
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: S-2741.1/23

ATTY/TYPIST: AI:eab

BRIEF DESCRIPTION: Making transportation appropriations for the
2021-2023 fiscal biennium and 2023-2025 fiscal
biennia.

1 AN ACT Relating to transportation funding and appropriations;
2 amending RCW 43.19.642, 46.01.385, 46.20.745, 46.63.030, 46.68.063,
3 46.68.290, 46.68.300, 46.68.370, 46.68.395, 46.68.490, 46.68.500,
4 47.12.063, 47.56.870, 47.56.876, 47.60.322, 47.66.120, and 82.44.200;
5 amending 2022 c 186 ss 205, 206, 207, 208, 209, 210, 211, 212, 213,
6 214, 215, 216, 217, 218, 219, 221, 222, 223, 224, 301, 302, 303, 304,
7 305, 306, 307, 308, 309, 310, 401, 402, 403, 404, and 405
8 (uncodified); amending 2021 c 333 ss 304 and 407 (uncodified);
9 amending 2023 c 2 s 2 (uncodified); adding a new section to 2022 c
10 186 (uncodified); creating new sections; repealing 2022 c 187 ss
11 201-211, 301-308, and 401 (uncodified); making appropriations and
12 authorizing expenditures for capital improvements; and declaring an
13 emergency.

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

15 **2023-2025 FISCAL BIENNIUM**

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

1 offices for employee compensation and other expenses, for capital
2 projects, and for other specified purposes, including the payment of
3 any final judgments arising out of such activities, for the period
4 ending June 30, 2025.

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

7 (a) "Fiscal year 2024" or "FY 2024" means the fiscal year ending
8 June 30, 2024.

9 (b) "Fiscal year 2025" or "FY 2025" means the fiscal year ending
10 June 30, 2025.

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

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

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

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

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

25 **GENERAL GOVERNMENT AGENCIES—OPERATING**

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

28 Motor Vehicle Account—State Appropriation. \$566,000

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

31 Grade Crossing Protective Account—State
32 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.	\$200,000
2	Puget Sound Ferry Operations Account—State	
3	Appropriation.	\$126,000
4	TOTAL APPROPRIATION.	\$326,000

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

7	Motor Vehicle Account—State Appropriation.	\$1,186,000
8	Multimodal Transportation Account—State	
9	Appropriation.	\$1,000
10	TOTAL APPROPRIATION.	\$1,187,000

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

13 (1) Except as provided in subsection (2) of this section, the
14 appropriations in this section are provided solely for road
15 maintenance purposes.

16 (2) \$1,000 of the multimodal transportation account—state
17 appropriation is provided solely for the commission to install a sign
18 in memory of Zachary Lee Rager on or near the bridge on the Willapa
19 trail that crosses the Chehalis river near old highway 603 providing
20 information about the hazards of cold water shock related to diving
21 or jumping off the bridge.

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

23	Motor Vehicle Account—State Appropriation.	\$1,403,000
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24 NEW SECTION. **Sec. 106. FOR THE LEGISLATIVE EVALUATION AND**
25 **ACCOUNTABILITY PROGRAM COMMITTEE**

26	Motor Vehicle Account—State Appropriation.	\$714,000
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27 NEW SECTION. **Sec. 107. FOR THE OFFICE OF MINORITY AND WOMEN'S**
28 **BUSINESS ENTERPRISES**

29	Move Ahead WA Flexible Account—State Appropriation.	\$2,000,000
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30 The appropriation in this section is subject to the following
31 conditions and limitations: The entire appropriation in this section
32 is provided solely for increasing the number of certified women and
33 minority-owned contractors in the transportation sector.

1 NEW SECTION. **Sec. 108. FOR THE JOINT LEGISLATIVE AUDIT AND**
2 **REVIEW COMMITTEE**

3 Multimodal Transportation Account—State

4 Appropriation. \$300,000

5 The appropriation in this section is subject to the following
6 conditions and limitations: \$300,000 of the multimodal transportation
7 account—state appropriation is provided solely for the joint
8 legislative audit and review committee to conduct an independent
9 review of the usage of triple trailer commercial vehicle
10 configurations.

11 (1) As part of the review, the committee must:

12 (a) Consult with at least seven industry motor carriers,
13 including five national carriers and two regional carriers, that
14 operate triple trailer configurations to gather vehicle miles
15 traveled, collisions and causes of collisions for each trailer
16 configuration operated, power unit vehicle miles traveled saved by
17 triple trailer usage, employee displacement and classification
18 changes, and estimated carbon reductions resulting from triple
19 trailer usage; and

20 (b) Evaluate, at a minimum, triple trailer usage in other states
21 to include requirements pertaining to permitting, operator and
22 vehicle licensing, and equipment and infrastructure, with a five-year
23 comparison of collision and safety related data pertaining to the
24 operation of triple trailers in allowable states as compared to all
25 other allowable commercial vehicle trailer configurations.

26 (2) The review must include:

27 (a) Details of triple trailer operations by motor carriers to
28 identify unique dependencies placed on public infrastructure for
29 parking, enforcement, inspection, and travel routes;

30 (b) Consultation with commercial vehicle enforcement entities in
31 states that allow the use of triple trailer configurations to
32 determine challenges to enforcement, safety, and expedient traffic
33 flow; and

34 (c) A review of federal ISTEA freeze variances that have occurred
35 since 1991, including changes in the 2015 FAST act, that can be
36 utilized to gain federal approval for a pilot or operation of triple
37 trailer configurations in Washington state.

38 (3) The committee must report to the transportation committees of
39 the legislature best practices that would benefit Washington state in

1 the operation of triple trailer configurations, and any
2 recommendations for further legislative and policy actions by
3 September 1, 2024.

4 NEW SECTION. **Sec. 109. FOR THE DEPARTMENT OF COMMERCE**

5 Electric Vehicle Account—State Appropriation.	\$220,000
6 Multimodal Transportation Account—State	
7 Appropriation.	\$535,000
8 TOTAL APPROPRIATION.	\$755,000

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

11 (1) \$220,000 of the electric vehicle account—state appropriation
12 is provided solely to the department to commission an independent
13 study, based on the findings of the transportation electrification
14 strategy authorized under RCW 43.392.040, of costs of installation,
15 maintenance, and operation of electrical distribution infrastructure
16 on the utility's side of the meter to commercial customers
17 installing electric vehicle supply equipment. The department shall
18 gather data from at least five electric utilities serving retail
19 customers in the state for purposes of completing the study. The
20 department shall submit a report of study findings and an explanation
21 of how those findings will support implementation of the
22 transportation electrification strategy authorized
23 under RCW 43.392.040 to the governor and appropriate legislative
24 committees by November 1, 2024.

25 (2) \$535,000 of the multimodal transportation account—state
26 appropriation is provided solely for implementation of chapter . . .
27 (Engrossed Substitute Senate Bill No. 5466), Laws of 2023 (transit-
28 oriented development). If chapter . . . (Engrossed Substitute Senate
29 Bill No. 5466), Laws of 2023 is not enacted by June 30, 2023, the
30 amount provided in this subsection lapses.

31 NEW SECTION. **Sec. 110. FOR THE BOARD OF PILOTAGE COMMISSIONERS**

32 Pilotage Account—State Appropriation.	\$3,519,000
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33 The appropriation in this section is subject to the following
34 conditions and limitations: The board of pilotage commissioners shall
35 file the annual report to the governor and chairs of the
36 transportation committees required under RCW 88.16.035(1)(f) by
37 September 1, 2023, and annually thereafter. The report must include

1 the continuation of policies and procedures necessary to increase the
2 diversity of pilots, trainees, and applicants, including a diversity
3 action plan. The diversity action plan must articulate a
4 comprehensive vision of the board's diversity goals and the steps it
5 will take to reach those goals.

6 NEW SECTION. **Sec. 111. FOR THE OFFICE OF THE GOVERNOR**

7 State Patrol Highway Account—State Appropriation. \$750,000

8 The appropriation in this section is subject to the following
9 conditions and limitations: \$750,000 of the state patrol highway
10 account—state appropriation is provided solely to the state office of
11 equity to contract with an independent consultant to conduct the
12 studies, evaluations, and reporting functions required in RCW
13 43.06D.060.

14 NEW SECTION. **Sec. 112. FOR THE ATTORNEY GENERAL**

15 Motor Vehicle Fund—State Appropriation. \$150,000

16 The appropriation in this section is subject to the following
17 conditions and limitations: \$150,000 of the motor vehicle account—
18 state appropriation is provided solely for the antitrust division of
19 the attorney general's office to convene a work group to examine
20 consumer fuel pricing in Washington state.

21 (1) The membership of the work group must include, but is not
22 limited to:

23 (a) The chair and ranking member of the transportation committees
24 of the legislature;

25 (b) Representatives of the department of licensing and the office
26 of financial management;

27 (c) Fuel refineries, distributors, suppliers, and retail
28 establishments; and

29 (d) Academic experts and consumer advocacy organizations with
30 knowledge and expertise in fuel pricing.

31 (2) The work group must review issues to include, but are not
32 limited to:

33 (a) Previous studies and evaluations of fuel pricing in
34 Washington state;

35 (b) Trends in fuel pricing in Washington state;

1 (c) Factors causing fuel prices in Washington state to be higher
2 than the national average and how these factors have changed over
3 time;

4 (d) Margins and profits at the fuel production, distribution, and
5 retail levels;

6 (e) State tax policies and regulatory factors that may impact
7 fuel pricing and make the state's fuel marketplace more or less
8 competitive; and

9 (f) Potential reporting and audit requirements that would make
10 fuel pricing more transparent to Washington state consumers.

11 (3) The attorney general's office must report its findings and
12 recommendations to the governor's office and the appropriate policy
13 and fiscal committees of the legislature by November 30, 2023.

14 NEW SECTION. **Sec. 113. FOR THE UNIVERSITY OF WASHINGTON**

15 Multimodal Transportation Account—State

16 Appropriation. \$2,000,000

17 The appropriation in this section is subject to the following
18 conditions and limitations: \$2,000,000 of the multimodal
19 transportation account—state appropriation is provided solely for the
20 University of Washington's sidewalk inventory and accessibility
21 mapping project to develop a public dataset under an open license and
22 develop the tools needed to publish that data according to an open
23 data specification. The project must include, but is not limited to,
24 utilization of existing data sources, imagery, detailed surveys, and
25 manually collected, detailed data for city streets, county rural and
26 urban local access roads and collectors/arterials, state roads of all
27 types, and roads owned by other entities. The project may draw on
28 partially developed sidewalk data for all state facilities. To the
29 extent practicable, the final product must be suitable for use by the
30 department of transportation, local and regional agencies, tribal
31 governments, and the general public. For the 2023-2025 fiscal
32 biennium, geographic preference must be given to the 16 statewide
33 locations the department of ecology has identified as overburdened
34 and highly impacted by air pollution. A report summarizing mapping
35 project progress is due to the transportation committees of the
36 legislature by December 1, 2024.

37 NEW SECTION. **Sec. 114. FOR WASHINGTON STATE UNIVERSITY**

1 Multimodal Transportation Account—State
2 Appropriation. \$100,000

3 The appropriation in this section is subject to the following
4 conditions and limitations: \$100,000 of the multimodal transportation
5 account—state appropriation is provided solely for Washington State
6 University to study the potential impacts that current licensing
7 requirements, including training hours, and testing may have on the
8 shortage of commercial drivers, with a focus on public transit
9 operators. The study must provide a comprehensive review and
10 recommendations for improving the state's commercial driver training
11 and certification, including:

- 12 (1) A review of standards that identify federal mandates for
13 transit operator training;
- 14 (2) The department of licensing's interpretation of the federal
15 mandates and what constitutes an additive standard not required by
16 federal mandates;
- 17 (3) Identifying areas for streamlining state training
18 requirements;
- 19 (4) Reviewing similarities and differences of at least five
20 states on their training and certification of commercial drivers; and
- 21 (5) Identifying challenges and issues for transit agencies
22 regarding current training, notice, department response,
23 certification, and commercial drivers licensing standards and what
24 adjustments may be warranted to help alleviate the shortage of public
25 transit operators.

26 NEW SECTION. **Sec. 115. FOR THE OFFICE OF THE SUPERINTENDENT OF**
27 **PUBLIC INSTRUCTION—FOR GRANTS AND PASS THROUGH FUNDING**

28 Driver's Education Safety Improvement Account—State
29 Appropriation. \$543,000

30 The appropriation in this section is subject to the following
31 conditions and limitations: The entire driver's education safety
32 improvement account—state appropriation is provided solely for the
33 implementation of chapter . . . (Engrossed Substitute Senate Bill No.
34 5583), Laws of 2023 (improving young driver safety). If chapter . . .
35 (Engrossed Substitute Senate Bill No. 5583), Laws of 2023 is not
36 enacted by June 30, 2023, the amount provided in this section lapses.

1 NEW SECTION. **Sec. 116. FOR THE ECONOMIC AND REVENUE FORECAST**
2 **COUNCIL**

3 Motor Vehicle Account—State Appropriation. \$674,000

4 The appropriation in this section is subject to the following
5 conditions and limitations: The entire motor vehicle account—state
6 appropriation is provided solely for the implementation of
7 chapter . . . (Senate Bill No. 5757), Laws of 2023 (transportation
8 revenue forecast) or chapter . . . (Engrossed Substitute House Bill
9 No. 1838), Laws of 2023 (transportation revenue forecast). If neither
10 chapter . . . (Senate Bill No. 5757), Laws of 2023 or chapter . . .
11 (Engrossed Substitute House Bill No. 1838), Laws of 2023 are enacted
12 by June 30, 2023, the amount provided in this section lapses.

(End of part)

1 **TRANSPORTATION AGENCIES—OPERATING**

2 NEW SECTION. **Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY**
3 **COMMISSION**

4 Highway Safety Account—State Appropriation. \$5,093,000
5 Highway Safety Account—Federal Appropriation. \$27,419,000
6 Highway Safety Account—Private/Local Appropriation. \$60,000
7 Cooper Jones Active Transportation Safety Account—
8 State Appropriation. \$636,000
9 Motor Vehicle Account—State Appropriation. \$400,000
10 School Zone Safety Account—State Appropriation. \$850,000
11 TOTAL APPROPRIATION. \$34,458,000

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

14 (1) \$400,000 of the Cooper Jones active transportation safety
15 account—state appropriation is provided solely for grant projects or
16 programs for bicycle, pedestrian, and nonmotorist safety improvement
17 administered by the commission in consultation with the Cooper Jones
18 active transportation safety council.

19 (2) \$485,000 of the highway safety account—state appropriation
20 and \$50,000 of the highway safety account—federal appropriation are
21 provided solely to develop a statewide public awareness campaign to
22 inform and educate Washington citizens about the slow down and move
23 over law, RCW 46.61.212. The educational campaign must include the
24 use of public service announcements and written and digital
25 informative and educational materials distributed by reasonable
26 means. The commission and the department of licensing, working
27 independently or in collaboration, or both, shall develop the public
28 awareness campaign using any available resources, as well as federal
29 and other grant funds that may, from time to time, become available
30 for this purpose.

31 (3) Within existing resources, the commission must examine
32 national safety reports and recommendations on alcohol and drug
33 impaired driving and report to the transportation committees of the
34 legislature, by December 15, 2023, any recommendations for
35 legislative or policy changes to improve traffic safety in Washington
36 state.

1 (4) (a) \$235,500 of the Cooper Jones active transportation safety
2 account—state appropriation is provided solely for the commission to
3 conduct research pertaining to the issue of street lighting and
4 safety, including a public input component and learning from
5 counties, cities, the state, and other impacted entities. Research
6 may include the following:

7 (i) Interviewing additional local and regional roads departments,
8 water-sewer districts, and other utility services to gather a
9 holistic data set or further input on which authority assumes primary
10 responsibility for street illumination in various underserved areas
11 throughout the state;

12 (ii) Systematically soliciting information from communities with
13 poor street illumination and lighting to gather input as to whether
14 this is an issue the community would like to see improved;

15 (iii) Conferring with regional and state-level police, fire, and
16 emergency medical services to assess and document potential delays in
17 emergency response times due to poor street illumination;

18 (iv) Further assessing the impact of using LED lights in roadway
19 and pedestrian scale lighting in reducing carbon emissions and light
20 pollution throughout the United States; and

21 (v) Subject to more in-depth findings, convening a meeting with
22 appropriate state, regional, and local stakeholders and community
23 partners.

24 (b) The commission must report research results and provide any
25 recommendations for legislative or policy action to the
26 transportation committees of the legislature by January 1, 2025.

27 (5) Within existing resources, the commission, through the Cooper
28 Jones active transportation safety council, must prioritize the
29 review of pedestrian, bicyclist, or nonmotorist fatality and serious
30 injury review when the victim is a member of a federally recognized
31 tribe. Consistent with RCW 43.59.156(5), the commission may recommend
32 any policy or legislative changes to improve traffic safety for
33 tribes through such review.

34 (6) (a) \$400,000 of the motor vehicle account—state appropriation
35 is provided solely for the commission to establish a pilot program to
36 evaluate the outcomes and effectiveness of oral fluid roadside
37 information used as part of the enforcement of driving under the
38 influence laws. The commission, in cooperation with the Washington
39 state patrol and associations representing local law enforcement
40 agencies, must select a minimum of 10 locations to implement the

1 pilot program as part of the field sobriety evaluation used in the
2 investigation of suspected violations of driving under the influence
3 laws. Pilot program locations must be initiated by March 1, 2024. The
4 commission, in cooperation with the Washington state patrol and
5 associations representing local law enforcement agencies, must
6 establish specific requirements for pilot program locations
7 including, but not limited to:

8 (i) Selection of the most valid and reliable oral fluid test
9 instrument to be used;

10 (ii) Training for the law enforcement officers allowed to
11 administer the test; and

12 (iii) Required measures to protect personally identifying
13 information and test results.

14 (b) By June 30, 2025, the commission must submit a report
15 detailing the results of the pilot program to the appropriate policy
16 and fiscal committees of the legislature.

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

18 Rural Arterial Trust Account—State Appropriation.	\$2,338,000
19 Motor Vehicle Account—State Appropriation.	\$2,854,000
20 County Arterial Preservation Account—State	
21 Appropriation.	\$1,726,000
22 TOTAL APPROPRIATION.	\$6,918,000

23 The appropriations in this section are subject to the following
24 conditions and limitations: Within appropriated funds, the county
25 road administration board may opt in as provided under RCW 70A.02.030
26 to assume all of the substantive and procedural requirements of
27 covered agencies under chapter 70A.02 RCW. The board shall include in
28 its 2023 and 2024 annual reports to the legislature a progress report
29 on opting into the healthy environment for all act and a status
30 report on diversity, equity, and inclusion within the board's
31 jurisdiction.

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

34 Transportation Improvement Account—State	
35 Appropriation.	\$4,589,000

36 The appropriation in this section is subject to the following
37 conditions and limitations: Within appropriated funds, the

1 transportation improvement board may opt in as provided under RCW
2 70A.02.030 to assume all of the substantive and procedural
3 requirements of covered agencies under chapter 70A.02 RCW. The board
4 shall include in its 2023 and 2024 annual reports to the legislature
5 a progress report on opting into the healthy environment for all act
6 and a status report on diversity, equity, and inclusion within the
7 board's jurisdiction.

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

9 Multimodal Transportation Account—State

10	Appropriation.	\$350,000
11	Motor Vehicle Account—State Appropriation.	\$2,852,000
12	TOTAL APPROPRIATION.	\$3,202,000

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

15 (1) (a) \$250,000 of the motor vehicle account—state appropriation
16 is for the joint transportation committee, from amounts set aside out
17 of statewide fuel taxes distributed to cities according to RCW
18 46.68.110(2), to convene a study of a statewide retail delivery fee
19 on orders of taxable retail items delivered by motor vehicles within
20 the state. The study must:

21 (i) Determine the annual revenue generation potential of a range
22 of fee amounts;

23 (ii) Examine options for revenue distributions to state and local
24 governments based upon total deliveries, lane miles, or other
25 factors; and

26 (iii) Estimate total implementation costs, including start-up and
27 ongoing administrative costs.

28 (b) The study should document and evaluate similar programs
29 adopted in other states. The joint transportation committee must
30 submit a report on the study to the transportation committees of the
31 legislature by June 30, 2024.

32 (2) (a) \$350,000 of the multimodal transportation account—state
33 appropriation is for the joint transportation committee to assess and
34 make recommendations to the transportation committees of the
35 legislature on the status of the workforce pipeline for commercial
36 driver's license (CDL) operators and mechanics in the transit,
37 highway maintenance, and maritime sectors across the state. The
38 assessment must, but is not limited to:

1 (i) Identify barriers to entry for prospective CDL or mechanic
2 candidates;

3 (ii) Examine existing programs that may be scaled to serve a
4 greater number of candidates;

5 (iii) Highlight existing programs that may be replicated by
6 transit agencies statewide; and

7 (iv) Recommend state policy changes or investments that may
8 accelerate the growth of CDL operators and mechanics.

9 (b) A report on the assessment and recommendations is due to the
10 legislature by December 1, 2024.

11 (3) (a) \$400,000 of the motor vehicle account—state appropriation
12 is for the joint transportation committee, in collaboration with the
13 department of transportation, to convene a work group to study and
14 recommend a new statutory framework for the department's public-
15 private partnership program. The committee may contract with a third-
16 party consultant for work group support and drafting the new
17 statutory framework.

18 (b) (i) The work group must consist of, but is not limited to, the
19 following members:

20 (A) The secretary of transportation or their designee;

21 (B) Joint transportation committee executive committee members or
22 their designees;

23 (C) The state treasurer or the state treasurer's designee;

24 (D) A representative of a national nonprofit organization
25 specializing in public-private partnership program development;

26 (E) A representative of the construction trades; and

27 (F) A representative from an organization representing general
28 contractors.

29 (ii) The work group must also consult with the Washington state
30 transportation commission and the department of commerce.

31 (c) (i) The work group must review the 2012 joint transportation
32 committee's "Evaluation of Public-Private Partnerships" study,
33 consisting of an evaluation of the recommendations for replacing
34 chapter 47.29 RCW and development of a process for implementing
35 public-private partnerships that serve the defined public interest,
36 including, but not limited to:

37 (A) Protecting the state's ability to retain public ownership of
38 assets constructed or managed under a public-private partnership
39 contract;

1 (B) Allowing for the most transparency during the negotiation of
2 terms of a public-private partnership agreement; and

3 (C) Addressing the state's ability to oversee the private
4 entity's management of the asset.

