~) \$1,030,000 of the transportation partnership
39 account—state appropriation is provided solely for the U.S. 2 Trestle
40 IJR project (L1000158).

1 (17) 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 (18) Any advisory group that the department convenes during the
8 2019-2021 fiscal biennium must consider the interests of the entire
9 state of Washington.

10 (19) The legislature finds that there are sixteen companies
11 involved in wood preserving in the state that employ four hundred
12 workers and have an annual payroll of fifteen million dollars. Before
13 the department's switch to steel guardrails, ninety percent of the
14 twenty-five hundred mile guardrail system was constructed of
15 preserved wood and one hundred ten thousand wood guardrail posts were
16 produced annually for state use. Moreover, the policy of using steel
17 posts requires the state to use imported steel. Given these findings,
18 where practicable, and until June 30, 2021, the department shall
19 include the design option to use wood guardrail posts, in addition to
20 steel posts, in new guardrail installations. The selection of posts
21 must be consistent with the agency design manual policy that existed
22 before December 2009.

23 (20)(a) For connecting Washington projects that have already
24 begun and are eligible for the authority granted in section 601 (~~of~~
25 ~~this act~~), chapter 219, Laws of 2020, the department shall
26 prioritize advancing the following projects if expected
27 reappropriations become available:

- 28 (i) SR 14/I-205 to SE 164th Ave - Auxiliary Lanes (L2000102);
- 29 (ii) SR 305 Construction - Safety Improvements (N30500R);
- 30 (iii) SR 14/Bingen Underpass (L2220062);
- 31 (iv) I-405/NE 132nd Interchange - Totem Lake (L1000110);
- 32 (v) US Hwy 2 Safety (N00200R);
- 33 (vi) US-12/Walla Walla Corridor Improvements (T20900R);
- 34 (vii) I-5 JBLM Corridor Improvements (M00100R);
- 35 (viii) I-5/Slater Road Interchange - Improvements (L1000099);
- 36 (ix) SR 510/Yelm Loop Phase 2 (T32700R); or
- 37 (x) SR 520/124th St Interchange (Design and Right of Way)
38 (L1000098).

39 (b) To the extent practicable, the department shall use the
40 flexibility and authority granted in this section and in section 601

1 of this act to minimize the amount of reappropriations needed each
2 biennium.

3 (c) The advancement of a project may not hinder the delivery of
4 the projects for which the reappropriations are necessary for the
5 2021-2023 fiscal biennium.

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

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

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

31 (22) (a) (~~(\$17,500,000)~~) \$8,072,000 of the motor vehicle account—
32 state appropriation (~~(is)~~) and \$7,329,000 of the motor vehicle
33 account—private/local appropriation are provided solely for staffing
34 of a project office (~~(to replace the Interstate 5 bridge across the~~
35 ~~Columbia river (G2000088))~~) for the I-5 Interstate Bridge Replacement
36 project (L2000370). (~~(If at least a \$9,000,000 transfer is not~~
37 ~~authorized in section 406(29), chapter 416, Laws of 2019, then~~
38 ~~\$9,000,000 of the motor vehicle account state appropriation lapses.)~~)

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

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

25 ~~((d))~~ (c) Within the amount provided in this subsection, the
26 department must implement chapter 137, Laws of 2019 (projects of
27 statewide significance).

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

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

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

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

1 (23) (~~(\$17,500,000 of the motor vehicle account state~~
2 ~~appropriation is provided solely to begin the pre-design phase on the~~
3 ~~I-5/Columbia River Bridge project (G2000088).~~

4 ~~(24))~~ (a) \$191,360,000 of the connecting Washington account—state
5 appropriation, \$47,655,000 of the motor vehicle account—federal
6 appropriation, \$11,179,000 of the motor vehicle account—private/local
7 appropriation, \$6,100,000 of the motor vehicle account—state
8 appropriation, and \$18,706,000 of the transportation partnership
9 account—state appropriation are provided solely for the Fish Passage
10 Barrier Removal project (OBI4001) with the intent of fully complying
11 with the court injunction by 2030.

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

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

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

27 ~~((e))~~ (d) It is the intent of the legislature that for the
28 amount listed for the 2021-2023 biennium for the Fish Passage Barrier
29 Removal project (OBI4001) on the LEAP list referenced in subsection
30 (1) of this section, that accrued practical design savings deposited
31 in the transportation future funding program account be used to help
32 fund the cost of fully complying with the court injunction by 2030.

33 ~~((25))~~ (24) (a) The Washington state department of
34 transportation is directed to pursue compliance with the *U.S. v.*
35 *Washington* permanent injunction by delivering culvert corrections
36 within the injunction area guided by the principle of providing the
37 greatest fisheries habitat gain at the earliest time and considering
38 the following factors: Opportunity to bundle projects, tribal
39 priorities, ability to leverage investments by others, presence of

1 other barriers, project readiness, culvert condition, other
2 transportation projects in the area, and transportation impacts.

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

12 (~~((26) \$16,649,000)~~) (25) \$4,880,000 of the connecting Washington
13 account—state appropriation, \$373,000 of the motor vehicle account—
14 state appropriation, and (~~(\$6,000,000)~~) \$113,000 of the motor vehicle
15 account—private/local appropriation are provided solely for the I-90/
16 Barker to Harvard - Improve Interchanges & Local Roads project
17 (L2000122). The connecting Washington account appropriation for the
18 improvements that fall within the city of Liberty Lake may only be
19 expended if the city of Liberty Lake agrees to cover any project
20 costs within the city of Liberty Lake above the \$20,900,000 of state
21 appropriation provided for the total project in LEAP Transportation
22 Document (~~(2020)~~) 2021-1 as developed March (~~(11, 2020)~~) 22, 2021,
23 Program - Highway Improvements (I).

24 (~~((27))~~) (26) (a) (\$6,799,000) \$3,901,000 of the motor vehicle
25 account—federal appropriation, (~~(\$31,000)~~) \$34,000 of the motor
26 vehicle account—state appropriation, (~~(\$3,812,000 of the~~
27 ~~transportation partnership account state appropriation,)~~) and
28 (~~(\$7,000,000)~~) \$4,519,000 of the Interstate 405 and state route
29 number 167 express toll lanes account—state appropriation are
30 provided solely for the SR 167/SR 410 to SR 18 - Congestion
31 Management project (316706C).

32 (b) If sufficient bonding authority to complete this project is
33 not provided within chapter 421, Laws of 2019 (addressing tolling),
34 or within a bond authorization act referencing chapter 421, Laws of
35 2019 by June 30, 2019, it is the intent of the legislature to remove
36 the \$100,000,000 in toll funding from this project on the list
37 referenced in subsection (2) of this section.