5 (ii)(A) The work group must identify any barriers to the
6 implementation of funding models that best protect the public
7 interest, including statutory and constitutional barriers.

8 (B) The work group may also evaluate public-private partnership
9 opportunities for required fish passage and culvert work on state
10 highways, and for the construction of, replacement of, or commercial
11 retail options within Washington state ferries' terminals.

12 (iii) The work group must update the 2012 recommendations and
13 devise an implementation plan for the state.

14 (d) The work group must submit a preliminary report, including
15 any recommendations or draft legislation, to the office of the
16 governor and the transportation committees of the legislature by
17 December 15, 2023. The work group must submit a final report with
18 draft legislation to the office of the governor and the
19 transportation committees of the legislature by July 1, 2024.

20 (4) \$450,000 of the motor vehicle account—state appropriation is
21 for the joint transportation committee to provide oversight on the
22 procurement of the hybrid-electric Olympic class vessels. The
23 committee must hire an expert consultant to review Washington state
24 ferries documents and procedures relating to the procurement and to
25 identify opportunities to improve the process for the benefit of the
26 state of Washington. The consultant must be familiar with vessel
27 procurement best practices, the technologies and propulsion systems
28 planned for use in new vessels, and Washington state ferries
29 operations and procurement procedures. A report on the status and
30 assessment of the procurement is due by December 15th of each year.

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

32	Motor Vehicle Account—State Appropriation.	\$2,700,000
33	Interstate 405 and State Route Number 167 Express	
34	Toll Lanes Account—State Appropriation.	\$187,000
35	Multimodal Transportation Account—State	
36	Appropriation.	\$125,000
37	State Route Number 520 Corridor Account—State	
38	Appropriation.	\$374,000

1	Tacoma Narrows Toll Bridge Account—State	
2	Appropriation.	\$225,000
3	Alaskan Way Viaduct Replacement Project Account—	
4	State Appropriation.	\$198,000
5	TOTAL APPROPRIATION.	\$3,809,000

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

8 (1) \$125,000 of the multimodal transportation account—state
9 appropriation and \$125,000 of the motor vehicle account—state
10 appropriation are provided solely for the commission to update the
11 statewide transportation plan required under RCW 47.01.071(4). The
12 update process must be informed by guidance from a steering committee
13 comprised of the commission, the joint transportation committee's
14 executive committee, the governor's office, the secretary of the
15 department of transportation, and representatives of metropolitan and
16 regional transportation planning organizations. As part of the update
17 process, the commission shall undertake specific actions in the
18 following order:

19 (a) Conduct stakeholder outreach, gathering input, and framing
20 the outreach around the current plan's policy construct and high
21 level priorities, the 2022 transportation revenue package, and
22 recently enacted significant policy legislation;

23 (b) Report outreach findings and results to the joint
24 transportation committee for review and input;

25 (c) Restructure the plan to (i) primarily focus on high level
26 policy priorities within the six transportation policy goals under
27 RCW 47.04.280 and (ii) align policies, strategies, and objectives
28 with the interests of stakeholders and legislators;

29 (d) Gather further input from stakeholders and the joint
30 transportation committee on the restructured plan's format and
31 content; and

32 (e) Finalize the updated plan, based upon input from stakeholders
33 and the joint transportation committee.

34 (2) The legislature finds that the current balance of and
35 projected revenues into the Alaskan Way viaduct replacement project
36 account are sufficient to meet financial obligations during fiscal
37 years 2024 and 2025.

38 (3) Within the parameters established under RCW 47.56.880, the
39 commission shall review toll revenue performance on the Interstate

1 405 and state route number 167 corridor and adjust Interstate 405
2 tolls as appropriate to increase toll revenue to provide sufficient
3 funds for payments of future debt pursuant to RCW 47.10.896 and to
4 support improvements to the corridor. The commission shall consider
5 adjusting maximum toll rates, minimum toll rates, and time-of-day
6 rates, and restricting direct access ramps to transit and HOV
7 vehicles only, or any combination thereof, in setting tolls to
8 increase toll revenue. The commission is encouraged to make any
9 adjustments to toll rates in coordination with the planned expansion
10 of express toll lanes between the cities of Renton and Bellevue.

11 (4) \$500,000 of the motor vehicle account—state appropriation is
12 provided solely for the commission to conduct a route jurisdiction
13 study aimed at assessing the current state highway inventory and
14 local roadway designations to determine if changes are needed in
15 jurisdictional assignment between the state, county, and city road
16 systems. The study must also review current criteria used to define
17 the state highway system to determine if such criteria continue to be
18 applicable. The commission shall submit a report of study findings
19 and recommendations to the transportation committees of the
20 legislature by July 1, 2025.

21 (5) (a) \$37,000 of the Interstate 405 and state route number 167
22 express toll lanes account—state appropriation, \$86,000 of the state
23 route number 520 corridor account—state appropriation, \$46,000 of the
24 Tacoma Narrows toll bridge account—state appropriation, and \$31,000
25 of the Alaskan Way viaduct replacement project account—state
26 appropriation are provided solely for the commission to oversee a
27 survey to assess public attitudes regarding a potential low-income
28 tolling program for qualifying drivers.

29 (b) The survey must gather input on the potential value of a toll
30 discount program for qualifying drivers, and potential barriers to
31 participation in such a program. This input will support
32 identification of potential options for toll discounts or credits and
33 other potential benefits to pair with toll discounts or credits and
34 inform the design of a possible future program. The commission must
35 contract for administration of the survey with the center for
36 economic and business research at Western Washington University.

37 (c) The commission must engage with members of the public who are
38 interested in a potential low-income tolling program, including
39 persons from communities of color, low-income households, vulnerable

1 populations, and displaced communities. Input from members of the
2 public must inform the design of the survey questionnaire and
3 methodology. The commission must notify members of the public of
4 opportunities to engage through a variety of communication channels
5 including, but not limited to, the following: Outreach through
6 community organizations, print and broadcast media, and social media.

7 (d) The results and findings from this survey research must be
8 submitted to the transportation committees of the legislature by
9 December 31, 2023.

10 (6) As part of the pilot program authorized under section 209(6)
11 of this act, the commission shall set a schedule of toll rates, not
12 to exceed 50 cents per trip, to generate revenue sufficient to
13 provide for the cost of maintenance of the three state route number
14 520 eastside lids and surrounding areas at Evergreen Point Road, 84th
15 Avenue NE, and 92nd Avenue NE.

16 NEW SECTION. **Sec. 206. FOR THE FREIGHT MOBILITY STRATEGIC**
17 **INVESTMENT BOARD**

18 Freight Mobility Investment Account—State
19 Appropriation. \$824,000

20 The appropriation in this section is subject to the following
21 conditions and limitations: Within appropriated funds, the freight
22 mobility strategic investment board may opt in as provided under RCW
23 70A.02.030 to assume all of the substantive and procedural
24 requirements of covered agencies under chapter 70A.02 RCW. The board
25 shall include in its 2023 and 2024 annual reports to the legislature
26 a progress report on opting into the healthy environment for all act
27 and a status report on diversity, equity, and inclusion within the
28 board's jurisdiction.

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

30 Alaskan Way Viaduct Replacement Project Account—
31 State Appropriation. \$43,000
32 State Patrol Highway Account—State Appropriation. . . . \$595,847,000
33 State Patrol Highway Account—Federal Appropriation. . . . \$20,030,000
34 State Patrol Highway Account—Private/Local
35 Appropriation. \$4,596,000
36 Highway Safety Account—State Appropriation. \$1,438,000
37 Ignition Interlock Device Revolving Account—State

1	Appropriation.	\$1,940,000
2	Multimodal Transportation Account—State	
3	Appropriation.	\$300,000
4	State Route Number 520 Corridor Account—State	
5	Appropriation.	\$89,000
6	Tacoma Narrows Toll Bridge Account—State	
7	Appropriation.	\$275,000
8	I-405 and SR 167 Express Toll Lanes Account—State	
9	Appropriation.	\$2,896,000
10	TOTAL APPROPRIATION.	\$627,454,000

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

13 (1) \$580,000 of the state patrol highway account—state
14 appropriation is provided solely for the operation of and
15 administrative support to the license investigation unit to enforce
16 vehicle registration laws in southwestern Washington. The Washington
17 state patrol, in consultation with the department of revenue, shall
18 maintain a running estimate of the additional vehicle registration
19 fees, sales and use taxes, and local vehicle fees remitted to the
20 state pursuant to activity conducted by the license investigation
21 unit. Beginning October 1, 2023, and quarterly thereafter, the
22 Washington state patrol shall submit a report detailing the
23 additional revenue amounts generated since July 1, 2023, to the
24 director of the office of financial management and the transportation
25 committees of the legislature. At the end of the fiscal quarter in
26 which it is estimated that more than \$625,000 in state sales and use
27 taxes have been remitted to the state since July 1, 2023, the
28 Washington state patrol shall notify the state treasurer and the
29 state treasurer shall transfer funds pursuant to section 406 of this
30 act.

31 (2) Washington state patrol officers engaged in off-duty
32 uniformed employment providing traffic control services to the
33 department of transportation or other state agencies may use state
34 patrol vehicles for the purpose of that employment, subject to
35 guidelines adopted by the chief of the Washington state patrol. The
36 Washington state patrol must be reimbursed for the use of the vehicle
37 at the prevailing state employee rate for mileage and hours of usage,
38 subject to guidelines developed by the chief of the Washington state
39 patrol.

1 (3) (a) By December 1st of each year during the 2023-2025 fiscal
2 biennium, the Washington state patrol must report to the
3 transportation committees of the legislature on the status of
4 recruitment and retention activities as follows:

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

6 (ii) The number of transportation funded staff vacancies by major
7 category;

8 (iii) The number of applicants for each of the positions by these
9 categories;

10 (iv) The composition of workforce;

11 (v) Other relevant outcome measures with comparative information
12 with recent comparable months in prior years; and

13 (vi) Activities related to the implementation of the agency's
14 workforce diversity plan, including short-term and long-term,
15 specific comprehensive outreach, and recruitment strategies to
16 increase populations underrepresented within both commissioned and
17 noncommissioned employee groups.

18 (b) During the 2023-2025 fiscal biennium, the office of financial
19 management, with assistance of the Washington state patrol, must
20 conduct two surveys regarding the competitiveness with law
21 enforcement agencies within the boundaries of the state of Washington
22 pursuant to RCW 43.43.380, with the first survey being informational
23 regarding the change since the last survey was conducted and the
24 second survey used as part of the collective bargaining process.

25 (4) (a) \$5,825,000 of the state patrol highway account—state
26 appropriation is provided solely for the land mobile radio system
27 replacement, upgrade, and other related activities.

28 (b) Funding is not provided for the six-year replacement of
29 individual portable radios and mobile car radios at this time. Before
30 requesting funding as part of future agency budget submittals for
31 this component of the land mobile radio project, the state patrol, in
32 consultation with the office of the chief information officer, must
33 conduct a technical feasibility analysis and cost comparison between
34 potential project vendors to determine that the recommended vendor
35 will result in the most cost-effective project delivery, while
36 maintaining interoperability with other radio systems and ensure
37 maximum radio coverage. A report detailing the results and
38 recommendations from these requirements must be submitted to the
39 office of financial management and the transportation committees of
40 the legislature by November 1, 2023.

1 (c) Beginning January 1, 2024, the Washington state patrol must
2 report semiannually to the office of the chief information officer on
3 the progress related to the projects and activities associated with
4 the land mobile radio system, including the governance structure,
5 outcomes achieved in the prior six-month time period, and how the
6 activities are being managed holistically as recommended by the
7 office of the chief information officer. At the time of submittal to
8 the office of the chief information officer, the report must be
9 transmitted to the office of financial management and the
10 transportation committees of the legislature.

11 (5) The appropriations in this section provide sufficient funding
12 for state patrol staffing assuming vacancy savings that may change
13 over time. Funding for staffing will be monitored and adjusted in the
14 2024 supplemental transportation appropriations act to restore
15 funding as authorized staffing levels are achieved.

16 (6) \$2,072,000 of the state patrol highway account—state
17 appropriation is provided solely for enhancing the state patrol's
18 diversity, equity, and inclusion program and contracting with an
19 external psychologist to perform exams. The state patrol will work
20 with the governor's office of equity and meet all reporting
21 requirements and responsibilities pursuant to RCW 43.06D.060 and
22 expand its community engagement program.

23 (7) \$493,000 of the state patrol highway account—state
24 appropriation is provided solely for the replacement aerial criminal
25 investigation tools and related costs. This funding is subject to the
26 conditions, limitations, and review requirements of section 701 of
27 this act, and may not be used to purchase, acquire, or otherwise use
28 an unmanned aircraft or unmanned aircraft system produced by a
29 manufacturer of covered equipment, systems, or services pursuant to
30 section 889 of the John S. McCain national defense authorization act
31 for fiscal year 2019 (P.L. 115-232) or as amended by subsequent acts
32 of the United States congress or federal administrative rule making.

33 (8) \$1,564,000 of the state patrol highway account—state
34 appropriation is provided solely for vehicle identification number
35 inspection staff to reduce the backlog of inspections. By October 1,
36 2024, the state patrol must submit a report detailing the progress on
37 reducing the inspection backlog and related activities to the office
38 of financial management and the transportation committees of the
39 legislature.

1 (9) (a) \$10,000 of the state patrol highway account—state
2 appropriation is provided solely for the Washington state patrol to
3 administer a pilot program that implements a yellow alert system
4 notifying the public when a hit-and-run accident resulting in a
5 fatality or substantial bodily harm has occurred and been reported to
6 the state patrol or other local law enforcement entity. The
7 Washington state patrol must post on traffic message boards or share
8 on public communication systems any identifying information acquired
9 including, but not limited to, a complete or partial license plate
10 number or a description of the vehicle. Each alert must be posted or
11 shared as such for at least 24 hours.

12 (b) The Washington state patrol must report the following to the
13 transportation committees of the legislature annually until June 30,
14 2025:

15 (i) The number of yellow alerts received;

16 (ii) The number of arrests made from accidents reported on the
17 yellow alert system;

18 (iii) The number of hit-and-run accidents resulting in a fatality
19 or substantial bodily harm statewide;

20 (iv) The number of arrests made from accidents described under
21 (b)(iii) of this subsection; and

22 (v) The number of hit-and-run accidents reported statewide.

23 (c) The Washington state patrol must also report on the efficacy
24 of the program and recommend in its final report if the pilot program
25 should continue or be enacted on a permanent basis and implemented
26 statewide, based on the results of the report.

27 (10) (a) \$1,870,000 of the state patrol highway account—state
28 appropriation is provided solely for administrative costs,
29 advertising, outreach, and bonus payments associated with developing
30 and implementing a state trooper expedited recruitment incentive
31 program for the purpose of recruiting and filling vacant trooper
32 positions in the 2023-2025 fiscal biennium. The recruitment,
33 advertising, and outreach associated with this program must continue
34 efforts to create a more diverse workforce and must also provide an
35 accelerated pathway for joining the state patrol for high quality
36 individuals who have previously been employed as a general authority
37 peace officer.

38 (b) The state trooper expedited recruitment incentive program
39 established by the Washington state patrol must include:

1 (i) Thorough hiring procedures to ensure that only the highest
2 quality candidates are selected as cadets and as lateral hires,
3 including extensive review of past law enforcement employment history
4 through extensive reference checks, Brady list identification, and
5 any other issues that may impact the performance, credibility, and
6 integrity of the individual.

7 (ii) An accelerated training program for lateral hires from other
8 agencies that recognizes the knowledge and experience of candidates
9 previously employed in law enforcement; and

10 (iii) A sign-on bonus for each trooper hired through the
11 expedited recruitment incentive program as follows:

12 (A) \$4,000 for each cadet after completion of the Washington
13 state patrol academy;

14 (B) A bonus amount for each successful graduating cadet after
15 completion of a one-year probation period based on any collectively
16 bargained negotiated retention incentive bonus payment for
17 commissioned staff;

18 (C) \$8,000 for each lateral hire after completion of the
19 accelerated training program for lateral hires;

20 (D) \$6,000 for each lateral hire after completion of a one-year
21 probation period; and

22 (E) \$6,000 for each lateral hire after completion of two years of
23 service.

24 (c) The expenditure on the state trooper expedited recruitment
25 incentive program is contingent upon execution of an appropriate
26 memorandum of understanding between the governor or the governor's
27 designee and the exclusive bargaining representative, consistent with
28 the terms of this section. Expenditures and eligibility for the state
29 trooper expedited recruitment incentive program established in this
30 section are subject to the availability of amounts appropriated for
31 this specific purpose.

32 (d) For the purposes of this subsection:

33 (i) "Cadet" means a person employed for the express purpose of
34 receiving the on-the-job training required for attendance at the
35 Washington state patrol academy and for becoming a commissioned
36 trooper.

37 (ii) "Lateral hire" means an eligible employee previously
38 employed as a general authority peace officer.

39 (11) \$3,864,000 of the state patrol highway account—state
40 appropriation is provided solely for implementation of chapter . . .

1 (Engrossed Substitute Senate Bill No. 5272), Laws of 2023 (speed
2 safety cameras). If chapter . . . (Engrossed Substitute Senate Bill
3 No. 5272), Laws of 2023 is not enacted by June 30, 2023, the amount
4 provided in this subsection lapses.

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

6	Driver Licensing Technology Support Account—State	
7	Appropriation.	\$1,743,000
8	Driver's Education Safety Improvement Account—State	
9	Appropriation.	\$638,000
10	Marine Fuel Tax Refund Account—State Appropriation.	\$34,000
11	Motorcycle Safety Education Account—State	
12	Appropriation.	\$5,166,000
13	Limited Fish and Wildlife Account—State	
14	Appropriation.	\$733,000
15	Highway Safety Account—State Appropriation.	\$262,592,000
16	Highway Safety Account—Federal Appropriation.	\$2,371,000
17	Motor Vehicle Account—State Appropriation.	\$94,207,000
18	Motor Vehicle Account—Private/Local Appropriation.	\$1,336,000
19	Ignition Interlock Device Revolving Account—State	
20	Appropriation.	\$6,340,000
21	Department of Licensing Services Account—State	
22	Appropriation.	\$8,451,000
23	License Plate Technology Account—State Appropriation.	\$4,135,000
24	Abandoned Recreational Vehicle Account—State	
25	Appropriation.	\$3,082,000
26	Limousine Carriers Account—State Appropriation.	\$126,000
27	Electric Vehicle Account—State Appropriation.	\$430,000
28	DOL Technology Improvement & Data Management	
29	Account—State Appropriation.	\$914,000
30	Agency Financial Transaction Account—State	
31	Appropriation.	\$16,998,000
32	Move Ahead WA Flexible Account—State Appropriation.	\$6,020,000
33	TOTAL APPROPRIATION.	\$415,316,000

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

36 (1) \$1,100,000 of the highway safety account—state appropriation
37 and \$1,100,000 of the move ahead WA flexible account—state

1 appropriation are provided solely for the department to provide an
2 interagency transfer to the department of children, youth, and
3 families for the purpose of providing more comprehensive driver's
4 support to foster youth within existing resources. In addition to
5 support services required under RCW 74.13.338(2), support services
6 may include:

7 (a) Reimbursement for the cost incurred by youth in foster care,
8 foster parents, relative placements, or other foster placements
9 adding a foster youth to his or her motor vehicle insurance policy,
10 with a preference on reimbursements for those foster youth who
11 practice safe driving and avoid moving violations and at-fault
12 collisions.

13 (b) Reimbursement of the cost of roadside assistance, car
14 insurance deductibles, car tab renewals, car registration fees, AAA
15 membership, gas cards, car maintenance, and comprehensive car
16 insurance.

17 (c) Reimbursement of any other costs related to obtaining a
18 driver's license and driving legally and safely.

19 (2) \$3,924,000 of the move ahead WA flexible account—state
20 appropriation is provided solely to establish two mobile licensing
21 units to provide driver's licensing and identicard services to
22 individuals outside of the typical license service office. By
23 December 1, 2024, the department must submit a report to the governor
24 and the transportation committees of the legislature detailing the
25 locations served, the number and type of documents issued, and other
26 outcome measures associated with the mobile licensing units.

27 (3) \$150,000 of the highway safety account—state appropriation is
28 provided solely for the department to conduct a study on the
29 feasibility of implementing a mobile application for driver
30 licensing. The department must submit a report of the study findings
31 and any recommendations to the governor and the transportation
32 committees of the legislature by December 1, 2024. The study must:

33 (a) Review the adoption actions in other states, including
34 successes and lessons learned;

35 (b) Examine existing technical infrastructure and potential
36 changes needed to maximize interoperability, utility, and privacy
37 protection;

38 (c) Identify the technical investments and other costs associated
39 with issuing digital drivers' licenses through a mobile application;

1 (d) Identify how the technology may impact and can be used by
2 external stakeholders, such as law enforcement;

3 (e) Recommend any process changes required to implement the
4 program successfully and ensure customer satisfaction; and

5 (f) Recommend any statutory changes required to allow for the
6 usage of digital drivers' licenses, including recognition of
7 interstate travelers.

8 (4) (a) \$300,000 of the highway safety account—state appropriation
9 is provided solely for the department to lead a study on the
10 potential impacts of driver monitoring technology as an assessment
11 tool to be used as part of driver education, intermediate licensure,
12 restricted licensure, or identification of high-risk drivers. For
13 purposes of this subsection, "driver monitoring technology" means an
14 in-vehicle sensor linked to an application to track and record real-
15 time driving data, with both immediate in-vehicle feedback and
16 delayed retrospective feedback that would send such data to the
17 department or the department's service provider, with the intent to
18 modify driving behavior and improve road safety outcomes, including
19 speeding, abrupt braking, harsh acceleration, hard cornering, and
20 distracted driving.

21 (b) The department must consult with the Washington traffic
22 safety commission, office of equity, representatives of the driver
23 training school industry, organizations representing young and older
24 drivers, organizations representing underrepresented populations, and
25 organizations representing businesses or government entities that
26 support novice drivers in completing this study.

27 (c) The department must report study findings as to the potential
28 use of driver monitoring technology in licensing applications to the
29 governor and the transportation committees of the legislature by
30 December 1, 2024. The department must report study findings as to the
31 feasibility of driver monitoring technology implementation, including
32 which areas of licensing practices may benefit from driver monitoring
33 technology, to the governor and transportation committees of the
34 legislature by June 30, 2025.

35 (5) \$283,000 of the highway safety account—state appropriation is
36 provided solely for the department, in consultation with the
37 Washington traffic safety commission, department of health, the elder
38 law section of the Washington state bar association, organizations
39 representing older drivers, and driver rehabilitation specialists, to
40 develop a comprehensive plan aimed at improving older driver safety.

1 The department must submit a report on the comprehensive plan to the
2 governor and the transportation committees of the legislature by
3 December 1, 2024. The plan must include, but is not limited to:

4 (a) A comprehensive review of department policies surrounding
5 older drivers and medically at-risk drivers, including:

6 (i) The medical assessment review process; and

7 (ii) The counter assessment process in licensing service offices;

8 (b) A feasibility analysis of the department establishing a
9 medical advisory board to advise on general policy for at-risk
10 drivers, driving privileges for individual medically at-risk drivers,
11 and an appeals process for drivers whose privileges are revoked or
12 restricted due to medical conditions;

13 (c) A recommended assessment tool to determine a driver's
14 potential risk to themselves or others when operating a motor vehicle
15 so the department may make informed decisions on appropriate courses
16 of action within the older driver program;

17 (d) A draft of the rules associated with the plan;

18 (e) An implementation schedule for the components of the plan;

19 (f) Detailed information on how each component of the plan
20 improves the safety associated with older drivers, while preserving
21 the maximum level of older driver independence and privacy; and

22 (g) Any additional recommended statutory changes required to
23 implement the plan.

24 (6) \$250,000 of the highway safety account—state appropriation is
25 provided solely for the department to implement improvements to older
26 driver traffic safety, which may include:

27 (a) Developing a program where older drivers who voluntarily
28 surrender their driver's license before or on its expiration date
29 receive a no-cost identicard;

30 (b) Reducing the length of time by which the driver's license of
31 an older driver expires; and

32 (c) Other recommendations from the department.

33 (7) For purposes of subsections (5) and (6) of this section,
34 "older driver" means a driver who is issued an original or renewed
35 driver's license on or after the age of 70.

36 (8) \$5,499,000 of the motor vehicle account—state appropriation
37 is provided solely for the department to upgrade and improve its
38 prorate and fuel tax system, and is subject to the conditions,
39 limitations, and review requirements of section 701 of this act. In
40 each phase of the project, the department must ensure and document

1 the increase in business capabilities and customer service outcomes,
2 the improvements in fuel tax collection related information designed
3 to resolve historical discrepancies in reporting information, and how
4 the implementation plan mitigates risks associated with the proposed
5 timeline and results in the sustainability of systems and platforms
6 for the future. Before initiating the implementation phase of the
7 project, the department must report to the office of the chief
8 information officer on how the project meets its FAST act
9 modernization roadmap, and vendor management and resource plans.

10 (9) \$16,000 of the motorcycle safety education account—state
11 appropriation, \$2,000 of the limited fish and wildlife account—state
12 appropriation, \$947,000 of the highway safety account—state
13 appropriation, \$308,000 of the motor vehicle account—state
14 appropriation, \$14,000 of the ignition interlock device revolving
15 account—state appropriation, and \$14,000 of the department of
16 licensing services account—state appropriation are provided solely
17 for the department to redesign and improve its online services and
18 website, and are subject to the conditions, limitations, and review
19 requirements in section 701 of this act.

20 (10) \$25,557,000 of the highway safety account—state
21 appropriation is provided solely for costs necessary to accommodate
22 increased demand for enhanced drivers' licenses and enhanced
23 identicards. The department shall report on a quarterly basis on the
24 use of these funds, associated workload, and information with
25 comparative information with recent comparable months in prior years.
26 The report must include detailed statewide and by licensing service
27 office information on staffing levels, average monthly wait times,
28 the number of enhanced drivers' licenses and enhanced identicards
29 issued and renewed, and the number of primary drivers' licenses and
30 identicards issued and renewed. By November 1, 2024, the department
31 must prepare a report with recommendations on the future of licensing
32 service office operations based on the recent implementation of
33 efficiency measures designed to reduce the time for licensing
34 transactions and wait times, and the implementation of statutory and
35 policy changes during the pandemic.

36 (11) For the 2023-2025 fiscal biennium, the department shall
37 charge \$1,336,000 for the administration and collection of a motor
38 vehicle excise tax on behalf of a regional transit authority, as
39 authorized under RCW 82.44.135. The amount in this subsection must be

1 deducted before distributing any revenues to a regional transit
2 authority.

3 (12) \$742,000 of the motor vehicle account—state appropriation is
4 provided solely for the increased costs associated with improvements
5 desired to resolve delays in the production of license plates,
6 including converting all subagents to the standard ordering process
7 as recommended in the December 2022 plate inventory report, and to
8 provide updated annual reports detailing changes in license plate
9 production, inventory, and other practices taken to guard against
10 plate production delays. The reports must be submitted to the
11 governor and the transportation committees of the legislature by
12 December 1, 2023, and December 1, 2024.

13 (13) \$243,000 of the highway safety account—state appropriation
14 is provided solely for the department to continue to provide written
15 materials on, place signage in licensing service offices regarding,
16 and include into new driver training curricula, the requirements of
17 RCW 46.61.212, the slow down and move over law.

18 (14) The appropriations in this section provide sufficient
19 funding for the department of licensing assuming vacancy savings
20 which may change over time. Funding for staffing will be monitored
21 and adjusted in the 2024 supplemental transportation appropriations
22 act to restore funding as authorized staffing levels are achieved.

23 (15) \$3,082,000 of the abandoned recreational vehicle disposal
24 account—state appropriation is provided solely for providing
25 reimbursements in accordance with the department's abandoned
26 recreational vehicle disposal reimbursement program. It is the intent
27 of the legislature that the department prioritize this funding for
28 allowable and approved reimbursements and not to build a reserve of
29 funds within the account. During the 2023-2025 fiscal biennium, the
30 department must report any amounts recovered to the office of
31 financial management and appropriate committees of the legislature on
32 a quarterly basis.

33 (16) \$1,077,000 of the highway safety account—federal
34 appropriation is provided solely for implementation of chapter . . .
35 (Senate Bill No. 5041), Laws of 2023 (CDL drug and alcohol
36 clearinghouse) or chapter . . . (House Bill No. 1448), Laws of 2023
37 (CDL drug and alcohol clearinghouse). If neither chapter . . .
38 (Senate Bill No. 5041), Laws of 2023 or chapter . . . (House Bill No.

1 1448), Laws of 2023 are enacted by June 30, 2023, the amount provided
2 in this subsection lapses.

3 (17) \$116,000 of the highway safety account—state appropriation
4 is provided solely for implementation of chapter . . . (Senate Bill
5 No. 5251), Laws of 2023 (streamlining CDL issuance) or chapter . . .
6 (House Bill No. 1058), Laws of 2023 (streamlining CDL issuance). If
7 neither chapter . . . (Senate Bill No. 5251), Laws of 2023 or
8 chapter . . . (House Bill No. 1058), Laws of 2023 are enacted by June
9 30, 2023, the amount provided in this subsection lapses.

10 (18) \$1,972,000 of the highway safety account—state appropriation
11 and \$1,276,000 of the driver's education safety improvement account—
12 state appropriation are provided solely for the implementation of
13 chapter . . . (Substitute Senate Bill No. 5583), Laws of 2023
14 (improving young driver safety). If chapter . . . (Substitute Senate
15 Bill No. 5583), Laws of 2023 is not enacted by June 30, 2023, the
16 amounts provided in this subsection lapse.

17 (19) \$180,000 of the motor vehicle account—state appropriation is
18 provided solely for the implementation of chapter . . . (Substitute
19 Senate Bill No. 5504), Laws of 2023 (open motor vehicle safety
20 recalls). If chapter . . . (Substitute Senate Bill No. 5504), Laws of
21 2023 is not enacted by June 30, 2023, the amount provided in this
22 subsection lapses.

23 (20) \$1,206,000 of the motor vehicle account—state appropriation
24 is provided solely for the implementation of chapter . . .
25 (Substitute Senate Bill No. 5326), Laws of 2023 (verification of
26 motor vehicle insurance). If chapter . . . (Substitute Senate Bill
27 No. 5326), Laws of 2023 is not enacted by June 30, 2023, the amount
28 provided in this subsection lapses.

29 (21) \$497,000 of the highway safety account—state appropriation
30 is provided solely for the implementation of chapter . . .
31 (Substitute Senate Bill No. 5112), Laws of 2023 (updating processes
32 related to voter registration). If chapter . . . (Substitute Senate
33 Bill No. 5112), Laws of 2023 is not enacted by June 30, 2023, the
34 amount provided in this subsection lapses.

35 (22) \$29,000 of the motor vehicle account—state appropriation is
36 provided solely for the implementation of chapter . . . (Substitute
37 Senate Bill No. 5333), Laws of 2023 (the state sport special license
38 plate). If chapter . . . (Substitute Senate Bill No. 5333), Laws of

1 2023 is not enacted by June 30, 2023, the amount provided in this
2 subsection lapses.

3 (23) \$29,000 of the motor vehicle account—state appropriation is
4 provided solely for implementation of chapter . . . (Senate Bill No.
5 5590), Laws of 2023 (Mount St. Helens special license plate) or
6 chapter . . . (House Bill No. 1489), Laws of 2023 (Mount St. Helens
7 special license plate). If neither chapter . . . (Senate Bill No.
8 5590), Laws of 2023 or chapter . . . (House Bill No. 1489), Laws of
9 2023 are enacted by June 30, 2023, the amount provided in this
10 subsection lapses.

11 (24) \$29,000 of the motor vehicle account—state appropriation is
12 provided solely for implementation of chapter . . . (Senate Bill No.
13 5738) (LeMay special license plate) or chapter . . . (House Bill No.
14 1829), Laws of 2023 (LeMay special license plate). If neither
15 chapter . . . (Senate Bill No. 5738), Laws of 2023 or chapter . . .
16 (House Bill No. 1829), Laws of 2023 are enacted by June 30, 2023, the
17 amount provided in this subsection lapses.

18 (25) \$29,000 of the highway safety account—state appropriation is
19 provided solely for the implementation of chapter . . . (Substitute
20 Senate Bill No. 5347), Laws of 2023 (driver's abstract changes). If
21 chapter . . . (Substitute Senate Bill No. 5347), Laws of 2023 is not
22 enacted by June 30, 2023, the amount provided in this subsection
23 lapses.

24 (26) \$47,000 of the highway safety account—state appropriation is
25 provided solely for the implementation of chapter . . . (Substitute
26 Senate Bill No. 5440), Laws of 2023 (competency evaluations). If
27 chapter . . . (Substitute Senate Bill No. 5440), Laws of 2023 is not
28 enacted by June 30, 2023, the amount provided in this subsection
29 lapses.

30 (27) \$23,000 of the highway safety account—state appropriation is
31 provided solely for the implementation of chapter . . . (Senate Bill
32 No. 5606), Laws of 2023 (illegal racing). If chapter . . . (Senate
33 Bill No. 5606), Laws of 2023 is not enacted by June 30, 2023, the
34 amount provided in this subsection lapses.

35 (28) \$155,000 of the highway safety account—state appropriation
36 is provided solely for the implementation of chapter . . .
37 (Substitute Senate Bill No. 5128), Laws of 2023 (jury diversity). If
38 chapter . . . (Substitute Senate Bill No. 5128), Laws of 2023 is not

1 enacted by June 30, 2023, the amount provided in this subsection
2 lapses.

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

5	State Route Number 520 Corridor Account—State	
6	Appropriation.	\$58,645,000
7	State Route Number 520 Civil Penalties Account—State	
8	Appropriation.	\$4,178,000
9	Tacoma Narrows Toll Bridge Account—State	
10	Appropriation.	\$30,594,000
11	Alaskan Way Viaduct Replacement Project Account—	
12	State Appropriation.	\$20,587,000
13	Interstate 405 and State Route Number 167 Express	
14	Toll Lanes Account—State Appropriation.	\$23,658,000
15	TOTAL APPROPRIATION.	\$137,662,000

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

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

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

34 (a) Information on the travel times and travel time reliability
35 (at a minimum, average and 90th percentile travel times) maintained
36 during peak and nonpeak periods in the express toll lanes and general
37 purpose lanes for both the entire corridor and commonly made trips in
38 the corridor including, but not limited to, northbound from Bellevue

1 to Rose Hill, state route number 520 at NE 148th to Interstate 405 at
2 state route number 522, Bellevue to Bothell (both NE 8th to state
3 route number 522 and NE 8th to state route number 527), and a trip
4 internal to the corridor (such as NE 85th to NE 160th) and similar
5 southbound trips; and

6 (b) Underlying congestion measurements, that is, speeds, that are
7 being used to generate the summary graphs provided, to be made
8 available in a digital file format.

9 (3) \$314,000 of the Interstate 405 and state route number 167
10 express toll lanes account—state appropriation, \$734,000 of the state
11 route number 520 corridor account—state appropriation, \$315,000 of
12 the Tacoma Narrows toll bridge account—state appropriation, and
13 \$413,000 of the Alaskan Way viaduct replacement project account—state
14 appropriation are provided solely for the reappropriation of unspent
15 funds on the new tolling back office system from the 2021-2023 fiscal
16 biennium.

17 (4) The department shall make detailed annual reports to the
18 transportation committees of the legislature and the public on the
19 department's website in a manner consistent with past practices as
20 specified in section 209(5), chapter 186, Laws of 2022.

21 (5) As part of the department's 2025-2027 biennial budget
22 request, the department shall update the cost allocation
23 recommendations that assign appropriate costs to each of the toll
24 funds for services provided by relevant Washington state department
25 of transportation programs, the Washington state patrol, and the
26 transportation commission. The recommendations shall be based on
27 updated traffic and toll transaction patterns and other relevant
28 factors.

29 (6)(a) The department shall oversee a pilot program to deploy
30 advanced technologies to collect tolls on the westbound state route
31 number 520 on-ramp at 84th Avenue NE beginning no later than December
32 31, 2023, and ending June 30, 2025. Tolls and other revenues received
33 from the pilot program must be deposited into the state route number
34 520 corridor account to be used solely to provide for the cost of
35 maintenance of the three state route number 520 eastside lids and
36 surrounding areas at Evergreen Point Road, 84th Avenue NE, and 92nd
37 Avenue NE. The pilot program must use advanced technologies that
38 enable the installation of any required equipment and testing to be

1 provided at no cost to the state of Washington; however, the
2 department shall provide staff time to support the pilot program.

3 (b) The pilot program shall utilize a system that provides:

4 (i) Image capture technology;

5 (ii) Self-contained technology that does not require a connection
6 to the department's communications and utilities;

7 (iii) A reduced physical footprint without using overhead
8 infrastructure; and

9 (iv) A license plate accuracy rate of 99 percent or more to
10 reduce the risk of vehicle misidentification.

11 (c) By December 1, 2024, the department and the transportation
12 commission shall provide a report to the transportation committees of
13 the legislature on:

14 (i) An assessment of how well the system was able to identify
15 vehicles using the on-ramp;

16 (ii) Revenues generated by the pilot program;

17 (iii) Other lessons learned from the pilot program; and

18 (iv) Recommendations of whether to extend the pilot program or
19 expand the use of advanced tolling technology on state highways.

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

22 Transportation Partnership Account—State

23 Appropriation. \$1,494,000

24 Motor Vehicle Account—State Appropriation. \$118,977,000

25 Puget Sound Ferry Operations Account—State

26 Appropriation. \$307,000

27 Multimodal Transportation Account—State

28 Appropriation. \$2,986,000

29 Transportation 2003 Account (Nickel Account)—State

30 Appropriation. \$1,488,000

31 TOTAL APPROPRIATION. \$125,252,000

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

34 (1) \$2,006,000 of the motor vehicle account—state appropriation
35 is provided solely for hardware cost increases. Before any hardware
36 replacement, the department, in consultation with WaTech, must
37 further review leasing options.

1 (2) The appropriations in this section provide sufficient funding
2 for the department assuming vacancy savings that may change over
3 time. Funding for staffing will be monitored and adjusted in the 2024
4 supplemental transportation appropriations act to restore funding as
5 authorized staffing levels are achieved.

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

9	Motor Vehicle Account—State Appropriation.	\$38,572,000
10	Move Ahead WA Account—State Appropriation.	\$2,812,000
11	State Route Number 520 Corridor Account—State	
12	Appropriation.	\$34,000
13	TOTAL APPROPRIATION.	\$41,418,000

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

16 (1) The appropriations in this section provide sufficient funding
17 for the department assuming vacancy savings which may change over
18 time. Funding for staffing will be monitored and adjusted in the 2024
19 supplemental transportation appropriations act to restore funding as
20 authorized staffing levels are achieved.

21 (2) (a) (i) \$500,000 of the move ahead WA account—state
22 appropriation is provided solely for the department to conduct a
23 detailed space study and develop an implementation plan that builds
24 off the findings and recommendations of the department's "Telework
25 Impact Study" completed in September 2022. Such efforts must also
26 incorporate office space use reduction requirements for the
27 department in this act as well as current and planned telework
28 levels. The detailed space study and development of the
29 implementation plan must be conducted in consultation with the office
30 of financial management and the department of enterprise services,
31 and must focus on office and administrative space efficiency,
32 providing specific recommendations, cost estimates, and cost savings.
33 While focused on office and administrative space, the department is
34 encouraged to review other types of facilities where efficiencies can
35 be achieved. The final study report must include:

36 (A) The development of low, medium, and high scenarios based on
37 reducing space use, with the high space reduction scenario being
38 based on a minimum of a 30 percent reduction by 2030;

1 (B) Detailed information on any increased capital and other
2 implementation costs under each scenario;

3 (C) Detailed information on reduced costs, such as leases,
4 facility maintenance, and utilities, under each scenario;

5 (D) An analysis of opportunities to collocate with other state,
6 local, and other public agencies to reduce costs and improve cost-
7 efficiency while meeting utilization standards; and

8 (E) An assessment of the commercial value and return to the state
9 transportation funds associated with the sale of the property from
10 consolidation and other space efficiency measures.

11 (ii) The department must submit the implementation plan and final
12 report from the detailed space study to the office of financial
13 management and the transportation committees of the legislature by
14 October 1, 2024.

15 (b) Conducting the detailed space study under (a) of this
16 subsection must not prevent or delay the department from meeting
17 other space use and related requirements, or where warranted by
18 current information or opportunities.

19 NEW SECTION. **Sec. 212. FOR THE DEPARTMENT OF TRANSPORTATION—**
20 **TRANSPORTATION EQUIPMENT FUND—PROGRAM E**

21	Move Ahead WA Account—State Appropriation.	\$14,060,000
22	Multimodal Transportation Account—State	
23	Appropriation.	\$433,000
24	TOTAL APPROPRIATION.	\$14,493,000

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

27 (1) \$14,060,000 of the move ahead WA account—state appropriation
28 is provided solely for the department's costs related to replacing
29 obsolete transportation equipment and replacing fuel sites. Beginning
30 January 1, 2024, and annually thereafter, the department must provide
31 a report to the office of financial management and the transportation
32 committees of the legislature detailing the current progress on
33 replacing obsolete equipment, progress towards reaching a level
34 purchasing state, and the status of implementing a fuel site
35 replacement prioritization plan.

36 (2) (a) \$100,000 of the multimodal transportation account—state
37 appropriation is provided solely for the department to administer a
38 pilot program to install and test intelligent speed monitoring

1 technology in a portion of the department's fleet of vehicles while
2 using global positioning system technology and other mapping tools to
3 monitor vehicle location and corresponding speed limits on traveled
4 roadways.

5 (b) The pilot program must begin by January 1, 2024, for a 12-
6 month period. By June 30, 2025, the department must report to the
7 transportation committees of the legislature the results of the pilot
8 program and provide any legislative or policy recommendations.

9 NEW SECTION. **Sec. 213. FOR THE DEPARTMENT OF TRANSPORTATION—**
10 **AVIATION—PROGRAM F**

11	Aeronautics Account—State Appropriation.	\$11,790,000
12	Aeronautics Account—Federal Appropriation.	\$3,650,000
13	Aeronautics Account—Private/Local Appropriation.	\$60,000
14	TOTAL APPROPRIATION.	\$15,500,000

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

17 (1) \$2,000,000 of the aeronautics account—state appropriation is
18 provided solely for the Move Ahead Washington expansion of airport
19 aid grants, airport preservation and maintenance, and support of land
20 use planning and education activities.

21 (2) \$1,476,000 of the aeronautics account—state appropriation is
22 provided solely for sustainable aviation grant projects submitted by
23 the department in December 2022.

24 (3) \$300,000 of the aeronautics account—state appropriation is
25 provided solely for the department to develop a statewide advanced
26 air mobility aircraft plan to develop and integrate advanced air
27 mobility aircraft into current modal systems. The department shall
28 submit a report by June 1, 2025, to the office of financial
29 management and the transportation committees of the legislature
30 including, but not limited to:

31 (a) Near, medium, and long-term recommendations for land use
32 planning for advanced and urban air mobility vertiports and
33 vertistops;

34 (b) An inventory of infrastructure needs to support a statewide
35 vertiport network and a recommended program to deploy funds to local
36 governments to share costs;

1 (c) Proposed state governance structures and regulatory
2 mechanisms to adequately complement federal aviation administration
3 oversight;

4 (d) Recommended policies to foster vertiport and vertistop
5 infrastructure development that ensure open public access, efficiency
6 in land use siting, and equitable distribution across the state; and

7 (e) In consultation with local jurisdictions, planning
8 organizations, and other modal managers, recommendations on advanced
9 air mobility aircraft integration into statewide transportation
10 plans.

11 NEW SECTION. **Sec. 214. FOR THE DEPARTMENT OF TRANSPORTATION—**
12 **PROGRAM DELIVERY MANAGEMENT AND SUPPORT—PROGRAM H**

13	Motor Vehicle Account—State Appropriation.	\$61,222,000
14	Motor Vehicle Account—Federal Appropriation.	\$500,000
15	Multimodal Transportation Account—State	
16	Appropriation.	\$758,000
17	Move Ahead WA Flexible Account—State Appropriation.	\$572,000
18	TOTAL APPROPRIATION.	\$63,052,000

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

21 (1) During the 2023-2025 fiscal biennium, if the department takes
22 possession of the property situated in the city of Edmonds for which
23 a purchase agreement was executed between Unocal and the department
24 in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department
25 confirms that the property is still no longer needed for
26 transportation purposes, the department shall provide the city of
27 Edmonds with the right of first purchase at fair market value in
28 accordance with RCW 47.12.063(3) for the city's intended use of the
29 property to rehabilitate near-shore habitat for salmon and related
30 species.