38 (~~((28))~~) (27) For the I-405/North 8th Street Direct Access Ramp
39 in Renton project (L1000280), if sufficient bonding authority to

1 begin this project is not provided within chapter 421, Laws of 2019
2 (addressing tolling), or within a bond authorization act referencing
3 chapter 421, Laws of 2019, it is the intent of the legislature to
4 remove the project from the list referenced in subsection (2) of this
5 section.

6 ~~((29) \$7,985,000))~~ (28) \$7,071,000 of the Special Category C
7 account—state appropriation ~~((and \$1,000,000 of the motor vehicle
8 account—private/local appropriation are))~~ is provided solely for the
9 SR 18 Widening - Issaquah/Hobart Rd to Raging River project
10 (L1000199) for improving and widening state route number 18 to four
11 lanes from Issaquah-Hobart Road to Raging River.

12 ~~((30))~~ (29) \$2,250,000 of the motor vehicle account—state
13 appropriation is provided solely for the I-5 Corridor from Mounts
14 Road to Tumwater project (L1000231) for completing a National and
15 State Environmental Policy Act (NEPA/SEPA) analysis to identify mid-
16 and long-term environmental impacts associated with future
17 improvements along the I-5 corridor from Tumwater to DuPont.

18 ~~((31) \$622,000))~~ (30) \$200,000 of the motor vehicle account—
19 state appropriation is provided solely for the US 101/East Sequim
20 Corridor Improvements project (L2000343).

21 ~~((32) \$12,916,000))~~ (31) \$777,000 of the motor vehicle account—
22 state appropriation is provided solely for the SR 522/Paradise Lk Rd
23 Interchange & Widening on SR 522 (Design/Engineering) project
24 (NPARADI).

25 ~~((33) \$1,000,000))~~ (32) \$1,001,000 of the motor vehicle account—
26 state appropriation ~~((is))~~ and \$1,227,000 of the motor vehicle
27 account—federal appropriation are provided solely for the US 101/
28 Morse Creek Safety Barrier project (L1000247).

29 ~~((34) \$1,000,000))~~ (33) \$85,000 of the motor vehicle account—
30 state appropriation is provided solely for the SR 162/410 Interchange
31 Design and Right of Way project (L1000276).

32 ~~((36) The appropriations in this section include savings due to
33 anticipated project underruns; however, it is unknown which projects
34 will provide savings. The legislature intends to provide sufficient
35 flexibility for the department to manage to this savings target. To
36 provide this flexibility, the office of financial management may
37 authorize, through an allotment modification, reductions in the
38 appropriated amounts that are provided solely for a particular~~

1 ~~purpose within this section subject to the following conditions and~~
2 ~~limitations:~~

3 ~~(a) The department must confirm that any modification requested~~
4 ~~under this subsection of amounts provided solely for a specific~~
5 ~~purpose are not expected to be used for that purpose in this~~
6 ~~biennium;~~

7 ~~(b) Allotment modifications authorized under this subsection may~~
8 ~~not result in increased funding for any project beyond the amount~~
9 ~~provided for that project in the 2019-2021 fiscal biennium in LEAP~~
10 ~~Transportation Document 2020-2 ALL PROJECTS as developed March 11,~~
11 ~~2020;~~

12 ~~(c) Allotment modifications authorized under this subsection~~
13 ~~apply only to amounts appropriated in this section from the following~~
14 ~~accounts: Multimodal transportation account state, transportation~~
15 ~~partnership account state, connecting Washington account state, and~~
16 ~~special category C account state; and~~

17 ~~(d) By December 1, 2020, the department must submit a report to~~
18 ~~the transportation committees of the legislature regarding the~~
19 ~~actions taken under this subsection.))~~

20 **Sec. 1005.** 2020 c 219 s 306 (uncodified) is amended to read as
21 follows:

22 **FOR THE DEPARTMENT OF TRANSPORTATION—PRESERVATION—PROGRAM P**

23	Recreational Vehicle Account—State Appropriation	\$2,971,000
24	Transportation Partnership Account—State	
25	Appropriation	((20,248,000))
26		<u>\$20,181,000</u>
27	Motor Vehicle Account—State Appropriation	((82,447,000))
28		<u>\$87,755,000</u>
29	Motor Vehicle Account—Federal Appropriation	((490,744,000))
30		<u>\$498,257,000</u>
31	Motor Vehicle Account—Private/Local	
32	Appropriation	((7,408,000))
33		<u>\$7,660,000</u>
34	State Route Number 520 Corridor Account—State	
35	Appropriation	((326,000))
36		<u>\$395,000</u>
37	Connecting Washington Account—State Appropriation	((204,630,000))
38		<u>\$178,258,000</u>

1	Tacoma Narrows Toll Bridge Account—State	
2	Appropriation	((\$8,350,000))
3		<u>\$1,078,000</u>
4	Alaskan Way Viaduct Replacement Project Account—State	
5	Appropriation.	((\$10,000))
6		<u>\$79,000</u>
7	Interstate 405 and State Route Number 167 Express	
8	Toll Lanes Account—State Appropriation.	((\$3,018,000))
9		<u>\$1,457,000</u>
10	Transportation 2003 Account (Nickel Account)—State	
11	Appropriation	\$17,892,000
12	TOTAL APPROPRIATION.	((\$838,044,000))
13		<u>\$815,983,000</u>

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

16 (1) Except as provided otherwise in this section, the entire
17 connecting Washington account—state appropriation and the entire
18 transportation partnership account—state appropriation are provided
19 solely for the projects and activities as listed by fund, project,
20 and amount in LEAP Transportation Document ((2020)) 2021-1 as
21 developed March ((11, 2020)) 22, 2021, Program - Highway Preservation
22 Program (P). However, limited transfers of specific line-item project
23 appropriations may occur between projects for those amounts listed
24 subject to the conditions and limitations in section 601 of this act.

25 (2) Except as provided otherwise in this section, the entire
26 motor vehicle account—state appropriation and motor vehicle account—
27 federal appropriation are provided solely for the projects and
28 activities listed in LEAP Transportation Document ((2020)) 2021-2 ALL
29 PROJECTS as developed March ((11, 2020)) 22, 2021, Program - Highway
30 Preservation Program (P). Any federal funds gained through
31 efficiencies, adjustments to the federal funds forecast, ((~~additional~~
32 ~~congressional action not related to a specific project or purpose,~~))
33 or the federal funds redistribution process must then be applied to
34 highway and bridge preservation activities or fish passage barrier
35 corrections (OBI4001).

36 (3) Within the motor vehicle account—state appropriation and
37 motor vehicle account—federal appropriation, the department may
38 transfer funds between programs I and P, except for funds that are
39 otherwise restricted in this act. Ten days prior to any transfer, the

1 department must submit its request to the office of financial
2 management and the transportation committees of the legislature and
3 consider any concerns raised. The department shall submit a report on
4 fiscal year funds transferred in the prior fiscal year using this
5 subsection as part of the department's annual budget submittal.