31 (2) \$469,000 of the motor vehicle account—state appropriation is
32 provided solely for the implementation of chapter 217, Laws of 2021
33 (noxious weeds).

34 (3) The department shall offer to sell the northern parcel of
35 site 14 on the Puget Sound Gateway Program SR 509 Completion Project
36 Surplus Property list, located immediately south of S. 216th Street
37 and adjacent to the Barnes Creek Nature Trail in Des Moines, to
38 Seattle Goodwill Industries, a nonprofit organization with tax ID

1 91-05688708, located at 700 Dearborn Place S., Seattle, WA 98144, in
2 accordance with RCW 47.12.063 at fair market value because the
3 legislature finds it in the public interest to do so for the public
4 benefit that will result from Goodwill's redevelopment of the
5 property it owns at Rainier Ave. South and South Dearborn Street to
6 increase the supply of affordable housing.

7 (4) The appropriations in this section provide sufficient funding
8 for the department assuming vacancy savings that may change over
9 time. Funding for staffing will be monitored and adjusted in the 2024
10 supplemental transportation appropriations act to restore funding as
11 authorized staffing levels are achieved.

12 (5) (a) \$572,000 of the move ahead WA flexible account—state
13 appropriation is provided solely to track and maximize clean fuels
14 credit generation of at least five percent and not more than 10
15 percent in nonadvance clean fuels credits from transportation
16 investments as required under RCW 70A.535.050(3).

17 (b) The LEAP Transportation Document 2023-2 ALL PROJECTS as
18 developed March 29, 2023, anticipates fulfillment of the requirements
19 under RCW 70A.535.050(3) of generating nonadvance credits for
20 transportation investments funded in an omnibus transportation
21 appropriations act, including the move ahead WA transportation
22 package. The clean fuels credit generation anticipates nonadvance
23 credits for ferry electrification for new hybrid electric vessels,
24 active transportation, transit programs and projects, alternative
25 fuel infrastructure, connecting communities, and multimodal
26 investments.

27 (c) Pursuant to the reporting requirements of RCW 70A.535.050(5),
28 the department must present a detailed projection of the credit
29 revenues generated and achieved directly as a result of the funding
30 and activities in this subsection.

31 NEW SECTION. **Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION—**
32 **PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K**

33	Motor Vehicle Account—State Appropriation.	\$660,000
34	Electric Vehicle Account—State Appropriation.	\$4,746,000
35	Multimodal Transportation Account—State	
36	Appropriation.	\$2,800,000
37	Multimodal Transportation Account—Federal	
38	Appropriation.	\$25,000,000

1	Carbon Emissions Reduction Account—State	
2	Appropriation.	\$9,400,000
3	TOTAL APPROPRIATION.	\$42,606,000

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

6 (1) \$1,746,000 of the electric vehicle account—state
7 appropriation is provided solely for the clean alternative fuel
8 vehicle charging and refueling infrastructure program in chapter 287,
9 Laws of 2019 (advancing green transportation adoption).

10 (2) \$1,000,000 of the electric vehicle account—state
11 appropriation and \$500,000 of the multimodal transportation account—
12 state appropriation are provided solely for a colocated DC fast
13 charging and hydrogen fueling station near the Wenatchee or East
14 Wenatchee area near a state route or near or on a publicly owned
15 facility to service passenger, light-duty and heavy-duty vehicles.
16 The hydrogen fueling station must include a DC fast charging station
17 colocated at the hydrogen fueling station site. Funds may be used for
18 one or more fuel cell electric vehicles that would utilize the
19 fueling stations. The department must contract with a public utility
20 district that produces hydrogen in the area to own and/or manage and
21 provide technical assistance for the design, planning, permitting,
22 construction, maintenance and operation of the hydrogen fueling
23 station. The department and public utility district are encouraged to
24 collaborate with and seek contributions from additional public and
25 private partners for the fueling station.

26 (3) The appropriations in this section provide sufficient funding
27 for the department assuming vacancy savings that may change over
28 time. Funding for staffing will be monitored and adjusted in the 2024
29 supplemental transportation appropriations act to restore funding as
30 authorized staffing levels are achieved.

31 (4) The legislature recognizes that for the state to meet long-
32 term zero emissions goals requires consumers have options when
33 investing in different vehicle technologies, including battery
34 electric vehicles and fuel cell electric vehicles. Therefore, it is
35 the intent of the legislature to appropriate climate commitment act
36 funds not to exceed \$30,000,000 over the next three biennia as a
37 state match for secured federal funds to finance hydrogen fueling
38 stations in disadvantaged and overburdened communities for both
39 passenger and light-truck vehicles and medium to heavy-duty vehicles.

1 The department, in consultation with the interagency electric vehicle
2 coordinating council, must pursue any federal funding available
3 through the charging and fueling infrastructure discretionary grant
4 program and any other sources under the federal infrastructure
5 investment and jobs act (P.L. 117-58).

6 (5) \$700,000 of the multimodal transportation account—state
7 appropriation is provided solely for the department's innovative
8 partnerships division to consult with Washington state ferries to
9 assess opportunities for public-private partnership development of
10 Pier 48 in Seattle. Part of the assessment must include consultation
11 with tribes on various uses and options, with a priority given for
12 options that ensure public access. Any assessment recommendations
13 must be submitted to the office of financial management and the
14 transportation committees of the legislature by June 30, 2024.

15 (6) \$9,400,000 of the carbon emissions reduction account—state
16 appropriation is provided solely for clean alternative fuel charging
17 and infrastructure projects and activities selected by the department
18 in consultation with the interagency electric vehicle coordinating
19 council.

20 NEW SECTION. **Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION—**
21 **HIGHWAY MAINTENANCE—PROGRAM M**

22	Motor Vehicle Account—State Appropriation.	\$510,925,000
23	Motor Vehicle Account—Federal Appropriation.	\$7,000,000
24	Move Ahead WA Account—State Appropriation.	\$19,000,000
25	State Route Number 520 Corridor Account—State	
26	Appropriation.	\$4,723,000
27	Tacoma Narrows Toll Bridge Account—State	
28	Appropriation.	\$1,585,000
29	Alaskan Way Viaduct Replacement Project Account—	
30	State Appropriation.	\$8,752,000
31	Interstate 405 and State Route Number 167 Express	
32	Toll Lanes Account—State Appropriation.	\$2,624,000
33	TOTAL APPROPRIATION.	\$554,609,000

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

36 (1) \$5,000,000 of the motor vehicle account—state appropriation
37 is provided solely for a contingency pool for snow and ice removal.
38 The department must notify the office of financial management and the

1 transportation committees of the legislature when they have spent the
2 base budget for snow and ice removal and will begin using the
3 contingency pool funding.

4 (2) The department must continue a pilot program for the
5 2023-2025 fiscal biennium at the four highest-demand safety rest
6 areas to create and maintain an online calendar for volunteer groups
7 to check availability of weekends for the free coffee program. The
8 calendar must be updated at least weekly and show dates and times
9 that are, or are not, available to participate in the free coffee
10 program.

11 (3) \$3,195,000 of the motor vehicle account—state appropriation
12 is provided solely for a contingency pool for repairing damages to
13 highways caused by known and unknown third parties. The department
14 must notify the office of financial management and the transportation
15 committees of the legislature when they have spent the base budget
16 for third-party damage repair and will begin using the contingency
17 pool funding.

18 (4) The appropriations in this section provide sufficient funding
19 for the department assuming vacancy savings that may change over
20 time. Funding for staffing will be monitored and adjusted in the 2024
21 supplemental transportation appropriations act to restore funding as
22 authorized staffing levels are achieved.

23 (5) \$294,000 of the motor vehicle account—state appropriation is
24 provided solely for implementation of chapter . . . (Senate Bill No.
25 5487), Laws of 2023 (parking at rest areas). If chapter . . . (Senate
26 Bill No. 5487), Laws of 2023 is not enacted by June 30, 2023, the
27 amount provided in this subsection lapses.

28 (6) \$10,040,000 of the motor vehicle account—state appropriation
29 is provided solely for the department to address safety improvements
30 and debris cleanup on department-owned rights-of-way from encampments
31 of people living on such rights-of-way. Of the amounts provided in
32 this subsection, \$500,000 is for the department to contract with the
33 Washington state patrol for support of the department's activities as
34 needed.

35 (a) Of this amount, a minimum of \$1,025,000 is to be used for a
36 continued partnership program between the department and the city of
37 Seattle, provided that the department's level of effort to implement
38 safety improvements and debris cleanup on department-owned rights-of-

1 way in the city of Seattle must not be reduced from the level
2 implemented during the 2021-2023 fiscal biennium.

3 (b) Of this amount, a minimum of \$1,015,000 is to be used for a
4 continued partnership program between the department and the city of
5 Tacoma.

6 (c) Beginning November 1, 2023, and semiannually thereafter, the
7 Washington state patrol and the department of transportation must
8 jointly submit a report to the governor and the transportation
9 committees of the legislature on the efforts described under this
10 subsection, including:

11 (i) A summary of the activities related to addressing
12 encampments, including information on arrangements with local
13 governments or other entities related to these activities;

14 (ii) A description of the planned activities in the ensuing two
15 quarters to further address the emergency hazards and risks along
16 state highway rights-of-way; and

17 (iii) Recommendations for executive branch or legislative action
18 to achieve the desired outcome of reduced emergency hazards and risks
19 along state highway rights-of-way.

20 (7) The department shall submit a report to the transportation
21 committees of the legislature by December 1, 2023, with a review of
22 best practices to efficiently cleanup highway litter and debris and
23 recommendations for improving the efficiency of the department's
24 highway clean-up efforts and reducing safety risks to highway clean-
25 up workers. The report must consider new technologies that could
26 improve the safety and efficiency of highway cleanup.

27 NEW SECTION. **Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION—**
28 **TRANSPORTATION OPERATIONS—PROGRAM Q—OPERATING**

29	Highway Safety Fund—State Appropriation.	\$3,529,000
30	Motor Vehicle Account—State Appropriation.	\$77,611,000
31	Motor Vehicle Account—Federal Appropriation.	\$2,050,000
32	Motor Vehicle Account—Private/Local Appropriation.	\$294,000
33	Move Ahead WA Account—State Appropriation.	\$3,090,000
34	Multimodal Transportation Account—State	
35	Appropriation.	\$5,200,000
36	State Route Number 520 Corridor Account—State	
37	Appropriation.	\$247,000
38	Tacoma Narrows Toll Bridge Account—State	

1	Appropriation.	\$44,000
2	Alaskan Way Viaduct Replacement Project Account—	
3	State Appropriation.	\$1,122,000
4	Interstate 405 and State Route Number 167 Express	
5	Toll Lanes Account—State Appropriation.	\$37,000
6	TOTAL APPROPRIATION.	\$93,224,000

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

9 (1) \$6,000,000 of the motor vehicle account—state appropriation
10 and \$1,811,000 of the move ahead WA account—state appropriation are
11 provided solely for low-cost enhancements. The department shall give
12 priority to low-cost enhancement projects that improve safety or
13 provide congestion relief. By December 15th of each odd-numbered
14 year, the department shall provide a report to the legislature
15 listing all low-cost enhancement projects completed in the prior
16 fiscal biennium.

17 (2)(a) During the 2023-2025 fiscal biennium, the department shall
18 continue a pilot program that expands private transportation
19 providers' access to high occupancy vehicle lanes. Under the pilot
20 program, when the department reserves a portion of a highway based on
21 the number of passengers in a vehicle, the following vehicles must be
22 authorized to use the reserved portion of the highway if the vehicle
23 has the capacity to carry eight or more passengers, regardless of the
24 number of passengers in the vehicle: (i) Auto transportation company
25 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter
26 carrier vehicles 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; (iii) private nonprofit
29 transportation provider vehicles regulated under chapter 81.66 RCW;
30 and (iv) private employer transportation service vehicles. For
31 purposes of this subsection, "private employer transportation
32 service" means regularly scheduled, fixed-route transportation
33 service that is offered by an employer for the benefit of its
34 employees. Nothing in this subsection is intended to authorize the
35 conversion of public infrastructure to private, for-profit purposes
36 or to otherwise create an entitlement or other claim by private users
37 to public infrastructure.

38 (b) The department shall expand the high occupancy vehicle lane
39 access pilot program to vehicles that deliver or collect blood,

1 tissue, or blood components for a blood-collecting or distributing
2 establishment regulated under chapter 70.335 RCW. Under the pilot
3 program, when the department reserves a portion of a highway based on
4 the number of passengers in a vehicle, blood-collecting or
5 distributing establishment vehicles that are clearly and identifiably
6 marked as such on all sides of the vehicle are considered emergency
7 vehicles and must be authorized to use the reserved portion of the
8 highway.

9 (c) Nothing in this subsection is intended to exempt these
10 vehicles from paying tolls when they do not meet the occupancy
11 requirements established by the department for express toll lanes.

12 (3) The appropriations in this section assume implementation of
13 additional cost recovery mechanisms to recoup at least \$100,000 in
14 credit card and other financial transaction costs related to the
15 collection of fees imposed under RCW 46.17.400, 46.44.090, and
16 46.44.0941 for driver and vehicle fee transactions beginning January
17 1, 2023. The department may recover transaction fees incurred through
18 credit card transactions. The department shall also submit, as part
19 of its 2025-2027 budget submittal, an overview of the credit card
20 cost recovery approach, including fee rates and the amount of revenue
21 expected to be generated in the 2021-2023, 2023-2025, and 2025-2027
22 biennia, and any recommendations to improve the cost recovery
23 approach.

24 (4) The department shall promote safety messages encouraging
25 drivers to slow down and move over and pay attention when emergency
26 lights are flashing on the side of the road and other suitable safety
27 messages on electronic message boards the department operates across
28 the state. The messages must be promoted through June 30, 2025. The
29 department may coordinate such messaging with any statewide public
30 awareness campaigns being developed by the department of licensing or
31 the Washington state traffic safety commission, or both.

32 (5) \$5,000,000 of the multimodal transportation account—state
33 appropriation is provided solely for the department to address
34 emergent issues related to safety for pedestrians and bicyclists.
35 Funds may only be spent after approval from the office of financial
36 management. By December 15th of each odd-numbered year, the
37 department shall provide a report to the legislature listing all
38 emergent issues addressed in the prior fiscal biennium.

39 (6) The appropriations in this section provide sufficient funding
40 for the department assuming vacancy savings that may change over

1 time. Funding for staffing will be monitored and adjusted in the 2024
2 supplemental transportation appropriations act to restore funding as
3 authorized staffing levels are achieved.

4 (7) \$3,529,000 of the highway safety account—state appropriation
5 is provided solely for implementation of chapter . . . (Engrossed
6 Substitute Senate Bill No. 5272), Laws of 2023 (speed safety
7 cameras). If chapter . . . (Engrossed Substitute Senate Bill No.
8 5272), Laws of 2023 is not enacted by June 30, 2023, the amount
9 provided in this subsection lapses.

10 (8) \$1,279,000 of the move ahead WA account—state appropriation
11 is provided solely for maintenance and operations of the virtual
12 coordination center. The department is encouraged to apply for
13 federal grant funds for the virtual coordination center and may use
14 state funds as a match. By December 1, 2023, the department shall
15 report to the transportation committees of the legislature
16 recommendations to expand the center's operations, including specific
17 additional jurisdictions and corridors across the state.

18 (9) The department shall submit a report to the transportation
19 committees of the legislature by December 1, 2023, with a prioritized
20 list of recommendations for improving safety and mobility on
21 Interstate 90 between North Bend and Cle Elum during winter weather
22 events, including estimated costs. The recommendations must include,
23 but are not limited to, options to improve compliance with traction
24 tire and chain requirements and reduce snow-related closures.

25 (10) \$200,000 of the multimodal transportation account—state
26 appropriation is provided solely for the department of
27 transportation, in collaboration with the Washington state patrol, to
28 administer a pilot program requiring one motor carrier with
29 intrastate commercial motor vehicles and a poor equipment and traffic
30 safety record to operate with side underride guards, or rear impact
31 guards consistent with updates to federal motor vehicle safety
32 standards 223 and 224, or both, on designated public highways of the
33 state. By June 30, 2025, the department must collect data and report
34 to the transportation committees of the legislature the program
35 impacts on highway safety, traffic movement, and the environment, if
36 any. The report must also include a recommendation if the pilot
37 program should continue or be enacted on a permanent basis for all
38 other motor carriers with intrastate commercial motor vehicles.

1 NEW SECTION. **Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION—**

2 **TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S**

3	Motor Vehicle Account—State Appropriation.	\$59,774,000
4	Motor Vehicle Account—Federal Appropriation.	\$780,000
5	Motor Vehicle Account—Private/Local Appropriation.	\$500,000
6	Move Ahead WA Flexible Account—State Appropriation.	\$6,400,000
7	Puget Sound Ferry Operations Account—State	
8	Appropriation.	\$488,000
9	Multimodal Transportation Account—State	
10	Appropriation.	\$22,323,000
11	State Route Number 520 Corridor Account—State	
12	Appropriation.	\$220,000
13	Tacoma Narrows Toll Bridge Account—State	
14	Appropriation.	\$136,000
15	Alaskan Way Viaduct Replacement Project Account—	
16	State Appropriation.	\$127,000
17	Interstate 405 and State Route Number 167 Express	
18	Toll Lanes Account—State Appropriation.	\$114,000
19	TOTAL APPROPRIATION.	\$90,862,000

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

22 (1) (a) \$2,000,000 of the motor vehicle account—state
23 appropriation and \$6,400,000 of the move ahead WA flexible account—
24 state appropriation are provided solely for efforts to increase
25 diversity in the transportation construction workforce through:

26 (i) The preapprenticeship support services (PASS) and career
27 opportunity maritime preapprenticeship support services (COMPASS)
28 programs, which aim to increase diversity in the highway construction
29 and maritime workforces and prepare individuals interested in
30 entering the highway construction and maritime workforces. In
31 addition to the services allowed under RCW 47.01.435, the PASS and
32 COMPASS programs may provide housing assistance for youth aging out
33 of the foster care and juvenile rehabilitation systems to support
34 their participation in a transportation-related preapprenticeship
35 program and support services to obtain necessary maritime documents
36 and coast guard certification;

37 (ii) Assisting minority and women-owned businesses to perform
38 work in the highway construction industry;

1 (iii) Free-of-charge business counseling and technical assistance
2 to minority and women-owned businesses to help them compete for the
3 department's projects;

4 (iv) A program to allow smaller minority and women-owned trucking
5 companies to pool their resources and compete with larger scale
6 trucking operations; and

7 (v) A capacity building mentorship program to enable more mentor
8 contractors and consultants to be paired with veteran-owned
9 businesses or firms certified by the office of minority and women's
10 business enterprises.

11 (b) The department shall report annually to the transportation
12 committees of the legislature on efforts to increase diversity in the
13 transportation construction workforce.

14 (2) For Washington state department of transportation small works
15 roster projects under RCW 39.04.155, the department may only allow
16 firms certified as small business enterprises, under 49 C.F.R. 26.39,
17 to bid on the contract, unless the department determines there would
18 be insufficient bidders for a particular project.

19 (3) \$21,195,000 of the motor vehicle account—state appropriation
20 and \$21,194,000 of the multimodal transportation account—state
21 appropriation are provided solely for the department to upgrade the
22 transportation reporting and accounting information system to the
23 current cloud version of the software, and is subject to the
24 conditions, limitations, and review requirements of section 701 of
25 this act.

26 (4) The appropriations in this section provide sufficient funding
27 for the department assuming vacancy savings that may change over
28 time. Funding for staffing will be monitored and adjusted in the 2024
29 supplemental transportation appropriations act to restore funding as
30 authorized staffing levels are achieved.

31 (5) If either chapter . . . (Senate Bill No. 5757), Laws of 2023
32 (transportation revenue forecast) or chapter . . . (Engrossed
33 Substitute House Bill No. 1838), Laws of 2023 (transportation revenue
34 forecast) is enacted by June 30, 2023, \$278,000 of the motor vehicle
35 account—state appropriation in this section lapses.

36 **NEW SECTION. Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION—**
37 **TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T**

38 Motor Vehicle Account—State Appropriation. \$30,660,000

1	Motor Vehicle Account—Federal Appropriation.	\$31,742,000
2	Motor Vehicle Account—Private/Local Appropriation.	\$400,000
3	Move Ahead WA Flexible Account—Federal Appropriation. . .	\$11,922,000
4	Multimodal Transportation Account—State	
5	Appropriation.	\$3,414,000
6	Multimodal Transportation Account—Federal	
7	Appropriation.	\$2,809,000
8	Multimodal Transportation Account—Private/Local	
9	Appropriation.	\$100,000
10	TOTAL APPROPRIATION.	\$81,047,000

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

13 (1) \$1,750,000 of the multimodal transportation account—state
14 appropriation is provided solely for the department to partner with
15 the department of commerce and regional transportation planning
16 organizations in implementing vehicle miles traveled targets and
17 supporting actions. The department and the department of commerce
18 shall partner with local jurisdictions, regional transportation
19 planning organizations, and other stakeholders to determine the level
20 of vehicle miles traveled reductions needed to meet state goals for
21 greenhouse gas emissions above what will already be achieved by
22 vehicle electrification. Vehicle miles traveled reduction targets and
23 actions to meet those targets will be set by region for those regions
24 who opt to pilot the new process. The department shall provide
25 technical assistance to local partners in developing targets,
26 conducting modeling and analysis, identifying appropriate strategies
27 to meet targets, and conducting outreach. The department will build
28 on the recommendations developed in section 219(3), chapter 186, Laws
29 of 2022. As part of target setting, important factors that must be
30 considered include land use patterns, safety, and vulnerable
31 populations. The department shall provide an interim report by June
32 30, 2024, and a final report by June 30, 2025.

33 (2) The appropriations in this section provide sufficient funding
34 for the department assuming vacancy savings that may change over
35 time. Funding for staffing will be monitored and adjusted in the 2024
36 supplemental transportation appropriations act to restore funding as
37 authorized staffing levels are achieved.

38 (3) (a) \$330,000 of the motor vehicle account—state appropriation
39 and \$330,000 of the motor vehicle account—federal appropriation are

1 provided solely for the department to continue implementation of a
2 performance-based project evaluation model. This implementation work
3 should include:

4 (i) Public engagement and outreach;

5 (ii) Establishment of data flow for criteria;

6 (iii) Ongoing implementation of the evaluation process in
7 coordination with the legislative work cycle; and

8 (iv) Migration to a web-based or app-based system with an
9 external user interface.

10 (b) The department must issue a report by September 1, 2024, with
11 an update on implementation of the new project evaluation model, new
12 system and user interface, and efforts to coordinate project
13 evaluation with the legislative work cycle.

14 (4) (a) \$180,000 of the multimodal transportation account—state
15 appropriation is provided solely for Thurston regional planning
16 council (TRPC) to conduct a study examining options for multimodal
17 high capacity transportation (HCT) to serve travelers on the
18 Interstate 5 corridor between central Thurston county (Olympia area)
19 and Pierce county.

20 (b) The study will include an assessment of travelsheds and
21 ridership potential and identify and provide an evaluation of options
22 to enhance connectivity and accessibility for the greater south Puget
23 Sound region with an emphasis on linking to planned or existing
24 commuter or regional light rail. The study must account for previous
25 and ongoing efforts by transit agencies and the department. The study
26 will emphasize collaboration with a diverse community of interests,
27 including but not limited to transit, business, public agencies,
28 tribes, and providers and users of transportation who because of age,
29 income, or ability may face barriers and challenges.

30 (c) The study is due to the governor and transportation
31 committees of the legislature by September 1, 2024.

32 (5) \$400,000 of the multimodal transportation account—state
33 appropriation is provided solely for the city of Seattle's office of
34 planning and community development to support an equitable
35 development initiative to reconnect the South Park neighborhood,
36 currently divided by state route number 99.

37 (a) The support work must include:

38 (i) A public engagement and visioning process led by a
39 neighborhood-based, community organization; and

1 (ii) A feasibility study of decommissioning state route number 99
2 in the South Park neighborhood to include, but not be limited to,
3 traffic studies, environmental impact analysis, and development of
4 alternatives, including the transfer of the land to a neighborhood-
5 led community land trust.

6 (b) The support work must be conducted in coordination and
7 partnership with neighborhood residents, neighborhood industrial and
8 commercial representatives, the state department of transportation,
9 and other entities and neighborhoods potentially impacted by changes
10 to the operation of state route number 99.

11 (c) The city must provide a report on the plan that includes
12 recommendations to the Seattle city council, state department of
13 transportation, and the transportation committees of the legislature
14 by December 1, 2024.

15 (6) \$15,000,000 of the motor vehicle account—federal
16 appropriation is provided solely for the transportation planning,
17 data, and research program. The department shall prioritize federal
18 funding for legislatively directed projects and activities in this
19 section above other federally funded projects and activities
20 authorized in this act.

21 (7) \$2,557,000 of the motor vehicle account—state appropriation
22 is provided solely for the department to upgrade the department's
23 linear referencing system (LRS) and highway performance monitoring
24 system (HPMS), and is subject to the conditions, limitations, and
25 review requirements in section 701 of this act.

26 (8) \$306,000 of the multimodal transportation account—state
27 appropriation is provided solely for the implementation of
28 chapter . . . (Engrossed Substitute Senate Bill No. 5466), Laws of
29 2023 (transit-oriented development). If chapter . . . (Engrossed
30 Substitute Senate Bill No. 5466), Laws of 2023 is not enacted by June
31 30, 2023, the amount provided in this subsection lapses.

32 (9) \$627,000 of the motor vehicle account—federal appropriation
33 is provided solely for remaining work on the "Forward Drive" road
34 usage charge research project overseen by the transportation
35 commission using the remaining amounts of the federal grant award.
36 The remaining work of this project includes:

37 (a) Analysis of road usage charge simulation and participant
38 surveys;

1 (b) Follow up on road usage charge experiences related to payment
2 installments, mileage exemptions, and vehicle-based mileage
3 reporting;

4 (c) Completion of technology research; and

5 (d) Development of the final "Forward Drive" research program
6 report.

7 (10) (a) \$11,922,000 of the move ahead WA flexible account—federal
8 appropriation is provided solely for an Interstate 5 planning and
9 environmental linkage study and a statewide Interstate 5 master plan,
10 building upon existing work under way in the corridor. It is the
11 intent of the legislature to provide a total of \$40,000,000 for this
12 work by 2029.

13 (b) The work under (a) of this subsection must include, but is
14 not limited to, the following:

15 (i) Seismic resiliency planning to refine the level of effort and
16 develop informed cost estimates for the seismic vulnerability
17 analysis;

18 (ii) HOV lane system-wide performance planning and initial steps
19 to launch a pilot project that progresses innovative and emerging
20 technologies;

21 (iii) Interstate 5 corridor planning work, including development
22 of a framework, coordination of corridor needs, development of core
23 evaluation criteria and a prioritization process, and identification
24 of early action priority projects that address safety or resiliency,
25 or both, along the corridor; and

26 (iv) A report to the transportation committees of the legislature
27 by December 1, 2024, with recommendations for future phases and a
28 detailed funding request for work planned through 2029.

29 (c) Of the amounts provided in this section, \$300,000 is provided
30 solely for the department to conduct a Seattle Interstate 5 ramp
31 reconfiguration and lid feasibility study. The study must be
32 conducted in coordination and partnership with the city of Seattle's
33 department of transportation, informed by the input of Interstate 5
34 lid stakeholders, and coordinated with work under (a) and (b) of this
35 subsection. The department must provide a study report, including
36 recommendations, to the city of Seattle's department of
37 transportation and the transportation committees of the legislature
38 by December 1, 2024. The study must include an analysis of:

39 (i) Options and opportunities to reconfigure, relocate, or remove
40 Interstate 5 ramps within and between Chinatown-International

1 District and the University District for the purpose of improving
2 through-traffic operations, enhancing multimodal transportation
3 safety, and enabling more efficient air rights development;

4 (ii) Potential mitigation needs and cost estimates of ramp
5 changes and demolitions;

6 (iii) Benefits of ramp changes and demolitions to pedestrian and
7 bicycle travel, transit operations, and future lid design;

8 (iv) Ramps for the mainline collector-distributor lanes and
9 express lanes including, at a minimum, ramps connecting to and from
10 James Street, Cherry Street, 6th Avenue, Madison Street, Seneca
11 Street, Spring Street, University Street, Union Street, Olive Way,
12 Yale Avenue, NE 45th Street, and NE 50th Street;

13 (v) Removal of the existing ramps at Seneca Street, Spring
14 Street, and University Street; and

15 (vi) Removal and consolidation of the existing NE 45th Street and
16 NE 50th Street ramps.

17 (d) The department shall work with the emergency management
18 division of the military department to identify strategic
19 transportation corridors, opportunities to improve resilience and
20 reinforce the corridors against natural disasters, and opportunities
21 to secure federal funding for investments in the resilience of the
22 transportation network. The department shall provide a report to the
23 transportation committees of the legislature by December 1, 2023, on:

24 (i) Strategic transportation corridors and opportunities to
25 improve their resilience;

26 (ii) Federal funding opportunities the state should pursue; and

27 (iii) Recommendations for actions to maximize federal funding for
28 the state of Washington.

29 (11) The department shall continue to coordinate planning work
30 focused on the transportation system in western Washington across
31 modes with the goal of maximizing system performance toward the
32 policy goals in RCW 47.04.280 in the most cost-effective manner. This
33 coordination must include, but is not limited to: The Interstate 5
34 highway corridor, existing rail infrastructure and future high-speed
35 rail alignment, and commercial aviation capacity. The department must
36 report to the transportation committees of the legislature through
37 existing reporting mechanisms on the status of these planning efforts
38 including, but not limited to, a long-term strategy for addressing
39 resilience of the transportation system in western Washington through
40 consideration of changing demand, modal integration, and preservation

1 needs. The coordinated work must include an analysis of different
2 alternatives to promote system resilience, including performance and
3 cost of each scenario.

4 (12) \$200,000 of the motor vehicle account—state appropriation is
5 provided solely for planning and intersection improvements along
6 state route number 904 and improvements to the local network that
7 would feed intersections with state route number 904. This work must
8 include, but is not limited to, the Medical Lake/Four Lakes Road/West
9 3rd Ave intersection and feeding local network. The department must
10 collaborate with Spokane county and the city of Cheney on this work
11 and other improvement ideas along the corridor.

12 (13) \$1,500,000 of the motor vehicle account—state appropriation
13 is provided solely for a comprehensive analysis of the state and
14 local transportation network in the US 12/A Street/Tank Farm Road/
15 Sacajawea Road/Lewis Street Interchange vicinity to identify long-
16 term, practical, and multimodal solutions that maximize the use of
17 the existing transportation system and reduce the risk of crashes in
18 the corridor.

19 NEW SECTION. **Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION—**
20 **CHARGES FROM OTHER AGENCIES—PROGRAM U**

21	Aeronautics Account—State Appropriation.	\$1,000
22	Transportation Partnership Account—State	
23	Appropriation.	\$29,000
24	Motor Vehicle Account—State Appropriation.	\$93,059,000
25	Puget Sound Ferry Operations Account—State	
26	Appropriation.	\$244,000
27	State Route Number 520 Corridor Account—State	
28	Appropriation.	\$69,000
29	Connecting Washington Account—State Appropriation.	\$233,000
30	Multimodal Transportation Account—State	
31	Appropriation.	\$4,529,000
32	Tacoma Narrows Toll Bridge Account—State	
33	Appropriation.	\$43,000
34	Alaskan Way Viaduct Replacement Project Account—	
35	State Appropriation.	\$38,000
36	Interstate 405 and State Route Number 167 Express	
37	Toll Lanes Account—State Appropriation.	\$40,000
38	TOTAL APPROPRIATION.	\$98,285,000

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 \$5,000,000, the department, in conjunction with the
6 attorney general and the department of enterprise services, shall
7 notify the director of the office of financial management and the
8 transportation committees of the legislature.

9 (2) On August 1, 2023, and semiannually 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) On August 1, 2023, and semiannually 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) When the department identifies significant legal issues that
30 have potential transportation budget implications, the department
31 must initiate a briefing for appropriate legislative members or staff
32 through the office of the attorney general and its legislative
33 briefing protocol.

34 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION—**
35 **PUBLIC TRANSPORTATION—PROGRAM V**

36 Carbon Emissions Reduction Account—State
37 Appropriation. \$7,000,000
38 Climate Transit Programs Account—State Appropriation. . . \$417,954,000

1	State Vehicle Parking Account—State Appropriation.	\$784,000
2	Regional Mobility Grant Program Account—State	
3	Appropriation.	\$113,300,000
4	Rural Mobility Grant Program Account—State	
5	Appropriation.	\$32,774,000
6	Multimodal Transportation Account—State	
7	Appropriation.	\$126,064,000
8	Multimodal Transportation Account—Federal	
9	Appropriation.	\$4,374,000
10	Multimodal Transportation Account—Private/Local	
11	Appropriation.	\$100,000
12	TOTAL APPROPRIATION.	\$702,350,000

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

15 (1) \$64,354,000 of the multimodal transportation account—state
16 appropriation and \$78,100,000 of the climate transit programs account
17 —state appropriation are provided solely for a grant program for
18 special needs transportation provided by transit agencies and
19 nonprofit providers of transportation. Of this amount:

20 (a) \$14,801,420 of the multimodal transportation account—state
21 appropriation and \$17,963,000 of the climate transit programs account
22 —state appropriation are provided solely for grants to nonprofit
23 providers of special needs transportation. Grants for nonprofit
24 providers must be based on need, including the availability of other
25 providers of service in the area, efforts to coordinate trips among
26 providers and riders, and the cost effectiveness of trips provided.

27 (b) \$49,552,580 of the multimodal transportation account—state
28 appropriation and \$60,137,000 of the climate transit programs account
29 —state appropriation are provided solely for grants to transit
30 agencies to transport persons with special transportation needs. To
31 receive a grant, the transit agency must, to the greatest extent
32 practicable, have a maintenance of effort for special needs
33 transportation that is no less than the previous year's maintenance
34 of effort for special needs transportation. Grants for transit
35 agencies must be prorated based on the amount expended for demand
36 response service and route deviated service in calendar year 2021 as
37 reported in the "2021 Summary of Public Transportation" published by
38 the department of transportation. No transit agency may receive more
39 than 30 percent of these distributions.

1 (2) \$32,774,000 of the rural mobility grant program account—state
2 appropriation is provided solely for grants to aid small cities in
3 rural areas as prescribed in RCW 47.66.100.

4 (3) \$11,382,000 of the multimodal transportation account—state
5 appropriation is provided solely for a public transit rideshare grant
6 program for: (a) Public transit agencies to add or replace rideshare
7 vehicles; and (b) incentives and outreach to increase rideshare use.
8 The grant program for public transit agencies may cover capital costs
9 only, and costs for operating vanpools at public transit agencies are
10 not eligible for funding under this grant program. Awards from the
11 grant program must not be used to supplant transit funds currently
12 funding ride share programs, or to hire additional employees.

13 (4) \$35,622,000 of the regional mobility grant program account—
14 state appropriation is reappropriated and provided solely for the
15 regional mobility grant projects identified in LEAP Transportation
16 Document 2023-2 ALL PROJECTS as developed March 29, 2023, Program -
17 Public Transportation Program (V).

18 (5) (a) \$77,679,000 of the regional mobility grant program account
19 —state appropriation is provided solely for the regional mobility
20 grant projects identified in LEAP Transportation Document 2023-2 ALL
21 PROJECTS as developed March 29, 2023, Program - Public Transportation
22 Program (V). The department shall review all projects receiving grant
23 awards under this program at least semiannually to determine whether
24 the projects are making satisfactory progress. Any project that has
25 been awarded funds, but does not report activity on the project
26 within one year of the grant award, must be reviewed by the
27 department to determine whether the grant should be terminated. The
28 department shall promptly close out grants when projects have been
29 completed, and any remaining funds must be used only to fund projects
30 identified in the LEAP transportation document referenced in this
31 subsection. The department shall provide annual status reports on
32 December 15, 2023, and December 15, 2024, to the office of financial
33 management and the transportation committees of the legislature
34 regarding the projects receiving the grants. It is the intent of the
35 legislature to appropriate funds through the regional mobility grant
36 program only for projects that will be completed on schedule. A
37 grantee may not receive more than 25 percent of the amount
38 appropriated in this subsection unless all other funding is awarded.
39 Additionally, when allocating funding for the 2023-2025 fiscal

1 biennium, no more than 30 percent of the total grant program may
2 directly benefit or support one grantee unless all other funding is
3 awarded. The department shall not approve any increases or changes to
4 the scope of a project for the purpose of a grantee expending
5 remaining funds on an awarded grant.

6 (b) In order to be eligible to receive a grant under (a) of this
7 subsection during the 2023-2025 fiscal biennium, a transit agency
8 must establish a process for private transportation providers to
9 apply for the use of park and ride facilities. For purposes of this
10 subsection, (i) "private transportation provider" means: An auto
11 transportation company regulated under chapter 81.68 RCW; a passenger
12 charter carrier regulated under chapter 81.70 RCW, except marked or
13 unmarked stretch limousines and stretch sport utility vehicles as
14 defined under department of licensing rules; a private nonprofit
15 transportation provider regulated under chapter 81.66 RCW; or a
16 private employer transportation service provider; and (ii) "private
17 employer transportation service" means regularly scheduled, fixed-
18 route transportation service that is offered by an employer for the
19 benefit of its employees.

20 (c) \$1,500,000 of the amount appropriated in this subsection is
21 provided solely for a contingency fund to assist current regional
22 mobility grantees with cost escalations and overages. The department
23 shall create a system for grantees to request funds, and set a cap of
24 contingency funds per grantee to ensure an equitable distribution
25 among requesters.

26 (6) \$6,195,000 of the multimodal transportation account—state
27 appropriation, \$3,300,000 of the climate transit programs account—
28 state appropriation, and \$784,000 of the state vehicle parking
29 account—state appropriation are provided solely for CTR grants and
30 activities. Of this amount, \$495,000 of the multimodal transportation
31 account—state appropriation is provided solely for continuation of
32 the first mile/last mile connections grant program. The commute trip
33 reduction board shall develop grant parameters, evaluation criteria,
34 and evaluate grant proposals. The commute trip reduction board shall
35 provide the transportation committees of the legislature a report on
36 the effectiveness of this grant program and best practices for
37 continuing the program.

38 (7) Except as provided otherwise in this subsection, \$11,914,000
39 of the multimodal transportation account—state appropriation is

1 provided solely for connecting Washington transit projects identified
2 in LEAP Transportation Document 2023-2 ALL PROJECTS as developed
3 March 29, 2023. It is the intent of the legislature that entities
4 identified to receive funding in the LEAP transportation document
5 referenced in this subsection receive the amounts specified in the
6 time frame specified in that LEAP document. If an entity has already
7 completed a project in the LEAP transportation document referenced in
8 this subsection before the time frame identified, the entity may
9 substitute another transit project or projects that cost a similar or
10 lesser amount.

11 (8) The department shall not require more than a 10 percent match
12 from nonprofit transportation providers for state grants.

13 (9) \$16,407,000 of the multimodal transportation account—state
14 appropriation and \$39,400,000 of the climate transit programs account
15 —state appropriation are provided solely for the green transportation
16 capital grant program as outlined in RCW 47.66.120. Of the amount of
17 climate transit program account funds appropriated in this
18 subsection, up to one percent may be used for program administration
19 and staffing.

20 (10) \$2,565,000 of the multimodal transportation account—state
21 appropriation is provided solely for the implementation of
22 chapter . . . (Engrossed Substitute Senate Bill No. 5466), Laws of
23 2023 (transit-oriented development). If chapter . . . (Engrossed
24 Substitute Senate Bill No. 5466), Laws of 2023 is not enacted by June
25 30, 2023, the amount provided in this subsection lapses.

26 (11)(a) \$10,000,000 of the climate transit programs account—state
27 appropriation is provided solely for the department to establish a
28 tribal transit competitive grant program to be administered as part
29 of the department's consolidated grant program. The department shall
30 report to the transportation committees of the legislature and the
31 office of financial management with a list of projects recommended
32 for funding by September 1, 2023, along with recommendations on how
33 to remove barriers for tribes to access grant funds, and
34 recommendations for how the department can provide technical
35 assistance.

36 (b) Within the amount provided in this subsection, \$529,000 is
37 provided solely for the Sauk-Suiattle Commuter project (L1000318).

38 (c) Up to one percent of amounts appropriated in this subsection
39 may be used for program administration and staffing.

1 (12) \$188,900,000 of the climate transit programs account—state
2 appropriation is provided solely for transit support grants for
3 public transit agencies that have adopted a zero-fare policy for
4 youth 18 years of age and under by October 1, 2022.

5 (13) \$40,000,000 of the climate transit programs account—state
6 appropriation is provided solely for the bus and bus facility grant
7 program for replacement, rehabilitation, and purchase of transit
8 rolling stock, or construction, modification, or rehabilitation of
9 transit facilities.

10 (14) \$2,000,000 of the climate transit programs account—state
11 appropriation is provided solely for newly selected transit
12 coordination grants. The department shall prioritize grant proposals
13 that promote the formation of joint partnerships between transit
14 agencies or merge service delivery across entities.

15 (15)(a) For projects funded as part of the move ahead WA
16 transportation package as listed in LEAP Transportation Document
17 2023-2 ALL PROJECTS as developed March 29, 2023, Move Ahead WA -
18 Transit Projects, and if the department expects to have substantial
19 reappropriations for the 2023-2025 fiscal biennium, the department
20 may, on a pilot basis, apply funding from a project with an
21 appropriation that is unable to be used within the 2023-2025 fiscal
22 biennium to advance one or more of the following projects listed as
23 part of the list, prioritizing projects first by tier then by project
24 readiness.

25 (b) In instances when projects listed in the LEAP transportation
26 document referenced in (a) of this subsection are no longer viable or
27 have been completed, the department may approve alternative project
28 proposals from the local jurisdictions if the project is similar in
29 type and scope and consistent with limitations on certain funds
30 provided.

31 (c) At least 10 business days before advancing or swapping a
32 project pursuant to this subsection, the department must notify the
33 office of financial management and the transportation committees of
34 the legislature. The advancement of a project may not hinder the
35 delivery of the projects for which the reappropriations are necessary
36 for the 2023-2025 fiscal biennium.

37 (16) \$580,000 of the multimodal transportation account—state
38 appropriation is provided solely for the department to provide a
39 statewide vanpool benefit for all state employees. For department

1 employees working in remote job sites, such as mountain passes, the
2 department must ensure employees are able to access job sites via a
3 subsidized vanpool or provide a modal alternative for the "last mile"
4 to ensure employees can access the job site without additional
5 charge.

6 (17)(a) \$400,000 of the multimodal transportation account—state
7 appropriation is provided solely for the department, in consultation
8 with the joint transportation committee, to continue a study of
9 statewide frequent transit standard goals. The study must make
10 recommendations on goals for frequent transit access across the
11 state, taking into account:

12 (i) State climate and vehicle miles traveled goals;

13 (ii) Findings from recently completed joint transportation
14 committee studies concerning nondrivers; and

15 (iii) Regional contexts and populations forecasts.

16 (b) As part of the study process, the department shall convene
17 stakeholder groups comprised of, but not limited to, transit users,
18 nondrivers, transit agencies, and nonprofit transit providers to
19 inform development of statewide frequent transit goals.

20 (c) The department shall submit findings and recommendations to
21 the transportation committees of the legislature and the office of
22 financial management by September 1, 2024.

23 (18)(a) \$700,000 of the multimodal transportation account—state
24 appropriation is provided solely for the department to develop an
25 action plan for the establishment of cycle highways in locations that
26 connect population centers and support mode shift.

27 (b) The action plan must complement and incorporate existing
28 resources, including the state trails database maintained by the
29 recreation and conservation office, local and regional plans, and the
30 state active transportation plan.