6 (4) (~~(\$26,683,000)~~) \$21,517,000 of the connecting Washington
7 account—state appropriation is provided solely for the land mobile
8 radio upgrade (G2000055) and is subject to the conditions,
9 limitations, and review provided in section 701 (~~(of this act)~~),
10 chapter 219, Laws of 2020. The land mobile radio project is subject
11 to technical oversight by the office of the chief information
12 officer. The department, in collaboration with the office of the
13 chief information officer, shall identify where existing or proposed
14 mobile radio technology investments should be consolidated, identify
15 when existing or proposed mobile radio technology investments can be
16 reused or leveraged to meet multiagency needs, increase mobile radio
17 interoperability between agencies, and identify how redundant
18 investments can be reduced over time. The department shall also
19 provide quarterly reports to the technology services board on project
20 progress.

21 (5) (~~(\$4,000,000)~~) \$5,000,000 of the motor vehicle account—state
22 appropriation is provided solely for extraordinary costs incurred
23 from litigation awards, settlements, or dispute mitigation activities
24 not eligible for funding from the self-insurance fund. The amount
25 provided in this subsection must be held in unallotted status until
26 the department submits a request to the office of financial
27 management that includes documentation detailing litigation-related
28 expenses. The office of financial management may release the funds
29 only when it determines that all other funds designated for
30 litigation awards, settlements, and dispute mitigation activities
31 have been exhausted. No funds provided in this subsection may be
32 expended on any legal fees related to the SR 99/Alaskan Way viaduct
33 replacement project (809936Z).

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

38 (7) \$21,289,000 of the motor vehicle account—federal
39 appropriation and \$840,000 of the motor vehicle account—state

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

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

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

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

28 **Sec. 1006.** 2020 c 219 s 307 (uncodified) is amended to read as
29 follows:

30 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
31 **CAPITAL**

32 Motor Vehicle Account—State Appropriation	(\$7,746,000)
	<u>\$6,296,000</u>
34 Motor Vehicle Account—Federal Appropriation	(\$6,137,000)
	<u>\$5,039,000</u>
36 Motor Vehicle Account—Private/Local Appropriation	\$579,000
37 Interstate 405 and State Route Number 167 Express	
38 Toll Lanes Account—State Appropriation.	\$100,000

1 TOTAL APPROPRIATION. ((~~\$14,562,000~~))
2 \$12,014,000

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

5 ((~~1~~)~~\$700,000~~) \$121,000 of the motor vehicle account—state
6 appropriation is provided solely for the SR 99 Aurora Bridge ITS
7 project (L2000338).

8 **Sec. 1007.** 2020 c 219 s 308 (uncodified) is amended to read as
9 follows:

10 **FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES**
11 **CONSTRUCTION—PROGRAM W**

12 Puget Sound Capital Construction Account—State
13 Appropriation ((~~\$116,253,000~~))
14 \$85,281,000
15 Puget Sound Capital Construction Account—Federal
16 Appropriation ((~~\$198,688,000~~))
17 \$177,352,000
18 Puget Sound Capital Construction Account—Private/Local
19 Appropriation ((~~\$4,779,000~~))
20 \$4,575,000
21 Transportation Partnership Account—State
22 Appropriation ((~~\$6,582,000~~))
23 \$2,312,000
24 Connecting Washington Account—State Appropriation . . . \$112,426,000
25 Capital Vessel Replacement Account—State
26 Appropriation. ((~~\$96,030,000~~))
27 \$35,547,000
28 Transportation 2003 Account (Nickel Account)—State
29 Appropriation. \$986,000
30 TOTAL APPROPRIATION. ((~~\$535,744,000~~))
31 \$418,479,000

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

34 (1) Except as provided otherwise in this section, the entire
35 appropriations in this section are provided solely for the projects
36 and activities as listed in LEAP Transportation Document ((2020))

1 2021-2 ALL PROJECTS as developed March (~~11, 2020~~) 22, 2021, Program
2 - Washington State Ferries Capital Program (W).

3 (2) \$2,857,000 of the Puget Sound capital construction account—
4 state appropriation, (~~(\$17,832,000)~~) \$18,818,000 of the Puget Sound
5 capital construction account—federal appropriation, and \$63,789,000
6 of the connecting Washington account—state appropriation, are
7 provided solely for the Mukilteo ferry terminal (952515P). To the
8 extent practicable, the department shall avoid the closure of, or
9 disruption to, any existing public access walkways in the vicinity of
10 the terminal project during construction.

11 (3) (~~(\$102,641,000)~~) \$94,643,000 of the Puget Sound capital
12 construction account—federal appropriation, \$47,819,000 of the
13 connecting Washington account—state appropriation, and \$4,355,000 of
14 the Puget Sound capital construction account—local appropriation are
15 provided solely for the Seattle Terminal Replacement project
16 (900010L).

17 (4) \$5,357,000 of the Puget Sound capital construction account—
18 state appropriation is provided solely for emergency capital repair
19 costs (999910K). Funds may only be spent after approval by the office
20 of financial management.

21 (5) (~~(\$2,300,000)~~) \$2,224,000 of the Puget Sound capital
22 construction account—state appropriation is provided solely for the
23 ORCA acceptance project (L2000300). The ferry system shall work with
24 Washington technology solutions and the tolling division on the
25 development of a new, interoperable ticketing system.

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

37 (7) (~~(\$35,000,000)~~) \$10,776,000 of the Puget Sound capital
38 construction account—state appropriation and \$8,000,000 of the Puget
39 Sound capital construction account—federal appropriation are provided

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

8 (8) \$400,000 of the Puget Sound capital construction account—
9 state appropriation is provided solely for a request for proposals
10 for a new maintenance management system (project L2000301) and is
11 subject to the conditions, limitations, and review provided in
12 section 701 ((of this act)), chapter 219, Laws of 2020.

13 (9) ((\$96,030,000)) \$35,547,000 of the capital vessel replacement
14 account—state appropriation is provided solely for the acquisition of
15 a 144-car hybrid-electric vessel. The vendor must present to the
16 joint transportation committee and the office of financial
17 management, by September 15, 2019, a list of options that will result
18 in significant cost savings changes in terms of construction or the
19 long-term maintenance and operations of the vessel. The vendor must
20 allow for exercising the options without a penalty. It is the intent
21 of the legislature to provide an additional \$88,000,000 in funding in
22 the 2021-23 biennium. The reduction provided in this subsection is an
23 assumed underrun pursuant to subsection (11) of this section. The
24 commencement of construction of new vessels for the ferry system is
25 important not only for safety reasons, but also to keep skilled
26 marine construction jobs in the Puget Sound region and to sustain the
27 capacity of the region to meet the ongoing construction and
28 preservation needs of the ferry system fleet of vessels. The
29 legislature has determined that the current vessel procurement
30 process must move forward with all due speed, balancing the interests
31 of both the taxpayers and shipyards. To accomplish construction of
32 vessels in accordance with RCW 47.60.810, the prevailing shipbuilder,
33 for vessels initially funded after July 1, 2020, is encouraged to
34 follow the historical practice of subcontracting the construction of
35 ferry superstructures to a separate nonaffiliated contractor located
36 within the Puget Sound region, that is qualified in accordance with
37 RCW 47.60.690.