31 (c) The action plan must also include, but is not limited to:

32 (i) Recommended design; geometric and operational criteria and
33 typologies appropriate to urban, suburban, and rural settings;
34 settings that include shared use; and incremental approaches to
35 achieve desired facility types;

36 (ii) A model or methodology to project potential demand and
37 carrying capacity based on facility quality, level of traffic stress,
38 location, directness, land use, and other key attributes;

1 (iii) Examination of the feasibility of developing high-capacity
2 infrastructure for bicycle and micromobility device use within a
3 variety of contexts and recommendations for pilot projects;

4 (iv) Identification of key gaps in regional networks, including
5 planned and aspirational routes and locations within three miles of
6 high-capacity transit or existing shared-use paths and trails
7 suitable for transportation;

8 (v) Identification of legal, regulatory, financial,
9 collaboration, and practical barriers to development and community
10 acceptance and support of such facilities; and

11 (vi) Recommended strategies to consider and address issues to
12 avoid unintended consequences such as displacement, and to ensure
13 equity in long-term development of such facilities.

14 (d) The department must provide a report with its findings to the
15 transportation committees of the legislature by June 30, 2025.

16 (19) \$200,000 of the multimodal transportation account—state
17 appropriation is provided solely for the department to update the
18 2019 feasibility study to add a fifth travel Washington intercity bus
19 line in the Yakima Valley. The department must provide a summary
20 report of the updated feasibility and cost estimates to the
21 transportation committees of the legislature by December 1, 2024.

22 (20) (a) (i) \$5,000,000 of the carbon emissions reduction account—
23 state appropriation is provided solely for the department to
24 establish a program for providing rebates to qualifying persons who
25 purchase e-bikes and qualifying equipment and services from a
26 qualifying retailer. Of this amount, \$3,000,000 is for rebate amounts
27 as described under (a) (iii) (A) of this subsection, and \$2,000,000 is
28 for rebate amounts as described under (a) (iii) (B) of this subsection.

29 (ii) To qualify for and use the rebate under this subsection, a
30 person must be a resident of Washington state and purchase an e-bike
31 and qualifying equipment and services, if any, from a qualifying
32 retailer in this state. Qualifying equipment and services must be
33 purchased as part of the same transaction as the e-bike.

34 (iii) (A) For persons who are at least 16 years of age and reside
35 in households with incomes at or below 80 percent of the county area
36 median income, the amount of the rebate is up to \$1,200 on the sale
37 of an e-bike and any qualifying equipment and services.

38 (B) For all other persons who are at least 16 years of age, the
39 amount of the rebate is up to \$300 on the sale of an e-bike and any
40 qualifying equipment and services.

1 (C) No more than one rebate may be awarded per household.

2 (iv) (A) The department must establish application procedures for
3 e-bike retailers to participate in the rebate program, and
4 application and award procedures for applicants to participate in the
5 program. If an applicant qualifies for a rebate amount and there is
6 sufficient funds to award the applicant with the appropriate rebate
7 amount, the department must provide the qualifying individual the
8 rebate amount in a format that can be redeemed at the time of
9 purchase at a qualifying retailer.

10 (B) An applicant must provide contact information, including a
11 physical address, email address, and phone number, and demographic
12 information, including the applicant's age, gender, race, and
13 ethnicity, to the department on a form provided by the department at
14 the time of applying for the rebate. The department may share or
15 provide access to such information with the University of Washington
16 to provide the University of Washington an opportunity to ask program
17 applicants and recipients to fill out a survey collecting information
18 only to the extent to inform its report described under (d) of this
19 subsection.

20 (v) A qualifying retailer must register with the department
21 before participating in the rebate program. A qualifying retailer
22 must:

23 (A) Verify the identity of the qualifying individual at the time
24 of purchase; and

25 (B) Calculate and apply the rebate at the time of purchase.

26 (vi) The department must reimburse a qualifying retailer that
27 accepts a rebate from a qualifying individual no later than 30 days
28 after the rebate is redeemed.

29 (vii) For purposes of this subsection (20) (a):

30 (A) "E-bike" means an electric assisted bicycle as defined in RCW
31 46.04.169, but does not include mountain bikes.

32 (B) "Qualifying equipment and services" means a bicycle helmet,
33 safety vest, bicycle light, or bicycle lock, and any maintenance or
34 other services agreed upon by the qualifying retailer and qualifying
35 individual at the time of purchase.

36 (C) "Qualifying retailer" means a retail business establishment
37 with one or more physical retail locations in this state that
38 provides on-site e-bike sales, service, and repair and has registered
39 with the department to participate in the rebate program established
40 under this subsection.

1 (b) For fiscal year 2025, \$2,000,000 of the carbon emissions
2 reduction account—state appropriation is provided solely for the
3 department to establish an e-bike lending library and ownership grant
4 program. The department may accept grant applications from other
5 state entities, local governments, and tribes that administer or plan
6 to administer an e-bike lending library or ownership program for
7 their employees for commute trip reduction purposes. The department
8 may also accept grant applications from nonprofit organizations or
9 tribal governments that serve persons who are low-income or reside in
10 overburdened communities and that administer or plan to administer an
11 e-bike lending library or ownership program for qualifying persons.
12 Grant recipients must report program information and participation
13 data to the University of Washington to inform its report described
14 under (d) of this subsection.

15 (c) It is the intent of the legislature that funding provided in
16 (a) and (b) of this subsection continue to be appropriated in the
17 2025-2027 and 2027-2029 fiscal biennia.

18 (d) Of the amounts provided in this subsection (20), \$90,000 is
19 provided solely for the department to contract with the University of
20 Washington's sustainable transportation lab to publish a general
21 policy brief that provides innovative e-bike rebate and lending
22 library or ownership grant program models and recommendations, a
23 report on survey results based on data and demographic information
24 collected under the e-bike rebate program established in (a) of this
25 subsection, and a report on program information and data collected
26 under the e-bike lending library and ownership grant program
27 established in (b) of this subsection. An initial brief and report
28 must be submitted to the transportation committees of the legislature
29 by July 1, 2024, with the final policy brief and report due to the
30 transportation committees of the legislature by July 1, 2025.

31 (e) The department may not collect more than five percent of
32 appropriated amounts to administer the programs under (a) and (b) of
33 this subsection.

34 (21) The appropriations in this section provide sufficient
35 funding for the department assuming vacancy savings that may change
36 over time. Funding for staffing will be monitored and adjusted in the
37 2024 supplemental transportation appropriations act to restore
38 funding as authorized staffing levels are achieved.

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

2 **MARINE—PROGRAM X**

3 Puget Sound Ferry Operations Account—State

4 Appropriation. \$579,313,000

5 Puget Sound Ferry Operations Account—Federal

6 Appropriation. \$166,643,000

7 Puget Sound Ferry Operations Account—Private/Local

8 Appropriation. \$121,000

9 TOTAL APPROPRIATION. \$746,077,000

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

12 (1) The office of financial management budget instructions
13 require agencies to recast enacted budgets into activities. The
14 Washington state ferries shall include a greater level of detail in
15 its 2023-2025 supplemental and 2025-2027 omnibus transportation
16 appropriations act requests, as determined jointly by the office of
17 financial management, the Washington state ferries, and the
18 transportation committees of the legislature. This level of detail
19 must include the administrative functions in the operating as well as
20 capital programs. The data in the tables in the report must be
21 supplied in a digital file format.

22 (2) \$90,014,000 of the Puget Sound ferry operations account—
23 federal appropriation and \$50,951,000 of the Puget Sound ferry
24 operations account—state appropriation are provided solely for auto
25 ferry vessel operating fuel in the 2023-2025 fiscal biennium, which
26 reflect cost savings from a reduced biodiesel fuel requirement and,
27 therefore, is contingent upon the enactment of section 703 of this
28 act. The amount provided in this subsection represents the fuel
29 budget for the purposes of calculating any ferry fare fuel surcharge.
30 The department shall review future use of alternative fuels and dual
31 fuel configurations, including hydrogen.

32 (3) \$500,000 of the Puget Sound ferry operations account—state
33 appropriation is provided solely for operating costs related to
34 moving vessels for emergency capital repairs. Funds may only be spent
35 after approval by the office of financial management.

36 (4) The department must work to increase its outreach and
37 recruitment of populations underrepresented in maritime careers and
38 continue working to expand apprenticeship and internship programs,

1 with an emphasis on programs that are shown to improve recruitment
2 for positions with the state ferry system.

3 (5) \$175,000 of the Puget Sound ferry operations account—state
4 appropriation is provided solely for the department to continue a
5 study of passenger demographics. The study may be included as part of
6 a larger origin and destination study. The department shall report
7 study results to the transportation committees of the legislature by
8 December 1, 2023.

9 (6) The department shall continue to oversee a consultant study
10 to identify and recommend cost-effective strategies to maximize walk-
11 on passenger ridership of the Anacortes - San Juan ferry routes. The
12 study is due to the transportation committees of the legislature by
13 December 1, 2023.

14 (7) \$19,850,000 of the Puget Sound ferry operations account—state
15 appropriation is provided solely for Washington state ferries to:

16 (a) Provide scholarships, coursework fees, and stipends for
17 candidates to become licensed deck officers (mates);

18 (b) Improve the process for unlicensed candidates who have
19 achieved able-bodied sailor (AB) status to earn their mate's license;

20 (c) Annually hire, orient, train, and develop entry level engine
21 room staff at the wiper classification with the intention of
22 successfully promoting to oiler classification;

23 (d) Add a second shift at Eagle Harbor maintenance facility; and

24 (e) Expand the existing Washington state ferries Eagle Harbor
25 apprenticeship program from two to eight apprentices.

26 (8) (a) During negotiations of the 2025-2027 collective bargaining
27 agreements, the department must conduct a review and analysis of the
28 collective bargaining agreements governing state ferry employees, to
29 identify provisions that create barriers for, or contribute to
30 creating a disparate impact on, newly hired ferry employees,
31 including those who are women, people of color, veterans, and other
32 employees belonging to communities that have historically been
33 underrepresented in the workforce. The review and analysis must
34 incorporate, to the extent practicable, the findings and
35 recommendations from the December 2022 joint transportation committee
36 study on Washington state ferries' workforce, and must also include,
37 but not be limited to, provisions regarding seniority, work
38 assignments, and work shifts. The review and analysis must also
39 include consultation with the governor's office of labor relations,
40 the governor's office of equity, and the attorney general's office.

(b) For future negotiations or modifications of the collective bargaining agreements, it is the intent of the legislature that the collective bargaining representatives for the state and ferry employee organizations may consider the findings of the review and analysis required in (a) of this subsection and negotiate in a manner to remove identified barriers and address identified impacts so as not to perpetuate negative impacts.

(9) \$1,500,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the restoration of service to Sidney, British Columbia.

(10) \$1,070,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the implementation of chapter . . . (Senate Bill No. 5550 or House Bill No. 1846), Laws of 2023 (state ferry workforce development issues). If neither chapter . . . (Senate Bill No. 5550), Laws of 2023 or chapter . . . (House Bill No. 1846), Laws of 2023 is enacted by June 30, 2023, the amount provided in this subsection lapses.

(11) \$1,000,000 of the Puget Sound ferry operations account—state appropriation is provided solely for support of the Kitsap transit passenger ferry to supplement service on the Seattle-Bremerton route.

(12) \$100,000 of the Puget Sound ferry operations account—state appropriation is provided solely to assess temporary service restoration options for the Sidney, British Columbia route until Washington state ferries can resume its service. Washington state ferries must provide service options and recommendations to the office of financial management and the transportation committees of the legislature by January 1, 2024.

NEW SECTION. Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING

Carbon Emissions Reduction Account—State	
Appropriation.	\$2,250,000
Motor Vehicle Fund—State Appropriation.	\$5,000,000
Multimodal Transportation Account—State	
Appropriation.	\$82,591,000
Multimodal Transportation Account—Private/Local	
Appropriation.	\$46,000
TOTAL APPROPRIATION.	\$89,887,000

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

3 (1) The department shall continue to pursue restoring Amtrak
4 Cascades service to pre-COVID service levels, and to the service
5 levels committed to through the department's obligation of funding
6 from the federal American recovery and reinvestment act. A status
7 report must be provided to the transportation committees of the
8 legislature and the office of financial management by September 1,
9 2023.

10 (2) (a) \$5,000,000 of the motor vehicle account—state
11 appropriation is provided solely for the department to conduct an
12 analysis of highway, road, and freight rail transportation needs and
13 options to accommodate the movement of freight and goods that
14 currently move by barge through the lower Snake river dams. The
15 analysis must generate volume estimates and evaluate scenarios for
16 changes in infrastructure and operations that would be necessary to
17 address those additional volumes. The analysis must also include
18 quantitative analysis based on available data as well as qualitative
19 input gathered from tribal governments, local governments, freight
20 interests, farmers and businesses who ship on barges above Ice Harbor
21 dam, and other key stakeholders. The analysis must also include a
22 robust public engagement process to solicit feedback from interested
23 stakeholders including, but not limited to: Residents and officials
24 in affected cities and counties; stakeholders involved in railroad,
25 agriculture, fishing, trucking, shipping, and other related
26 industries; appropriate Native American tribes; representatives of
27 advocacy and community organizations; and transportation, public
28 works, and economic development professionals in the affected areas.
29 The analysis must include the following:

30 (i) Existing volumes and traffic patterns;

31 (ii) Potential changes in volumes and traffic patterns
32 immediately following the loss of freight movement by barge and over
33 the following 20 years;

34 (iii) Identification of potential infrastructure and operational
35 improvements to existing highways, roads, and rail, including
36 additional access to facilities, needed to accommodate higher freight
37 volumes;

38 (iv) Identification of rail line development options;

1 (v) Evaluation of dam removal impacts on existing bridges that
2 cross the Snake river;

3 (vi) Cost estimates for development and implementation of
4 identified needs and options including planning, design, and
5 construction; and

6 (vii) An accounting of greenhouse gas emissions resulting from
7 recommended development of highway, road, and freight rail
8 transportation freight options, and recommended mitigation strategies
9 to comport with statewide greenhouse gas emission reductions as
10 outlined in RCW 70A.45.020.

11 (b) The department shall provide a final report to the governor
12 and the transportation committees of the legislature by December 31,
13 2024.

14 (3) The appropriations in this section provide sufficient funding
15 for the department assuming vacancy savings that may change over
16 time. Funding for staffing will be monitored and adjusted in the 2024
17 supplemental transportation appropriations act to restore funding as
18 authorized staffing levels are achieved.

19 NEW SECTION. **Sec. 224. FOR THE DEPARTMENT OF TRANSPORTATION—**
20 **LOCAL PROGRAMS—PROGRAM Z—OPERATING**

21	Motor Vehicle Account—State Appropriation.	\$12,473,000
22	Motor Vehicle Account—Federal Appropriation.	\$2,567,000
23	Multiuse Roadway Safety Account—State Appropriation.	\$450,000
24	Multimodal Transportation Account—State	
25	Appropriation.	\$500,000
26	TOTAL APPROPRIATION.	\$15,990,000

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

29 (1) \$500,000 of the motor vehicle account—state appropriation is
30 provided solely for development, administration, program management,
31 and evaluation of the federal fund exchange pilot program.

32 (2) \$1,063,000 of the motor vehicle account—state appropriation
33 is provided solely for the department, from amounts set aside out of
34 statewide fuel taxes distributed to counties according to RCW
35 46.68.120(3), to contract with the Washington state association of
36 counties to:

1 (a) Contract with the department of fish and wildlife to
2 identify, inventory, and prioritize county-owned fish passage
3 barriers;

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

8 (c) Commission a study to develop guidance for county public
9 works departments conducting environmental justice assessments in
10 their communities and recommend best practices for community
11 engagement plans to address environmental health disparities for
12 identified overburdened communities;

13 (d) Contract for a study to identify best practices within public
14 works for the recruitment and retention of employees, including:
15 Recommendations for improving outreach and recruitment to
16 underrepresented populations, methods to partner with local community
17 colleges and universities, methods to expand apprenticeship and
18 internship programs, strategies to increase training and development
19 opportunities, and recommendations for career advancement programs
20 and better work-life balance outcomes; and

21 (e) Update the 2020 county transportation revenue study.

22 (3) The department shall examine the feasibility of creating a
23 new departmental program for active transportation. By December 1,
24 2023, the department shall report findings and recommendations to the
25 transportation committees of the legislature and the office of
26 financial management, including, but not limited to:

27 (a) Estimated cost, new staffing needs, and time frame to
28 establish the program;

29 (b) A proposed budget structure, and whether both operating and
30 capital components should be established; and

31 (c) Identification of staff, capital projects, and other
32 resources that would need to transfer from other existing programs.

33 (4) The appropriations in this section provide sufficient funding
34 for the department assuming vacancy savings that may change over
35 time. Funding for staffing will be monitored and adjusted in the 2024
36 supplemental transportation appropriations act to restore funding as
37 authorized staffing levels are achieved.

38 NEW SECTION. **Sec. 225. FOR THE DEPARTMENT OF TRANSPORTATION**

1 (1) The appropriations to the department of transportation must
2 be expended for the programs and in the amounts specified in this
3 act. Appropriations made in this act to the department of
4 transportation must initially be allotted as required under this act.
5 Subsequent allotment modifications may not include transfers of
6 appropriation authority between sections of this act except as
7 expressly provided in this act. Allotment modifications may not
8 permit moneys that are provided solely for a specified purpose to be
9 used for another purpose. However, between October 1, 2023, and March
10 1, 2024, subject to subsection (2)(a) of this section, the department
11 of transportation may transfer state appropriation authority for the
12 2023-2025 fiscal biennium among operating programs after approval by
13 the director of the office of financial management.

14 (2)(a) To ensure that staffing vacancy savings assumed in this
15 act do not impair the ability of each individual program to fill
16 authorized staffing positions, maintain operational capacity, and
17 provide anticipated service delivery levels, the department of
18 transportation may, after approval by the director of the office of
19 financial management: (i) Transfer state motor vehicle fund and
20 multimodal transportation account appropriation authority among
21 operating programs, up to the amount of the assumed vacancy savings
22 in each program receiving the transfer; and (ii) make associated
23 staffing-related allotment modifications associated with expenditures
24 for fiscal year 2024. However, transfers authorized in this section
25 may not include the toll operations and maintenance program (program
26 B) or the marine operations program (program X) appropriation
27 authority or allotments, and transfers may only be made within each
28 specific fund source. The department may not transfer appropriation
29 authority, and the director of the office of financial management may
30 not approve the transfer, unless the transfer is consistent with the
31 objective of conserving, to the maximum extent possible, the
32 expenditure of state funds and not federal funds.

33 (b) The director of the office of financial management shall
34 notify in writing the transportation committees of the legislature
35 seven days before approving any allotment modifications or transfers
36 under this section. The written notification must include a narrative
37 explanation and justification of the changes, along with expenditures
38 and allotments by programs and appropriation, both before and after
39 any allotment modifications or transfers.

(End of part)

1 **TRANSPORTATION AGENCIES—CAPITAL**

2 **NEW SECTION. Sec. 301. FOR THE FREIGHT MOBILITY STRATEGIC**
3 **INVESTMENT BOARD**

4 Freight Mobility Investment Account—State
5 Appropriation. \$20,808,000
6 Freight Mobility Multimodal Account—State
7 Appropriation. \$23,453,000
8 TOTAL APPROPRIATION. \$44,261,000

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

11 (1) Except as otherwise provided in this section, the entire
12 appropriations in this section are provided solely for the projects
13 by amount, as listed in the LEAP Transportation Document 2023-2 ALL
14 PROJECTS as developed March 29, 2023, Freight Mobility Strategic
15 Investment Board (FMSIB).

16 (2) It is the intent of the legislature to continue to make
17 strategic investments in a statewide freight mobility transportation
18 system with the help of the freight mobility strategic investment
19 board, including projects that mitigate the impact of freight
20 movement on local communities. To that end, and in coordination with
21 the department of transportation as it updates its federally
22 compliant freight plan, the board is directed to identify the highest
23 priority freight investments for the state, across freight modes,
24 state and local jurisdictions, and regions of the state.

25 (3) (a) For the 2023-2025 project appropriations, unless otherwise
26 provided in this act, the director of the office of financial
27 management may authorize a transfer of appropriation authority
28 between projects managed by the freight mobility strategic investment
29 board in order for the board to manage project spending and support
30 the efficient and timely delivery of all projects in the program. The
31 office of financial management may authorize a transfer of
32 appropriation authority between projects under the following
33 conditions and limitations:

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

37 (ii) Each transfer between projects may only occur if the
38 director of the office of financial management finds that any

1 resulting change will not hinder the completion of the projects on
2 LEAP Transportation Document 2023-2 ALL PROJECTS as developed March
3 29, 2023;

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

11 (iv) Except for transfers made under (a)(iii) of this subsection,
12 transfers may only be made in fiscal year 2024.

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

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

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

27 (4) \$12,000,000 of the freight mobility investment account—state
28 appropriation is provided solely for further refinement, and actual
29 implementation, of the 2021 joint transportation committee truck
30 parking action plan in the 2023-2025 fiscal biennium. A report
31 identifying a proposed phased implementation, including specific
32 action steps for the 2023-2025 fiscal biennium, must be transmitted
33 to the office of financial management and the transportation
34 committees of the legislature by June 30, 2024. The refined truck
35 parking action plan must include, but is not limited to:

- 36 (a) Establishment of a truck parking implementation work group;
- 37 (b) Comprehensive identification of Washington state department
38 of transportation and private land parcels for potential development
39 as potential truck parking sites;

1 (c) A list of options to support increased truck parking
2 including: (i) Incentives for expanding truck parking locations,
3 including an emphasis on alternative fuel infrastructure; and (ii)
4 creating state supported shuttle service to provide access to food,
5 restrooms, and shower facilities at some locations;

6 (d) Conversion of vacant land adjacent to an existing rest area
7 on state route number 906 to allow additional truck parking near
8 Snoqualmie Pass. The refinement of the truck parking action plan must
9 not prevent progress on this specific action step during the
10 2023-2025 fiscal biennium;

11 (e) Feasibility analysis of sites adjacent to Interstate 90 in
12 the vicinity of the city of North Bend as a truck stop facility with
13 the potential for 400 to 600 truck parking spaces;

14 (f) Evaluation and commencement of improvements reconfiguring
15 public rest areas to increase truck parking availability. The
16 refinement of the truck parking action plan and the development of
17 the rest area strategic plan must not prevent progress on this
18 specific action step during the 2023-2025 fiscal biennium;

19 (g) Additional outreach to state, local, and regional partners,
20 and integration of truck parking considerations into state and local
21 growth management and land use decision-making processes;

22 (h) Specific review of potential restroom facility improvements
23 at weigh stations for truck driver use; and

24 (i) A feasibility analysis of expanding the truck parking
25 availability system beyond the current locations and possibly
26 integrating parking availability in private lots that voluntarily
27 allow truck parking.

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

29 State Patrol Highway Account—State Appropriation. . . . \$7,950,000

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

32 (1) \$7,950,000 of the state patrol highway account—state
33 appropriation is provided solely for the following projects:

34 (a) \$500,000 is for emergency repairs;

35 (b) \$2,000,000 is for roof replacements;

36 (c) \$350,000 is for fuel tank decommissioning;

37 (d) \$500,000 is for generator and electrical replacement;

38 (e) \$500,000 is for the exterior envelope of the Yakima office;

- 1 (f) \$2,000,000 is for energy efficiency projects;
- 2 (g) \$1,000,000 is for pavement surface improvements;
- 3 (h) \$300,000 is for fire alarm panel replacement;
- 4 (i) \$200,000 is for training academy expansion;
- 5 (j) \$500,000 reappropriation is for the Tacoma district office
- 6 generator replacement project; and
- 7 (k) \$100,000 reappropriation is for the energy improvement
- 8 project at the SeaTac northbound facility.

9 (2) The Washington state patrol may transfer funds between
 10 projects specified in subsection (1) of this section to address cash
 11 flow requirements.

12 (3) If a project specified in subsection (1) of this section is
 13 completed for less than the amount provided, the remainder may be
 14 transferred to another project specified in subsection (1) of this
 15 section not to exceed the total appropriation provided in subsection
 16 (1) of this section after notifying the office of financial
 17 management and the transportation committees of the legislature 20
 18 days before any transfer.

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

20	Move Ahead WA Account—State Appropriation.	\$9,333,000
21	Rural Arterial Trust Account—State Appropriation.	\$58,000,000
22	Motor Vehicle Account—State Appropriation.	\$2,456,000
23	County Arterial Preservation Account—State	
24	Appropriation.	\$35,500,000
25	TOTAL APPROPRIATION.	\$105,289,000

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

27	Small City Pavement and Sidewalk Account—State	
28	Appropriation.	\$3,975,000
29	Transportation Improvement Account—State	
30	Appropriation.	\$240,000,000
31	Complete Streets Grant Program Account—State	
32	Appropriation.	\$14,670,000
33	Move Ahead WA Account—State Appropriation.	\$9,333,000
34	Climate Active Transportation Account—State	
35	Appropriation.	\$19,067,000
36	TOTAL APPROPRIATION.	\$287,045,000

1 The appropriations in this section are subject to the following
2 conditions and limitations: \$1,000,000 of the transportation
3 improvement account—state appropriation is provided solely for the
4 Relight Washington Program.

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

8	Motor Vehicle Account—State Appropriation.	\$14,316,000
9	Move Ahead WA Account—State Appropriation.	\$11,248,000
10	TOTAL APPROPRIATION.	\$25,564,000

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

13 (1) \$4,025,000 of the motor vehicle account—state appropriation
14 is provided solely for payments of a financing contract issued
15 pursuant to chapter 39.94 RCW for the department facility located at
16 15700 Dayton Ave N in Shoreline. All payments from the department of
17 ecology pursuant to the agreement with the department to pay a share
18 of the financing contract for this facility must be deposited into
19 the motor vehicle account.

20 (2) (a) \$11,248,000 of the move ahead WA account—state
21 appropriation is provided solely for the department to improve its
22 ability to keep facility assets in a state of good repair. In using
23 the funds appropriated in this subsection, the department, with
24 periodic reporting to the joint transportation committee, must
25 develop and implement a prioritization of facility capital
26 preservation needs and repair projects. The legislature intends these
27 to be reasonable, forward-thinking investments that consider
28 potential future space efficiency measures and consolidations,
29 including those assessed as having high commercial value and
30 potential returns to state transportation funds associated with the
31 sale of the property. Prioritization must be based on, but not
32 limited to, the following criteria: (i) Employee safety and facility
33 security; (ii) state and federal regulatory and statutory
34 requirements and compliance issues; (iii) quality of work issues;
35 (iv) facility condition assessment evaluations and scoring; (v) asset
36 preservation; and (vi) amount of operational support provided by the
37 facility to the achievement of the department's performance measures
38 and outcomes, including facility utilization based on field

1 operations work supported at the location. "Field operations" include
2 maintenance, transportation operations, materials testing, and
3 construction.

4 (b) By October 15, 2024, covering the first 15 months of the
5 2023-2025 fiscal biennium, the department must provide a report based
6 on the prioritization of facility preservation needs and repair
7 projects developed pursuant to (a) of this subsection to the office
8 of financial management and the transportation committees of the
9 legislature. The report must include: (i) A by facility ranking based
10 on the criteria implemented; (ii) detailed information on the actions
11 taken in the previous period to address the identified issues and
12 deficiencies; and (iii) the plan, by facility, to address issues and
13 deficiencies for the remainder of the 2023-2025 fiscal biennium and
14 the 2025-2027 fiscal biennium.

15 (c) The by facility ranking developed under (b) of this
16 subsection must be the basis of an agency budget submittal for the
17 2025-2027 fiscal biennium.

18 NEW SECTION. **Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION—**
19 **IMPROVEMENTS—PROGRAM I**

20	Alaskan Way Viaduct Replacement Project Account—	
21	State Appropriation.	\$23,794,000
22	Climate Active Transportation Account—State	
23	Appropriation.	\$2,000,000
24	Move Ahead WA Account—Private/Local Appropriation. . . .	\$137,500,000
25	Transportation 2003 Account (Nickel Account)—State	
26	Appropriation.	\$317,000
27	Transportation Partnership Account—State	
28	Appropriation.	\$32,643,000
29	Motor Vehicle Account—State Appropriation.	\$57,756,000
30	Motor Vehicle Account—Federal Appropriation.	\$539,051,000
31	Coronavirus State Fiscal Recovery Fund—Federal	
32	Appropriation.	\$300,000,000
33	Motor Vehicle Account—Private/Local Appropriation. . . .	\$52,530,000
34	Connecting Washington Account—State Appropriation. . .	\$1,992,113,000
35	Special Category C Account—State Appropriation.	\$133,749,000
36	Multimodal Transportation Account—State	
37	Appropriation.	\$5,323,000
38	State Route Number 520 Corridor Account—State	

1	Appropriation.	\$400,000
2	Interstate 405 and State Route Number 167 Express	
3	Toll Lanes Account—State Appropriation.	\$304,480,000
4	Move Ahead WA Account—State Appropriation.	\$585,080,000
5	Move Ahead WA Account—Federal Appropriation.	\$340,300,000
6	TOTAL APPROPRIATION.	\$4,507,036,000

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

9 (1) Except as provided otherwise in this section, the entire
10 connecting Washington account—state appropriation, the entire move
11 ahead WA account—federal appropriation, the entire move ahead WA
12 account—state appropriation, and the entire transportation
13 partnership account—state appropriation are provided solely for the
14 projects and activities as listed by fund, project, and amount in
15 LEAP Transportation Document 2023-1 as developed March 29, 2023,
16 Program - Highway Improvements Program (I). However, limited
17 transfers of specific line-item project appropriations may occur
18 between projects for those amounts listed subject to the conditions
19 and limitations in section 601 of this act.

20 (2) Except as provided otherwise in this section, the entire
21 motor vehicle account—state appropriation and motor vehicle account—
22 federal appropriation are provided solely for the projects and
23 activities listed in LEAP Transportation Document 2023-2 as developed
24 March 29, 2023, Program - Highway Improvements Program (I). Any
25 federal funds gained through efficiencies, adjustments to the federal
26 funds forecast, or the federal funds redistribution process must then
27 be applied to bridge preservation activities.

28 (3) Within the motor vehicle account—state appropriation and
29 motor vehicle account—federal appropriation, the department may
30 transfer appropriation authority between programs I and P, except for
31 appropriation authority that is otherwise restricted in this act, as
32 follows:

33 (a) Ten days prior to any transfer, the department must submit
34 its request to the office of financial management and the
35 transportation committees of the legislature and consider any
36 concerns raised.

37 (b) The director of the office of financial management must first
38 provide written authorization for such transfer to the department and
39 the transportation committees of the legislature.

1 (c) The department shall submit a report on appropriation
2 authority transferred in the prior fiscal year using this subsection
3 as part of the department's annual budget submittal.

4 (4) The connecting Washington account—state appropriation
5 includes up to \$1,198,980,000 in proceeds from the sale of bonds
6 authorized in RCW 47.10.889.

7 (5) The special category C account—state appropriation includes
8 up to \$118,773,000 in proceeds from the sale of bonds authorized in
9 RCW 47.10.812.

10 (6) The transportation partnership account—state appropriation
11 includes up to \$32,643,000 in proceeds from the sale of bonds
12 authorized in RCW 47.10.873.

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

19 (8) By June 30, 2025, to the extent practicable, the department
20 shall decommission the facilities for the Lacey project engineering
21 office and the Tumwater project engineering office at the end of
22 their lease terms and consolidate the Lacey project engineering
23 office and the Tumwater project engineering office into the
24 department's Olympic regional headquarters.

25 (9) The legislature intends that any savings realized on the
26 following projects will not be attributable to the application of
27 practical design, retired risk, or unused contingency funding for the
28 purposes of RCW 47.01.480:

29 (a) I-5/Marvin Road/SR 510 Interchange (L1100110); and

30 (b) I-82/EB WB On and Off Ramps (L2000123).

31 (10) \$300,000,000 of the coronavirus state fiscal recovery fund—
32 federal appropriation, \$390,771,000 of the motor vehicle account—
33 federal appropriation, \$349,341,000 of the move ahead WA account—
34 state appropriation, and \$1,293,000 of the motor vehicle account—
35 state appropriation are provided solely for the Fish Passage Barrier
36 Removal project (OBI4001) with the intent of fully complying with the
37 federal *U.S. v. Washington* court injunction by 2030. The fish passage
38 barrier removal program, in consultation with the office of
39 innovative partnerships, shall explore opportunities to employ

1 innovative delivery methods to ensure compliance with the court
2 injunction including, but not limited to, public-private partnerships
3 and batched contracts. It is the intent of the legislature that
4 appropriations for this purpose may be used to jointly leverage state
5 and local funds for match requirements in applying for competitive
6 federal aid grants provided in the infrastructure investment and jobs
7 act for removals of fish passage barriers under the national culvert
8 removal, replacement, and restoration program. State funds used for
9 the purpose described in this subsection must not compromise full
10 compliance with the court injunction by 2030.

11 (11) (a) \$6,000,000 of the move ahead WA account—state
12 appropriation is provided solely for the Stormwater Retrofits and
13 Improvements project (L4000040). It is the intent of the legislature,
14 over the 16-year move ahead WA investment program, to provide
15 \$500,000,000 for this project.

16 (b) The appropriation in this subsection is provided solely for
17 the Urban Stormwater Partnership - I-5 Ship-Canal Bridge Pilot
18 (Seattle) project.

19 (c) The funding provided for stormwater retrofits and
20 improvements must enhance stormwater runoff treatment from existing
21 roads and infrastructure with an emphasis on green infrastructure
22 retrofits. Projects must be prioritized based on benefits to salmon
23 recovery and ecosystem health, reducing toxic pollution, addressing
24 health disparities, and cost-effectiveness. The department of
25 transportation must submit progress reports on its efforts to reduce
26 the toxicity of stormwater runoff from existing infrastructure,
27 recommendations for addressing barriers to innovative solutions, and
28 anticipated demand for funding each fiscal biennium.

29 (12) \$35,465,000 of the connecting Washington account—state
30 appropriation is provided solely for the SR 3 Freight Corridor
31 (T30400R) project. The legislature intends to provide a total of
32 \$78,910,000 for this project, including an increase of \$12,000,000 in
33 future biennia to safeguard against inflation and supply/labor
34 interruptions and ensure that:

35 (a) The northern terminus remains at Lake Flora Road and the
36 southern terminus at the intersection of SR 3/SR 302;

37 (b) Multimodal safety improvements at the southern terminus
38 remain in the project to provide connections to North Mason school
39 district and provide safe routes to schools; and

1 (c) Intersections on the freight corridor are constructed at
2 Romance Hill and Log Yard road.

3 (13) \$6,000,000 of the move ahead WA account—state appropriation
4 and \$10,000,000 of the move ahead WA account—federal appropriation
5 are provided solely for the SR 3/Gorst Area - Widening project
6 (L4000017). Tribal consultation with the Suquamish tribe must begin
7 at the earliest stage of planning, including, without limitation, all
8 funding decisions and funding programs, to provide a government-to-
9 government mechanism for the tribe to evaluate, identify, and
10 expressly notify governmental entities of any potential impacts to
11 tribal cultural resources, archaeological sites, sacred sites,
12 fisheries, or other rights and interests in tribal lands and lands
13 within which the tribe possesses rights reserved or protected by
14 federal treaty, statute, or executive order. The consultation is
15 independent of, and in addition to, any public participation process
16 required under state law, or by a state agency, including the
17 requirements of Executive Order 21-02 related to archaeological and
18 cultural resources, and regardless of whether the agency receives a
19 request for consultation from the Suquamish tribe. Regularly
20 scheduled tribal consultation meetings with the Suquamish tribe must
21 continue throughout the duration of any funding program and proposed
22 project approval.

23 (14)(a) \$84,500,000 of the move ahead WA account—federal
24 appropriation, \$137,500,000 of the move ahead WA account—private/
25 local appropriation, and \$53,000,000 of the move ahead WA account—
26 state appropriation are provided solely for the I-5 Columbia river
27 bridge project (L4000054). The legislature finds that the replacement
28 of the I-5 Columbia river bridge is a project of national
29 significance and is critical for the movement of freight. One span is
30 now 105 years old, at risk for collapse in the event of a major
31 earthquake, and no longer satisfies the needs of commerce and travel.
32 Replacing the aging interstate bridge with a modern, seismically
33 resilient, multimodal structure that provides improved mobility for
34 people, goods, and services is a high priority. Therefore, the
35 legislature intends to support the replacement of the I-5 Columbia
36 river bridge with an investment of \$1,000,000,000 over the 16-year
37 move ahead WA investment program.

38 (b) The legislature recognizes the importance of the I-5/Mill
39 Plain Boulevard project (L2000099) and intends to provide funding for

1 reconstruction of the existing interchange in conjunction with
2 construction of the Interstate 5 bridge over the Columbia river.

3 (15) Consistent with section 607 of this act, the department must
4 adjust the scope of the I-5 JBLM Corridor Improvements project
5 (M00100R) through the application of value engineering, practical
6 design, or other planning techniques to match the funding provided
7 for this project in the LEAP transportation document referenced in
8 subsection (1) of this section.

9 (16) The legislature recognizes the importance of the US-12/Walla
10 Walla Corridor Improvements project (T20900R) and intends to advance
11 funding to provide matching funds if competitive federal funding is
12 awarded for the final remaining four-lane section between Wallula and
13 Nine Mile Hill. The department, in consultation with local
14 governments in the vicinity, must pursue any federal funding
15 available.

16 (17) \$2,642,000 of the move ahead WA account—state appropriation
17 is provided solely for the US 101/Simdars Bypass project (L4000013).

18 (18) (a) \$394,963,000 of the connecting Washington account—state
19 appropriation, \$400,000 of the state route number 520 corridor
20 account—state appropriation, and \$4,496,000 of the motor vehicle
21 account—private/local appropriation are provided solely for the SR
22 520 Seattle Corridor Improvements - West End project (M00400R).

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

28 (c) Of the amounts provided in this subsection, \$400,000 of the
29 state route number 520 corridor account—state appropriation is
30 provided solely for noise mitigation activities. It is the intent of
31 the legislature to provide an additional \$600,000 for noise
32 mitigation activities.

33 (19) \$25,000,000 of the motor vehicle account—federal
34 appropriation is provided solely for a federal fund exchange pilot
35 program. The pilot program must allow exchanges of federal surface
36 transportation block grant population funding and state funds at an
37 exchange rate of 90 cents in state funds per \$1.00 in federal funds.
38 The projects receiving the exchanged federal funds must adhere to all
39 federal requirements, including the applicable disadvantaged business

1 enterprise goals. The entirety of the appropriation in this
 2 subsection must be held in unallotted status until surface
 3 transportation block grant population funding has been offered to the
 4 state, and the department determines that a federalized project or
 5 projects funded in this section is eligible to spend the surface
 6 transportation block grant population funding. \$22,500,000 from
 7 existing state appropriations identified elsewhere within this
 8 section are available to be used as part of the exchange. Upon
 9 determination that a project or projects funded in this section is
 10 eligible to spend the offered surface transportation block grant
 11 population funding, state funds appropriated in this section for the
 12 eligible state project or projects in an amount equal to 100 percent
 13 of the offered surface transportation block grant population funding
 14 must be placed in unallotted status.

15 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION—**
 16 **PRESERVATION—PROGRAM P**

17	Move Ahead WA Account—State Appropriation.	\$5,064,000
18	Recreational Vehicle Account—State Appropriation.	\$793,000
19	Transportation 2003 Account (Nickel Account)—State	
20	Appropriation.	\$18,759,000
21	Motor Vehicle Account—State Appropriation.	\$155,352,000
22	Motor Vehicle Account—Federal Appropriation.	\$441,232,000
23	Motor Vehicle Account—Private/Local Appropriation.	\$12,000,000
24	Connecting Washington Account—State Appropriation.	\$29,897,000
25	State Route Number 520 Corridor Account—State	
26	Appropriation.	\$5,481,000
27	Tacoma Narrows Toll Bridge Account—State	
28	Appropriation.	\$10,892,000
29	Alaskan Way Viaduct Replacement Project Account—	
30	State Appropriation.	\$12,000
31	Interstate 405 and State Route Number 167 Express	
32	Toll Lanes Account—State Appropriation.	\$27,026,000
33	TOTAL APPROPRIATION.	\$706,508,000

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

- 36 (1) Except as provided otherwise in this section, the entire
 37 connecting Washington account—state appropriation, the entire move
 38 ahead WA account—federal appropriation, the entire move ahead WA

1 account—state appropriation, and the entire transportation
2 partnership account—state appropriation are provided solely for the
3 projects and activities as listed by fund, project, and amount in
4 LEAP Transportation Document 2023-1 as developed March 29, 2023,
5 Program - Highway Preservation Program (P). However, limited
6 transfers of specific line-item project appropriations may occur
7 between projects for those amounts listed subject to the conditions
8 and limitations in section 601 of this act.

9 (2) Except as provided otherwise in this section, the entire
10 motor vehicle account—state appropriation and motor vehicle account—
11 federal appropriation are provided solely for the projects and
12 activities listed in LEAP Transportation Document 2023-2 as developed
13 March 29, 2023, Program - Highway Preservation Program (P). Any
14 federal funds gained through efficiencies, adjustments to the federal
15 funds forecast, or the federal funds redistribution process must then
16 be applied to bridge preservation activities.

17 (3) Within the motor vehicle account—state appropriation and
18 motor vehicle account—federal appropriation, the department may
19 transfer appropriation authority between programs I and P, except for
20 appropriation authority that is otherwise restricted in this act, as
21 follows:

22 (a) Ten days prior to any transfer, the department must submit
23 its request to the office of financial management and the
24 transportation committees of the legislature and consider any
25 concerns raised.

26 (b) The director of the office of financial management must first
27 provide written authorization for such transfer to the department and
28 the transportation committees of the legislature.

29 (c) The department shall submit a report on appropriation
30 authority transferred in the prior fiscal year using this subsection
31 as part of the department's annual budget submittal.

32 (4) \$22,000,000 of the motor vehicle account—state appropriation
33 is provided solely for extraordinary costs incurred from litigation
34 awards, settlements, or dispute mitigation activities not eligible
35 for funding from the self-insurance fund (L2000290). The amount
36 provided in this subsection must be held in unallotted status until
37 the department submits a request to the office of financial
38 management that includes documentation detailing litigation-related
39 expenses. The office of financial management may release the funds

1 only when it determines that all other funds designated for
2 litigation awards, settlements, and dispute mitigation activities
3 have been exhausted.

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

11 (6) By June 30, 2025, to the extent practicable, the department
12 shall decommission the facilities for the Lacey project engineering
13 office and the Tumwater project engineering office at the end of
14 their lease terms and consolidate the Lacey project engineering
15 office and the Tumwater project engineering office into the
16 department's Olympic regional headquarters.

17 (7) \$25,000,000 of the motor vehicle account—federal
18 appropriation is provided solely for a federal fund exchange pilot
19 program. The pilot program must allow exchanges of federal surface
20 transportation block grant population funding and state funds at an
21 exchange rate of 90 cents in state funds per \$1.00 in federal funds.
22 The projects receiving the exchanged federal funds must adhere to all
23 federal requirements, including the applicable disadvantaged business
24 enterprise goals. The entirety of the appropriation in this
25 subsection must be held in unallotted status until surface
26 transportation block grant population funding has been offered to the
27 state and the department determines that a federalized project or
28 projects funded in this section is eligible to spend the surface
29 transportation block grant population funding. \$22,500,000 from
30 existing state appropriations identified elsewhere within this
31 section are available to be used as part of the exchange. Upon
32 determination that a project or projects funded in this section is
33 eligible to spend the offered surface transportation block grant
34 population funding, state funds appropriated in this section for the
35 eligible state project or projects in an amount equal to 100 percent
36 of the offered surface transportation block grant population funding
37 must be placed in unallotted status.

1 NEW SECTION. **Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION—**

2 **TRANSPORTATION OPERATIONS—PROGRAM Q—CAPITAL**

3 Motor Vehicle Account—State Appropriation. \$9,738,000
4 Motor Vehicle Account—Federal Appropriation. \$5,100,000
5 Motor Vehicle Account—Private/Local Appropriation. \$500,000
6 TOTAL APPROPRIATION. \$15,338,000

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

9 (1) \$4,918,000 of the motor vehicle account—state appropriation
10 is provided solely for Programmatic Investment for Traffic Operations
11 Capital projects (000005Q). By December 15th of each odd-numbered
12 year, the department shall provide a report to the legislature
13 listing all traffic operations capital project investments completed
14 in the prior fiscal biennium. The legislature finds that the section
15 of public roadway owned by the department that is located south of
16 state route number 532 and west of Interstate 5 in the vicinity of
17 the intersection of state route number 532 and 19th Avenue NW is no
18 longer necessary for the state highway system. Therefore, pursuant to
19 RCW 36.75.090, the department shall certify that the roadway is no
20 longer needed by the state and convey the roadway to the county for
21 continued use as a public highway for motor vehicle use. In
22 consideration of the value of maintenance services provided by the
23 county on the roadway during the time of department ownership, the
24 department shall also convey to the county any access rights owned by
25 the department limiting access to state route number 532 from 19th
26 Avenue NW.