1 (10) The capital vessel replacement account—state appropriation
2 includes up to (~~(\$96,030,000)~~) \$35,547,000 in proceeds from the sale
3 of bonds authorized in RCW 47.10.873.

4 (~~(12)~~) (11) The appropriations in this section include savings
5 due to anticipated project underruns; however, it is unknown which
6 projects will provide savings. The legislature intends to provide
7 sufficient flexibility for the department to manage to this savings
8 target. To provide this flexibility, the office of financial
9 management may authorize, through an allotment modification,
10 reductions in the appropriated amounts that are provided solely for a
11 particular purpose within this section subject to the following
12 conditions and 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)~~) 2021-2 ALL PROJECTS as developed
21 March (~~(11, 2020)~~) 22, 2021;

22 (c) Allotment modifications authorized under this subsection
23 apply only to amounts appropriated in this section from the following
24 accounts: Puget Sound capital construction account—state,
25 transportation partnership account—state, and capital vessel
26 replacement 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. 1008.** 2020 c 219 s 309 (uncodified) is amended to read as
31 follows:

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

33 Motor Vehicle Account—State Appropriation.	((\$3,300,000))
34	<u>\$2,300,000</u>
35 Essential Rail Assistance Account—State Appropriation . . .	\$851,000
36 Transportation Infrastructure Account—State	
37 Appropriation	((\$7,554,000))
38	<u>\$7,465,000</u>

1	Multimodal Transportation Account—State	
2	Appropriation	((\$74,876,000))
3		<u>\$74,874,000</u>
4	Multimodal Transportation Account—Federal	
5	Appropriation	\$8,601,000
6	Multimodal Transportation Account—Local	
7	Appropriation	\$336,000
8	TOTAL APPROPRIATION.	((\$95,518,000))
9		<u>\$94,427,000</u>

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

12 (1) Except as provided otherwise in this section, the entire
13 appropriations in this section are provided solely for the projects
14 and activities as listed by project and amount in LEAP Transportation
15 Document ((2020)) 2021-2 ALL PROJECTS as developed March ((~~11, 2020~~))
16 22, 2021, Program - Rail Program (Y).

17 (2) ((~~\$7,136,000~~)) \$7,047,000 of the transportation
18 infrastructure account—state appropriation is provided solely for new
19 low-interest loans approved by the department through the freight
20 rail investment bank (FRIB) program. The department shall issue FRIB
21 program loans with a repayment period of no more than ten years, and
22 charge only so much interest as is necessary to recoup the
23 department's costs to administer the loans. The department shall
24 report annually to the transportation committees of the legislature
25 and the office of financial management on all FRIB loans issued.

26 (3) \$7,782,000 of the multimodal transportation account—state
27 appropriation, \$51,000 of the transportation infrastructure account—
28 state appropriation, and \$135,000 of the essential rail assistance
29 account—state appropriation are provided solely for new statewide
30 emergent freight rail assistance projects identified in the LEAP
31 transportation document referenced in subsection (1) of this section.

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

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

10 (5) (a) \$716,000 of the essential rail assistance account—state
11 appropriation and \$82,000 of the multimodal transportation account—
12 state appropriation are provided solely for the purpose of the
13 rehabilitation and maintenance of the Palouse river and Coulee City
14 railroad line (F01111B).

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

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

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

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

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

33 (7) (~~(\$10,000,000)~~) \$4,031,000 of the multimodal transportation
34 account—state appropriation is provided solely as expenditure
35 authority for any insurance proceeds received by the state for
36 Passenger Rail Equipment Replacement (project 700010C.) The
37 department must use this expenditure authority only to purchase
38 replacement equipment that has been competitively procured and for

1 service recovery needs and corrective actions related to the December
2 2017 derailment.

3 (8) \$898,000 of the multimodal transportation account—federal
4 appropriation and \$8,000 of the multimodal transportation account—
5 state appropriation are provided solely for the Ridgefield Rail
6 Overpass (project 725910A). Total costs for this project may not
7 exceed \$909,000 across fiscal biennia.

8 (9) (a) For projects funded as part of the 2015 connecting
9 Washington transportation package listed on the LEAP transportation
10 document identified in subsection (1) of this section, if the
11 department expects to have substantial reappropriations for the
12 2021-2023 fiscal biennium, the department may, on a pilot basis,
13 apply funding from a project in this section with an appropriation
14 that cannot be used for the current fiscal biennium to advance the
15 South Kelso Railroad Crossing project (L1000147).

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

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

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

28 ~~((11))~~) The department must report to the joint transportation
29 committee on the progress made on freight rail investment bank
30 projects and freight rail assistance projects funded during this
31 biennium by January 1, 2020.

32 ~~((12))~~) (11) \$1,500,000 of the multimodal transportation account
33 —state appropriation is provided solely for the Chelatchie Prairie
34 railroad roadbed rehabilitation project (L1000233).

35 ~~((13))~~) (12) \$250,000 of the multimodal transportation account—
36 state appropriation is provided solely for the Port of Moses Lake
37 Northern Columbia Basin railroad feasibility study (L1000235).

1 ~~((14))~~ (13) \$500,000 of the multimodal transportation account—
2 state appropriation is provided solely for the Spokane airport
3 transload facility project (L1000242).

4 ~~((15) — \$1,000,000 — of — the — motor — vehicle — account — state~~
5 ~~appropriation is provided solely for the grade separation at Bell~~
6 ~~road project (L1000239)).~~

7 ~~(16))~~ (14) \$750,000 of the motor vehicle account—state
8 appropriation and \$399,000 of the multimodal transportation account—
9 state appropriation are provided solely for the rail crossing
10 improvements at 6th Ave. and South 19th St. project (L2000289).

11 ~~((18))~~ (15) 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))~~ 22, 2021;

29 (c) Allotment modifications authorized under this subsection
30 apply only to amounts appropriated in this section from the
31 multimodal transportation account—state; and

32 (d) By December 1, 2020, the department must submit a report to
33 the transportation committees of the legislature regarding the
34 actions taken under this subsection.

35 **Sec. 1009.** 2020 c 219 s 310 (uncodified) is amended to read as
36 follows:

37 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**
38 **CAPITAL**

1	Highway Infrastructure Account—State Appropriation	\$1,276,000
2	Highway Infrastructure Account—Federal Appropriation	\$1,337,000
3	Transportation Partnership Account—State	
4	Appropriation	(\$2,380,000)
5		<u>\$1,630,000</u>
6	Highway Safety Account—State Appropriation	\$1,314,000
7	Motor Vehicle Account—State Appropriation	(\$35,607,000)
8		<u>\$24,543,000</u>
9	Motor Vehicle Account—Federal Appropriation	(\$41,420,000)
10		<u>\$49,588,000</u>
11	Motor Vehicle Account—Private/Local Appropriation	(\$24,600,000)
12		<u>\$18,000,000</u>
13	Connecting Washington Account—State Appropriation	(\$155,550,000)
14		<u>\$130,708,000</u>
15	Multimodal Transportation Account—State	
16	Appropriation	(\$77,469,000)
17		<u>\$74,351,000</u>
18	TOTAL APPROPRIATION.	(\$340,953,000)
19		<u>\$302,747,000</u>

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 ((2020)) 2021-2 ALL PROJECTS as developed March ((11, 2020))
26 22, 2021, Program - Local Programs Program (Z).

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

30 (a) (~~(\$18,380,000)~~) \$8,361,000 of the multimodal transportation
31 account—state appropriation is provided solely for newly selected
32 pedestrian and bicycle safety program projects. (~~(\$18,577,000)~~)
33 \$19,363,000 of the multimodal transportation account—state
34 appropriation and \$1,380,000 of the transportation partnership
35 account—state appropriation are reappropriated for pedestrian and
36 bicycle safety program projects selected in the previous biennia
37 (L2000188).

38 (b) (~~(\$11,400,000)~~) \$4,066,000 of the motor vehicle account—
39 federal appropriation and (~~(\$7,750,000)~~) \$4,668,000 of the multimodal

1 transportation account—state appropriation are provided solely for
2 newly selected safe routes to school projects. (~~(\$11,354,000)~~)
3 \$10,744,000 of the motor vehicle account—federal appropriation,
4 (~~(\$4,640,000)~~) \$3,075,000 of the multimodal transportation account—
5 state appropriation, and \$1,314,000 of the highway safety account—
6 state appropriation are reappropriated for safe routes to school
7 projects selected in the previous biennia (L2000189). The department
8 may consider the special situations facing high-need areas, as
9 defined by schools or project areas in which the percentage of the
10 children eligible to receive free and reduced-price meals under the
11 national school lunch program is equal to, or greater than, the state
12 average as determined by the department, when evaluating project
13 proposals against established funding criteria while ensuring
14 continued compliance with federal eligibility requirements.

15 (3) The department shall submit a report to the transportation
16 committees of the legislature by December 1, 2019, and December 1,
17 2020, on the status of projects funded as part of the pedestrian
18 safety/safe routes to school grant program. The report must include,
19 but is not limited to, a list of projects selected and a brief
20 description of each project's status.

21 (4) (~~(\$37,537,000)~~) \$32,976,000 of the multimodal transportation
22 account—state appropriation is provided solely for bicycle and
23 pedestrian projects listed in the LEAP transportation document
24 referenced in subsection (1) of this section.

25 (5) (~~(\$23,926,000)~~) \$13,829,000 of the connecting Washington
26 account—state appropriation is provided solely for the Covington
27 Connector (L2000104). The amounts described in the LEAP
28 transportation document referenced in subsection (1) of this section
29 are not a commitment by future legislatures, but it is the
30 legislature's intent that future legislatures will work to approve
31 appropriations in the 2019-2021 fiscal biennium to reimburse the city
32 of Covington for approved work completed on the project up to the
33 full \$24,000,000 cost of this project.

34 (6) (a) For projects funded as part of the 2015 connecting
35 Washington transportation package listed on the LEAP transportation
36 document identified in subsection (1) of this section, if the
37 department expects to have substantial reappropriations for the
38 2021-2023 fiscal biennium, the department may, on a pilot basis,
39 apply funding from a project in this section with an appropriation

1 that cannot be used for the current fiscal biennium to advance one or
2 more of the following projects:

3 (i) I-5/Port of Tacoma Road Interchange (L1000087);

4 (ii) SR 99 Revitalization in Edmonds (NEDMOND); or

5 (iii) SR 523 145th Street (L1000148);

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

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

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

18 (8) (a) (~~(\$15,213,000)~~) \$22,500,000 of the motor vehicle account—
19 federal appropriation is provided solely for national highway freight
20 network projects identified on the project list submitted in
21 accordance with section 218(4)(b), chapter 14, Laws of 2016 on
22 October 31, 2016.

23 (b) The department shall convene a stakeholder group for the
24 purpose of developing a recommendation for a Washington freight
25 advisory committee. The recommendations must include, but are not
26 limited to, defining the committee's purpose and goals, roles and
27 responsibilities, reporting structure, and proposed activities.
28 Stakeholders must include representation from, but not limited to,
29 the trucking industry, the maritime industry, the rail industry,
30 cities, tribal governments, counties, ports, and representatives from
31 key industrial associations important to the state's economic
32 vitality and other relevant public and private interests. In
33 developing the recommendation, the stakeholder group must review
34 practices used by other states. The proposed committee must conform
35 with requirements of the fixing America's surface transportation act
36 and other relevant federal legislation. The recommendations must
37 include how the committee can address improving freight mobility
38 including, but not limited to, addressing insufficient truck parking
39 in Washington state, examining the link between preservation
40 investments and freight mobility, and enhancing freight logistics

1 through the application of technology. The stakeholder group shall
2 make recommendations to the governor and the transportation
3 committees of the legislature by December 1, 2020.

4 (9) \$1,000,000 of the motor vehicle account—state appropriation
5 is provided solely for the Beech Street Extension project (L1000222).

6 (10) (~~(\$3,900,000)~~) \$2,000,000 of the motor vehicle account—state
7 appropriation is provided solely for the Dupont-Steilacoom road
8 improvements project (L1000224).

9 (11) (~~(\$650,000)~~) \$100,000 of the motor vehicle account—state
10 appropriation is provided solely for the SR 104/40th place northeast
11 roundabout project (L1000244).

12 (12) (~~(\$860,000)~~) \$360,000 of the multimodal transportation
13 account—state appropriation is provided solely for the Clinton to
14 Ken's corner trail project (L1000249).

15 (13) (~~(\$210,000 of the motor vehicle account—state appropriation~~
16 ~~is provided solely for the I-405/44th gateway signage and green-~~
17 ~~scaping improvements project (L1000250).~~

18 ~~(14) (\$650,000)~~ \$50,000 of the motor vehicle account—state
19 appropriation is provided solely for the Wallace Kneeland and Shelton
20 springs road intersection improvements project (L1000260).

21 ~~((15))~~ (14) \$1,000,000 of the motor vehicle account—state
22 appropriation and \$500,000 of the multimodal transportation account—
23 state appropriation are provided solely for the complete 224th Phase
24 two project (L1000270).

25 ~~((16))~~ (15) \$60,000 of the multimodal transportation account—
26 state appropriation is provided solely for the installation of an
27 updated meteorological station at the Colville airport (L1000279).

28 ~~((17))~~ (16)(a) \$700,000 of the motor vehicle account—state
29 appropriation is provided solely for the Ballard-Interbay Regional
30 Transportation system plan project (L1000281).

31 (b) Funding in this subsection is provided solely for the city of
32 Seattle to develop a plan and report for the Ballard-Interbay
33 Regional Transportation System project to improve mobility for people
34 and freight. The plan must be developed in coordination and
35 partnership with entities including but not limited to the city of
36 Seattle, King county, the Port of Seattle, Sound Transit, the
37 Washington state military department for the Seattle armory, and the
38 Washington state department of transportation. The plan must examine
39 replacement of the Ballard bridge and the Magnolia bridge, which was

1 damaged in the 2001 Nisqually earthquake. The city must provide a
2 report on the plan that includes recommendations to the Seattle city
3 council, King county council, and the transportation committees of
4 the legislature by November 1, 2020. The report must include
5 recommendations on how to maintain the current and future capacities
6 of the Magnolia and Ballard bridges, an overview and analysis of all
7 plans between 2010 and 2020 that examine how to replace the Magnolia
8 bridge, and recommendations on a timeline for constructing new
9 Magnolia and Ballard bridges.

10 ~~((18))~~ (17) \$750,000 of the motor vehicle account—state
11 appropriation is provided solely for the Mickelson Parkway project
12 (L1000282).

13 ~~((19) \$300,000)~~ (18) \$175,000 of the motor vehicle account—
14 state appropriation is provided solely for the South 314th Street
15 Improvements project (L1000283).

16 ~~((20) \$250,000)~~ (19) \$200,000 of the motor vehicle account—
17 state appropriation is provided solely for the Ridgefield South I-5
18 Access Planning project (L1000284).

19 ~~((21) \$300,000)~~ (20) \$50,000 of the motor vehicle account—state
20 appropriation is provided solely for the Washougal 32nd Street
21 Underpass Design and Permitting project (L1000285).

22 ~~((22) \$600,000 of the connecting Washington account—state
23 appropriation, \$150,000)~~ (21) \$25,000 of the motor vehicle account—
24 state appropriation ~~(,)~~ and \$267,000 of the multimodal
25 transportation account—state appropriation are provided solely for
26 the Bingen Walnut Creek and Maple Railroad Crossing (L2000328).

27 ~~((23) \$1,500,000)~~ (22) \$200,000 of the motor vehicle account—
28 state appropriation is provided solely for the SR 303 Warren Avenue
29 Bridge Pedestrian Improvements project (L2000339).

30 ~~((24) \$1,000,000)~~ (23) \$150,000 of the motor vehicle account—
31 state appropriation is provided solely for the 72nd/Washington
32 Improvements in Yakima project (L2000341).

33 ~~((25) \$650,000)~~ (24) \$150,000 of the motor vehicle account—
34 state appropriation is provided solely for the 48th/Washington
35 Improvements in Yakima project (L2000342).

36 ~~((27))~~ (25) The appropriations in this section include savings
37 due to anticipated project underruns; however, it is unknown which
38 projects will provide savings. The legislature intends to provide
39 sufficient flexibility for the department to manage to this savings

1 target. To provide this flexibility, the office of financial
2 management may authorize, through an allotment modification,
3 reductions in the appropriated amounts that are provided solely for a
4 particular purpose within this section subject to the following
5 conditions and limitations:

6 (a) The department must confirm that any modification requested
7 under this subsection of amounts provided solely for a specific
8 purpose are not expected to be used for that purpose in this
9 biennium;

10 (b) Allotment modifications authorized under this subsection may
11 not result in increased funding for any project beyond the amount
12 provided for that project in the 2019-2021 fiscal biennium in LEAP
13 Transportation Document ((2020)) 2021-2 ALL PROJECTS as developed
14 March ((11, 2020)) 22, 2021;

15 (c) Allotment modifications authorized under this subsection
16 apply only to amounts appropriated in this section from the following
17 accounts: Connecting Washington account—state and multimodal
18 transportation account—state; and

19 (d) By December 1, 2020, the department must submit a report to
20 the transportation committees of the legislature regarding the
21 actions taken under this subsection.

22 (26) \$9,000,000 of the motor vehicle account—federal
23 appropriation is provided solely for acceleration of local
24 preservation projects that ensure the reliable movement of freight on
25 the national highway freight system (G2000100). The department shall
26 identify projects through its current national highway system asset
27 management call for projects with applications due in February 2021.
28 The department shall give priority to those projects that can be
29 obligated by September 30, 2021.

30 **Sec. 1010.** 2019 c 416 s 302 (uncodified) is amended to read as
31 follows:

32 **FOR THE WASHINGTON STATE PATROL**

33 State Patrol Highway Account—State Appropriation . . . ((~~\$3,277,000~~))
34 \$2,437,000

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

37 The entire appropriation in this section is provided solely for
38 the following projects:

- 1 (1) \$250,000 for emergency repairs;
- 2 (2) (~~(\$468,000)~~) \$268,000 for roof replacements;
- 3 (3) \$350,000 for fuel tank decommissioning;
- 4 (4) (~~(\$759,000)~~) \$119,000 for generator and electrical
- 5 replacement;
- 6 (5) \$750,000 for water and fire suppression systems; and
- 7 (6) \$700,000 for academy training tank preservation
- 8 reappropriation.

9 The Washington state patrol may transfer funds between projects
 10 specified in this section to address cash flow requirements. If a
 11 project specified in this section is completed for less than the
 12 amount provided, the remainder may be transferred to another project
 13 specified in this section not to exceed the total appropriation
 14 provided in this section.

15 **TRANSFERS AND DISTRIBUTIONS**

16 **Sec. 1101.** 2020 c 219 s 401 (uncodified) is amended to read as
 17 follows:

18 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**
 19 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND**
 20 **DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND**
 21 **REVENUE**

22	Special Category C Account—State Appropriation.	((\$105,000))
23	<u>\$21,000</u>
24	((Multimodal Transportation Account—State Appropriation.	\$125,000))
25	Transportation Partnership Account—State Appropriation ((\$1,407,000))	
26		<u>\$182,000</u>
27	Connecting Washington Account—State Appropriation. . . ((\$7,723,000))	
28		<u>\$2,455,000</u>
29	Highway Bond Retirement Account—State	
30	Appropriation.	((\$1,378,835,000))
31		<u>\$1,308,311,000</u>
32	Ferry Bond Retirement Account—State Appropriation. . ((\$25,078,000))	
33		<u>\$25,079,000</u>
34	Transportation Improvement Board Bond Retirement	
35	Account—State Appropriation.	((\$12,452,000))
36		<u>\$12,062,000</u>

1	Nondebt-Limit Reimbursable Bond Retirement	
2	Account—State Appropriation.	((\$31,253,000))
3		<u>\$29,514,000</u>
4	Toll Facility Bond Retirement Account—State	
5	Appropriation.	((\$86,483,000))
6		<u>\$69,407,000</u>
7	TOTAL APPROPRIATION.	((\$1,543,461,000))
8		<u>\$1,447,031,000</u>

9 **Sec. 1102.** 2020 c 219 s 402 (uncodified) is amended to read as
10 follows:

11 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**
12 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**
13 **FISCAL AGENT CHARGES**

14	((Multimodal Transportation Account—State Appropriation. . . \$25,000))	
15	Transportation Partnership Account—State	
16	Appropriation.	((\$281,000))
17		<u>\$68,000</u>
18	Connecting Washington Account—State Appropriation. . .	((\$1,599,000))
19		<u>\$640,000</u>
20	Special Category C Account—State Appropriation.	((\$21,000))
21		<u>\$9,000</u>
22	TOTAL APPROPRIATION.	((\$1,926,000))
23		<u>\$717,000</u>

24 **Sec. 1103.** 2020 c 219 s 403 (uncodified) is amended to read as
25 follows:

26 **FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

27	Motor Vehicle Account—State Appropriation:	
28	For motor vehicle fuel tax distributions to	
29	cities and counties.	((\$508,276,000))
30		<u>\$456,823,000</u>

31 **Sec. 1104.** 2020 c 219 s 404 (uncodified) is amended to read as
32 follows:

33 **FOR THE STATE TREASURER—TRANSFERS**

34	Motor Vehicle Account—State Appropriation:	
35	For motor vehicle fuel tax refunds and	

1 statutory transfers. ((~~\$2,146,790,000~~))
2 \$1,921,901,000

3 **Sec. 1105.** 2020 c 219 s 405 (uncodified) is amended to read as
4 follows:

5 **FOR THE DEPARTMENT OF LICENSING—TRANSFERS**

6 Motor Vehicle Account—State Appropriation:
7 For motor vehicle fuel tax refunds and
8 transfers. ((~~\$235,788,000~~))
9 \$240,415,000

10 **Sec. 1106.** 2020 c 219 s 406 (uncodified) is amended to read as
11 follows:

12 **FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS**

13 (1) Highway Safety Account—State Appropriation:
14 For transfer to the Multimodal Transportation
15 Account—State. ((~~\$54,000,000~~))
16 \$24,000,000

17 (2) ((~~Transportation Partnership Account—State~~
18 ~~Appropriation: For transfer to the Motor Vehicle~~
19 ~~Account—State. \$45,000,000~~

20 ~~(3))~~) Motor Vehicle Account—State Appropriation:
21 For transfer to the State Patrol Highway
22 Account—State. ((~~\$57,000,000~~))
23 \$25,400,000

24 ((~~(4)~~)) (3) Motor Vehicle Account—State Appropriation:
25 For transfer to the Freight Mobility Investment
26 Account—State. \$8,070,000

27 ((~~(5)~~)) (4) Motor Vehicle Account—State Appropriation:
28 For transfer to the Rural Arterial Trust
29 Account—State. \$1,732,000

30 ((~~(6)~~)) (5) Motor Vehicle Account—State Appropriation:
31 For transfer to the Transportation Improvement
32 Account—State. ((~~\$5,067,000~~))
33 \$34,067,000

34 ((~~(7)~~)) (6) Motor Vehicle Account—State Appropriation:
35 For transfer to the Puget Sound Capital Construction
36 Account—State. ((~~\$52,000,000~~))

1 \$61,000,000

2 ~~((8))~~ (7) Motor Vehicle Account—State Appropriation:

3 For transfer to the Puget Sound Ferry Operations

4 Account—State. \$55,000,000

5 ~~((9))~~ (8) Rural Mobility Grant Program Account—State

6 Appropriation: For transfer to the Multimodal

7 Transportation Account—State. \$3,000,000

8 ~~((10))~~ (9) State Route Number 520 Civil Penalties

9 Account—State Appropriation: For transfer to

10 the State Route Number 520 Corridor

11 Account—State. ~~(\$1,434,000)~~

12 \$1,666,000

13 ~~((11))~~ (10) Capital Vessel Replacement Account—State

14 Appropriation: For transfer to the Connecting

15 Washington Account—State. \$60,000,000

16 ~~((12))~~ (11) Multimodal Transportation Account—State

17 Appropriation: For transfer to the Regional

18 Mobility Grant Program Account—State. \$11,215,000

19 ~~((13))~~ (12) Multimodal Transportation Account—State

20 Appropriation: For transfer to the Rural

21 Mobility Grant Program Account—State. \$15,223,000

22 ~~((14) Transportation 2003 Account (Nickel Account)—~~

23 ~~State Appropriation: For transfer to the Puget~~

24 ~~Sound Capital Construction Account State. \$15,000,000~~

25 ~~(15)(a) Alaskan Way Viaduct Replacement Project~~

26 ~~Account State Appropriation: For transfer to the~~

27 ~~Motor Vehicle Account State. \$9,992,000~~

28 ~~(b) The transfer identified in this subsection is provided solely~~

29 ~~to repay in full the motor vehicle account state appropriation loan~~

30 ~~from section 1005(21), chapter 416, Laws of 2019.~~

31 ~~(16))~~ (13) (a) Transportation Partnership Account—State

32 Appropriation: For transfer to the Alaskan Way Viaduct

33 Replacement Project Account—State. \$77,956,000

34 (b) The amount transferred in this subsection represents that

35 portion of the up to \$200,000,000 in proceeds from the sale of bonds

36 authorized in RCW 47.10.873, intended to be sold through the

37 2021-2023 fiscal biennium, used only for construction of the SR 99/

38 Alaskan Way Viaduct Replacement project (809936Z), and that must be

1 repaid from the Alaskan Way viaduct replacement project account
2 consistent with RCW 47.56.864.

3 (~~(17)~~) (14) Motor Vehicle Account—State Appropriation:
4 For transfer to the County Arterial Preservation
5 Account—State. (~~(\$4,829,000)~~)
6 \$9,902,000

7 (~~(18)~~) (15) (a) General Fund Account—State Appropriation:
8 For transfer to the State Patrol Highway
9 Account—State. \$625,000

10 (b) The state treasurer shall transfer the funds only after
11 receiving notification from the Washington state patrol under section
12 207(7), chapter 416, Laws of 2019.

13 (~~(19)~~) (16) Capital Vessel Replacement Account—State
14 Appropriation: For transfer to the Transportation
15 Partnership Account—State. (~~(\$2,312,000)~~)
16 \$1,167,000

17 (~~(20)~~) (17) (a) Alaskan Way Viaduct Replacement Project
18 Account—State Appropriation: For transfer to the
19 Transportation Partnership Account—State. (~~(\$15,858,000)~~)
20 \$16,237,000

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

24 (~~(21)~~) (18) Tacoma Narrows Toll Bridge Account—State
25 Appropriation: For transfer to the Motor
26 Vehicle Account—State. \$950,000

27 (~~(22)~~) (19) (a) Tacoma Narrows Toll Bridge Account—State
28 Appropriation:
29 For transfer to the Motor Vehicle
30 Account—State. \$5,000,000

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

37 (~~(23)~~) (20) (a) Transportation (~~(2003 Account (Nickel Account))~~)
38 Partnership Account—State Appropriation:
39 For transfer to the Tacoma

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

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

8 ~~((+24))~~ (21) Transportation Infrastructure Account—State
9 Appropriation: For transfer to the multimodal
10 Transportation Account—State. \$9,000,000

11 ~~((+25))~~ (22) Multimodal Transportation Account—State
12 Appropriation: For transfer to the Pilotage
13 Account—State. \$2,500,000

14 ~~((+26))~~ (23)(a) Motor Vehicle Account—State
15 Appropriation: For transfer to the County Road
16 Administration Board Emergency Loan Account—State. \$1,000,000

17 (b) If chapter 157, Laws of 2019 is not enacted by June 30, 2019,
18 the amount provided in this subsection lapses.

19 ~~((+27))~~ (24)(a) Advanced Environmental Mitigation
20 Revolving Account—State Appropriation: For transfer
21 to the Motor Vehicle Account—State. \$9,000,000

22 (b) The amount transferred in this subsection is contingent on at
23 least a \$9,000,000 transfer to the advanced environmental mitigation
24 revolving account authorized by June 30, 2019, in the omnibus capital
25 appropriations act.

26 ~~((+28) Multimodal Transportation Account—State
27 Appropriation: For transfer to the Electric Vehicle
28 Charging Infrastructure Account—State. \$1,000,000~~

29 ~~(+29))~~ (25) Multimodal Transportation Account—State
30 Appropriation: For transfer to the Complete Streets
31 Grant Program Account—State. \$10,200,000

32 ~~((+30))~~ (26)(a) Multimodal Transportation Account—State
33 Appropriation: For transfer to the Connecting
34 Washington Account—State. \$82,080,000

35 (b) The amount transferred in this subsection represents a
36 reversal of the changes made to RCW 82.32.385, in section 703,
37 chapter 219, Laws of 2020, that directed a transfer of \$82,080,000 to
38 the multimodal transportation account rather than the connecting
39 Washington account.

1 (27) (a) Transportation Partnership Account—State
 2 Appropriation: For transfer to the Capital Vessel
 3 Replacement Account—State. (~~(\$96,030,000)~~)
 4 \$35,547,000

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

7 (~~(+31)~~) (28) Freight Mobility Multimodal Account—State
 8 Appropriation: For transfer to the Multimodal Transportation
 9 Account—State. \$7,296,000

10 (~~(+32)~~) (29) Connecting Washington Account—State
 11 Appropriation: For transfer to the Motor Vehicle
 12 Account—State. \$115,000,000

13 (30) (a) Motor Vehicle Account—State Appropriation:
 14 For transfer to the Alaskan Way Viaduct Replacement
 15 Project Account—State. \$14,000,000

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

21 (31) Motor Vehicle Account—State Appropriation:
 22 For transfer to the Transportation 2003 Account
 23 (Nickel Account)—State. \$12,800,000

24 (32) Multimodal Transportation Account—State
 25 Appropriation: For transfer to the Puget Sound
 26 Ferry Operations Account—State. \$55,000,000

27 **Sec. 1107.** 2020 c 219 s 407 (uncodified) is amended to read as
 28 follows:

29 **FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

30 Multimodal Transportation Account—State
 31 Appropriation: For distribution to cities and
 32 counties. \$26,786,000

33 Motor Vehicle Account—State Appropriation: For
 34 distribution to cities and counties. \$23,438,000

35 TOTAL APPROPRIATION. \$50,224,000

1 **Sec. 1108.** 2020 c 219 s 408 (uncodified) is amended to read as
2 follows:

3 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**
4 **BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY**
5 **STATUTORILY PRESCRIBED REVENUE**

6	Toll Facility Bond Retirement Account—Federal	
7	Appropriation	((\$199,522,000))
8		<u>\$199,523,000</u>
9	Toll Facility Bond Retirement Account—State	
10	Appropriation	\$25,372,000
11	TOTAL APPROPRIATION.	((\$224,894,000))
12		<u>\$224,895,000</u>

13 **MISCELLANEOUS 2019-2021 FISCAL BIENNIUM**

14 NEW SECTION. **Sec. 1201.** A new section is added to 2019 c 416
15 (uncodified) to read as follows:

16 The appropriations to the department of transportation in chapter
17 416, Laws of 2019, chapter 219, Laws of 2020, and this act must be
18 expended for the programs and in the amounts specified in chapter
19 416, Laws of 2019, chapter 219, Laws of 2020, and this act. However,
20 after May 1, 2021, unless specifically prohibited, the department may
21 transfer state appropriations for the 2019-2021 fiscal biennium among
22 operating programs after approval by the director of the office of
23 financial management. However, the department shall not transfer
24 state moneys that are provided solely for a specific purpose. The
25 department shall not transfer funds, and the director of the office
26 of financial management shall not approve the transfer, unless the
27 transfer is consistent with the objective of conserving, to the
28 maximum extent possible, the expenditure of state funds and not
29 federal funds. The director of the office of financial management
30 shall notify the appropriate transportation committees of the
31 legislature prior to approving any allotment modifications or
32 transfers under this section.

33 **MISCELLANEOUS**

34 NEW SECTION. **Sec. 1301.** Section 709 does not take effect if
35 chapter. . .(Engrossed Substitute House Bill No. 1529), Laws of 2021

1 (SR 520 debt service obligation requirements) is enacted by June 30,
2 2021.

3 NEW SECTION. **Sec. 1302.** If any provision of this act or its
4 application to any person or circumstance is held invalid, the
5 remainder of the act or the application of the provision to other
6 persons or circumstances is not affected.

7 NEW SECTION. **Sec. 1303.** This act is necessary for the immediate
8 preservation of the public peace, health, or safety, or support of
9 the state government and its existing public institutions, and takes
10 effect immediately.

(End of Bill)

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