27 (2) \$3,080,000 of the motor vehicle account—state appropriation
28 is provided solely to construct pedestrian signals at nine locations
29 on state route number 7 from 124th Street South to 189th Street South
30 (0000YYY).

31 (3) \$1,463,000 of the motor vehicle account—state appropriation
32 is provided solely for the replacement of 22 existing traffic cameras
33 and installation of 10 new traffic cameras, including five pole
34 installation sites, on the Interstate 90 corridor between mileposts
35 34 and 82 (L2021144). The department shall consult with news media
36 organizations to explore options to allow such organizations access
37 to traffic camera feeds.

1 NEW SECTION. **Sec. 309. FOR THE DEPARTMENT OF TRANSPORTATION—**

2 **WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W**

3 Carbon Emissions Reduction Account—State

4 Appropriation. \$74,027,000

5 Puget Sound Capital Construction Account—State

6 Appropriation. \$355,772,000

7 Puget Sound Capital Construction Account—Federal

8 Appropriation. \$35,168,000

9 Puget Sound Capital Construction Account—

10 Private/Local Appropriation. \$1,081,000

11 Transportation Partnership Account—State

12 Appropriation. \$7,442,000

13 Connecting Washington Account—State Appropriation. . . . \$10,809,000

14 Capital Vessel Replacement Account—State

15 Appropriation. \$46,818,000

16 TOTAL APPROPRIATION. \$531,117,000

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

19 (1) Except as provided otherwise in this section, the entire
20 appropriations in this section are provided solely for the projects
21 and activities as listed in LEAP Transportation Document 2023-2 ALL
22 PROJECTS as developed March 29, 2023, Program - Washington State
23 Ferries Capital Program (W).

24 (2) \$5,000,000 of the Puget Sound capital construction account—
25 state appropriation is provided solely for emergency capital repair
26 costs (999910K). Funds may only be spent after approval by the office
27 of financial management.

28 (3) \$46,818,000 of the capital vessel replacement account—state
29 appropriation is provided solely for the acquisition of a 144-car
30 hybrid-electric vessel (L2000329). The amounts provided in this
31 subsection are contingent upon the enactment of chapter . . . (Senate
32 Bill No. 5760 or House Bill No. 1846), Laws of 2023, as the
33 legislature intends with that act to provide the state's best chance
34 of accelerating an efficient and effective procurement of the
35 construction of a fleet of vessels sufficient to serve the traveling
36 public within the system's existing ferry routes.

37 (4) The legislature intends that funding will be provided in the
38 2025-2027 fiscal biennium for the Future Hybrid Electric Ferry Class
39 Pre-Design study (L2021131) to advance procurement of a new class of

1 vessel that will account for changes in technology, staffing, and
2 system needs.

3 (5) \$8,032,000 of the Puget Sound capital construction account—
4 state appropriation is provided solely for modernization of the
5 ticketing and reservation system (990052C). Of this amount,
6 \$3,032,000 must be held in unallotted status until Washington state
7 ferries has consulted with the office of the chief information
8 officer on the project scope and integration capabilities of the
9 reservation system with existing Good to Go! and ORCA next generation
10 products, and reported results to the office of financial management
11 and the transportation committees of the legislature.

12 (6) \$125,000 of the Puget Sound capital construction account—
13 state appropriation and \$125,000 of the Puget sound capital
14 construction account—federal appropriation are provided solely for
15 development of a terminal wait times information system (998609A).
16 Washington state ferries must consult with the office of the chief
17 information officer on a technology solution for automated vehicle
18 detection, and report the project scope, along with office of the
19 chief information officer recommendations, to the office of financial
20 management and the transportation committees of the legislature by
21 December 1, 2024.

22 (7) \$1,345,000 of the Puget Sound capital construction account—
23 state appropriation is provided solely for Anacortes terminal
24 improvements (902020D). Of this amount, \$1,000,000 of the Puget Sound
25 capital construction account—state appropriation is provided solely
26 for further analysis, in consultation with the department's
27 innovative partnerships division, of the Anacortes terminal
28 replacement. The analysis should include, but is not limited to,
29 rider projections and travel patterns, community needs, modernization
30 of the design, opportunities for public-private partnerships in
31 terminal construction and operation, or consideration of other
32 financing options. An analysis summary must be submitted to the
33 office of financial management and the transportation committees of
34 the legislature by June 30, 2024.

35 (8) The transportation partnership account—state appropriation
36 includes up to \$6,813,000 in proceeds from the sale of bonds
37 authorized in RCW 47.10.873.

1 NEW SECTION. **Sec. 310. FOR THE DEPARTMENT OF TRANSPORTATION—**

2 **RAIL—PROGRAM Y—CAPITAL**

3 Carbon Emissions Reduction Account—State

4 Appropriation. \$50,000,000

5 Essential Rail Assistance Account—State

6 Appropriation. \$676,000

7 Move Ahead WA Flexible Account—State Appropriation. . . . \$35,000,000

8 Transportation Infrastructure Account—State

9 Appropriation. \$10,369,000

10 Multimodal Transportation Account—State

11 Appropriation. \$53,984,000

12 Multimodal Transportation Account—Federal

13 Appropriation. \$18,882,000

14 TOTAL APPROPRIATION. \$168,911,000

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

17 (1) Except as provided otherwise in this section, the entire
18 appropriations in this section are provided solely for the projects
19 and activities as listed by project and amount in LEAP Transportation
20 Document 2023-2 ALL PROJECTS as developed March 29, 2023, Program -
21 Rail Program (Y).

22 (2)(a) \$2,030,000 of the transportation infrastructure account—
23 state appropriation is provided solely for new low-interest loans
24 approved by the department through the freight rail investment bank
25 (FRIB) program. The department shall issue FRIB program loans with a
26 repayment period of no more than 10 years, and charge only so much
27 interest as is necessary to recoup the department's costs to
28 administer the loans. The department shall report annually to the
29 transportation committees of the legislature and the office of
30 financial management on all FRIB loans issued.

31 (b) \$7,970,000 of the transportation infrastructure account—state
32 appropriation is provided solely for new FRIB program loans
33 recommended by the department for 2024 supplemental transportation
34 appropriations. The department shall submit a prioritized list for
35 any loans recommended to the office of financial management and the
36 transportation committees of the legislature by November 15, 2023.

37 (c) The department may change the terms of existing loans in the
38 essential rail assistance account for repayment of loans, including
39 the repayment schedule and rate of interest, for a period of up to 15

1 years for any recipient with a total loan value in the program of
2 over 10 percent as of June 30, 2023.

3 (3) \$7,566,836 of the multimodal transportation account—state
4 appropriation is provided solely for new statewide emergent freight
5 rail assistance projects identified in the LEAP transportation
6 document referenced in subsection (1) of this section.

7 (4) \$369,000 of the transportation infrastructure account—state
8 appropriation and \$1,100,000 of the multimodal transportation account
9 —state appropriation are provided solely for final reimbursement to
10 Highline Grain, LLC for approved work completed on Palouse River and
11 Coulee City (PCC) railroad track in Spokane county between the BNSF
12 Railway Interchange at Cheney and Geiger Junction and must be
13 administered in a manner consistent with freight rail assistance
14 program projects.

15 (5) The department shall issue a call for projects for the
16 freight rail assistance program, and shall evaluate the applications
17 in a manner consistent with past practices as specified in section
18 309, chapter 367, Laws of 2011. By November 15, 2024, the department
19 shall submit a prioritized list of recommended projects to the office
20 of financial management and the transportation committees of the
21 legislature.

22 (6) \$50,000,000 of the carbon emissions reduction account—state
23 appropriation is provided solely for state match contributions to
24 support the department's application for federal grant opportunities
25 for a new ultra high-speed ground transportation corridor. These
26 funds are to remain in unallotted status and are available only upon
27 award of federal funds. The department must provide periodic grant
28 application updates to the transportation committees of the
29 legislature, as well as anticipated state match estimates for
30 successful grants.

31 (7) \$33,500,000 of the move ahead WA flexible account—state
32 appropriation is provided solely for rehabilitation of the Palouse
33 River and Coulee City Railroad (L4000079). Up to \$433,000 of the
34 amount in this subsection may be used for management and oversight of
35 operation and maintenance activities.

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

38 Carbon Emissions Reduction Account—State

1	Appropriation.	\$14,000,000
2	Climate Active Transportation Account—State	
3	Appropriation.	\$157,818,000
4	Highway Infrastructure Account—State Appropriation.	\$793,000
5	Highway Infrastructure Account—Federal Appropriation	
6	\$1,600,000
7	Move Ahead WA Account—State Appropriation.	\$110,070,000
8	Move Ahead WA Account—Federal Appropriation.	\$10,000,000
9	Move Ahead WA Flexible Account—State Appropriation.	\$31,500,000
10	Transportation Partnership Account—State	
11	Appropriation.	\$500,000
12	Motor Vehicle Account—State Appropriation.	\$33,313,000
13	Motor Vehicle Account—Federal Appropriation.	\$103,553,000
14	Connecting Washington Account—State Appropriation.	\$85,660,000
15	Multimodal Transportation Account—State	
16	Appropriation.	\$68,373,000
17	TOTAL APPROPRIATION.	\$617,180,000

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

20 (1) Except as provided otherwise in this section, the entire
21 appropriations in this section are provided solely for the projects
22 and activities as listed by project and amount in LEAP Transportation
23 Document 2023-2 ALL PROJECTS as developed March 29, 2023, Program -
24 Local Programs Program (Z).

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

28 (a) \$34,673,000 of the multimodal transportation account—state
29 appropriation and \$37,563,000 of the climate active transportation
30 account—state appropriation are provided solely for pedestrian and
31 bicycle safety program projects (L2000188 and L1000307). Of the
32 amount of climate active transportation account funds appropriated in
33 this subsection, up to one percent may be used for program
34 administration and staffing.

35 (b) \$19,137,000 of the motor vehicle account—federal
36 appropriation, \$38,915,000 of the climate active transportation
37 account—state appropriation, and \$12,844,000 of the multimodal
38 transportation account—state appropriation are provided solely for
39 safe routes to school projects (L2000189 and L1000306). Of the amount

1 of climate active transportation account funds appropriated in this
2 subsection, up to one percent may be used for program administration
3 and staffing.

4 (3) The department shall submit a report to the transportation
5 committees of the legislature by December 1, 2023, and December 1,
6 2024, on the status of projects funded as part of the pedestrian
7 safety/safe routes to school grant program.

8 (4) \$6,875,000 of the multimodal transportation account—state
9 appropriation is provided solely for bicycle and pedestrian projects
10 listed in the LEAP transportation document referenced in subsection
11 (1) of this section.

12 (5) \$36,640,000 of the motor vehicle account—federal
13 appropriation is provided solely for acceleration of local
14 preservation projects that ensure the reliable movement of freight on
15 the national highway freight system (G2000100).

16 (6) \$22,500,000 of the motor vehicle account—state appropriation
17 is provided solely for a federal fund exchange pilot program. The
18 pilot program will allow exchanges of federal surface transportation
19 block grant population funding and state funds at an exchange rate of
20 90 cents in state funds per \$1.00 in federal funds. The entirety of
21 the appropriation in this subsection must be held in unallotted
22 status until: Surface transportation block grant population funding
23 has been offered to the state, the department determines that a
24 federalized project or projects funded in section 306 or 307 of this
25 act is eligible to spend the surface transportation block grant
26 population funding, and state funds appropriated in section 306 or
27 307 for the eligible state project or projects in an amount equal to
28 100 percent of the offered surface transportation block grant
29 population funding have been placed in unallotted status. A report on
30 the effectiveness of the exchange program and recommendations for
31 continuing the pilot program is due to the governor and
32 transportation committees of the legislature by December 1, 2024.

33 (7)(a) For projects funded as part of the move ahead WA
34 transportation package as listed in LEAP Transportation Documents
35 2023-2 ALL PROJECTS as developed March 29, 2023, Move Ahead WA -
36 Pedestrian and Bike Projects and Move Ahead WA - Road and Highway
37 Projects, and if the department expects to have substantial
38 reappropriations for the 2023-2025 fiscal biennium, the department
39 may, on a pilot basis, apply funding from a project with an

1 appropriation that is unable to be used in the 2023-2025 fiscal
2 biennium to advance one or more of the projects listed in the LEAP
3 transportation documents referenced in this subsection (7)(a),
4 prioritizing projects first by tier then by project readiness.

5 (b) In instances when projects listed in the LEAP transportation
6 documents referenced in (a) of this subsection are no longer viable
7 or have been completed, the department may approve alternative
8 project proposals from the local jurisdictions if the project is
9 similar in type and scope and consistent with limitations of certain
10 funds provided.

11 (c) At least 10 business days before advancing or swapping a
12 project pursuant to this subsection, the department must notify the
13 office of financial management and the transportation committees of
14 the legislature. The advancement of a project may not hinder the
15 delivery of the projects for which the reappropriations are necessary
16 for the 2023-2025 fiscal biennium.

17 (8) \$16,800,000 of the climate active transportation account—
18 state appropriation is provided solely for the statewide school-based
19 bicycle education grant program (L1000309). The department may
20 partner with a statewide nonprofit to deliver programs.

21 (9) \$25,000,000 of the climate active transportation account—
22 state appropriation is provided solely for the Sandy Williams
23 connecting communities pilot program (L1000308) to deliver projects
24 to reconnect communities that have been bifurcated by state highways.
25 Priority must be given to historically marginalized or overburdened
26 communities. The department may consult with the Cooper Jones active
27 transportation safety council to identify geographic locations where
28 there are high incidences of serious injuries and fatalities of
29 active transportation users among vulnerable populations.

30 (10) \$14,000,000 of the carbon emissions reduction account—state
31 appropriation is provided solely for the Guemes Ferry Boat
32 Replacement project (L4000124).

33 (11) \$6,500,000 of the move ahead WA flexible account—state
34 appropriation is provided solely for development of an applied
35 sustainable aviation evaluation center (L2021135). Snohomish county,
36 in partnership with Washington State University, shall plan and
37 establish facilities to evaluate, qualify or certify, and research
38 technologies that can minimize the impact of aviation on human health
39 and the environment. Funds may be used for, but are not limited to,

1 planning, construction, and land acquisition for sustainable aviation
2 fuel (SAF) qualification testing (ASTM D4054), research on the impact
3 of SAF on the environment and human health, and SAF storage for the
4 purpose of advancing sustainable aviation. At a minimum, three
5 sustainable aviation platforms must be considered:

- 6 (a) Sustainable aviation fuel (SAF);
- 7 (b) Hydrogen; and
- 8 (c) Battery electric energy storage mechanisms.

9 (12) The legislature intends to fund the Ballard and Magnolia
10 Bridge project (L4000123) and the Aurora Avenue North Safety
11 Improvements project (L4000154), as described in section 911(18) and
12 (19) of this act.

13 (13) \$10,000,000 of the move ahead WA flexible account—state
14 appropriation is provided solely for railroad crossing grant awards
15 that match federal funds for city and county projects that eliminate
16 at-grade highway-rail crossings (L2021126).

17 (14) \$300,000 of the multimodal transportation account—state
18 appropriation is provided solely for the Historic South Downtown CPDA
19 to coordinate and develop outreach strategy for community engagement
20 with design and vision updates for Pier 48 in Seattle (L2021136).
21 Community engagement must include, but is not limited to:

- 22 (a) Convening a community advisory board; and
- 23 (b) Facilitating community engagement in the design development
24 process, prioritizing language access by hosting meetings with
25 Cantonese and Mandarin interpretation, and including Spanish and
26 Vietnamese interpretation on request, with all materials to be
27 translated into Chinese and Spanish, and other languages as need is
28 determined.

29 (15) \$200,000 of the multimodal transportation account—state
30 appropriation is provided solely for the Seattle office of planning
31 and community development to update and add to the 2020 I-5 Lid
32 Feasibility Study with additional test cases with ramp changes and
33 removals in downtown Seattle and alternative assumptions with regards
34 to parking, expansion of Freeway Park, affordable housing, and
35 commercial real estate (L2021140). The Seattle office of planning and
36 community development shall conduct ongoing community engagement with
37 underrepresented constituencies to support the technical work of this
38 study and raise public awareness of opportunities of I-5 lids. Focus

1 should be given to low-income households living and working in the
2 I-5 lid study areas in central Seattle.

3 (16) \$2,000,000 of the multimodal transportation account—state
4 appropriation is provided solely for the department to award grants
5 to local jurisdictions to implement network-wide traffic conflict
6 screening programs using video analytics in controlled intersections
7 with a disproportionate number of traffic violations and injuries to
8 active transportation users (L2021149). Grants must be awarded
9 proportionally across the state and include controlled intersections
10 in both urban and rural environments and along state highways and
11 county roads. Grant recipients must report back to the department all
12 traffic violation and active transportation facility data acquired
13 during the grant period and provide the department with appropriate
14 next steps for the state and the local jurisdiction to improve
15 traffic safety for active transportation users in such intersections.
16 The department must report such findings and recommendations to the
17 transportation committees of the legislature by December 1, 2024.

18 NEW SECTION. **Sec. 312. ANNUAL REPORTING REQUIREMENTS FOR**
19 **CAPITAL PROGRAM**

20 As part of its annual budget submittal, the department of
21 transportation shall provide an update to the report provided to the
22 legislature in the prior fiscal year in a manner consistent with past
23 practices as specified in section 312, chapter 333, Laws of 2021.

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

26 On a quarterly basis, the department of transportation shall
27 provide to the office of financial management and the legislative
28 transportation committees a report for all capital projects in a
29 manner consistent with past practices as specified in section 313,
30 chapter 186, Laws of 2022.

31 NEW SECTION. **Sec. 314. NOTIFICATION REQUIREMENTS FOR PAUSES AND**
32 **CANCELLATIONS**

33 (1) The department shall notify the transportation committees of
34 the legislature when it intends to pause for a significant length of
35 time or not proceed with operating items or capital projects included
36 as budget provisos or on project lists. When feasible, this
37 notification shall be provided prior to the pause or cancellation and

1 at least seven days in advance of any public announcement related to
2 such a pause or cancellation.

3 (2) At the time of notification, the department shall provide an
4 explanation for the reason or reasons for the pause or cancellation
5 for each operating budget item and capital project. The explanation
6 shall include specific reasons for each pause or cancellation, in
7 addition to a statement of the broad rationale for the pause or
8 cancellation.

9 (3) When feasible, the department shall make best efforts to keep
10 the transportation committees of the legislature informed of an
11 evaluation process underway for selecting operating budget items and
12 capital projects to be paused or canceled, providing updates as its
13 selection efforts proceed.

14 (4) When exigent circumstances prevent prior notice of a pause or
15 cancellation from being provided to the transportation committees of
16 the legislature, the department shall provide the information
17 required under this section to the transportation committees of the
18 legislature as soon as is practicable.

19 NEW SECTION. **Sec. 315. FOR THE WASHINGTON STATE DEPARTMENT OF**
20 **TRANSPORTATION—FUNDS MANAGEMENT**

21 As part of the department's 2024 supplemental and 2025-2027
22 biennial budget requests, the department shall also report on:

- 23 (1) The federal grant programs it has applied for; and
24 (2) The federal competitive grant programs it could have applied
25 for but did not and the reason or reasons it did not apply.

(End of part)

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	
7	Appropriation.	\$1,049,000
8	Connecting Washington Account—State Appropriation.	\$9,261,000
9	Special Category C Account—State Appropriation.	\$922,000
10	Highway Bond Retirement Account—State Appropriation.	\$1,443,264,000
11	Ferry Bond Retirement Account—State Appropriation.	\$4,616,000
12	Transportation Improvement Board Bond Retirement	
13	Account—State Appropriation.	\$10,895,000
14	Nondebt-Limit Reimbursable Bond Retirement Account—	
15	State Appropriation.	\$28,606,000
16	Toll Facility Bond Retirement Account—State	
17	Appropriation.	\$76,372,000
18	TOTAL APPROPRIATION.	\$1,574,985,000

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.	\$209,000
24	Transportation Improvement Account—State	
25	Appropriation.	\$20,000
26	Connecting Washington Account—State Appropriation.	\$1,853,000
27	Special Category C Account—State Appropriation.	\$183,000
28	TOTAL APPROPRIATION.	\$2,265,000

29 NEW SECTION. **Sec. 403. FOR THE STATE TREASURER—STATE REVENUES**
30 **FOR DISTRIBUTION**

31	Motor Vehicle Account—State Appropriation: For motor	
32	vehicle fuel tax statutory distributions to	
33	cities and counties.	\$465,354,000
34	Multimodal Transportation Account—State	
35	Appropriation: For distribution to cities and	

1 counties. \$26,786,000
 2 Motor Vehicle Account—State Appropriation: For
 3 distribution to cities and counties. \$23,438,000
 4 TOTAL APPROPRIATION. \$515,578,000

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

6 Motor Vehicle Account—State Appropriation: For motor
 7 vehicle fuel tax refunds and statutory
 8 transfers. \$1,969,182,000

9 NEW SECTION. **Sec. 405. FOR THE DEPARTMENT OF LICENSING—**
 10 **TRANSFERS**

11 Motor Vehicle Account—State Appropriation: For motor
 12 vehicle fuel tax refunds and transfers. \$246,480,000

13 NEW SECTION. **Sec. 406. FOR THE STATE TREASURER—ADMINISTRATIVE**
 14 **TRANSFERS**

15 (1) (a) Pilotage Account—State Appropriation: For
 16 transfer to the Multimodal Transportation Account—State. . . \$200,000

17 (b) The amount transferred in this subsection represents partial
 18 repayment of prior biennium transfers to cover self-insurance
 19 liability premiums.

20 (2) Transportation Partnership Account—State
 21 Appropriation: For transfer to the Motor Vehicle
 22 Account—State. \$175,000,000

23 (3) Connecting Washington Account—State
 24 Appropriation: For transfer to the Move Ahead WA
 25 Account—State. \$200,000,000

26 (4) Electric Vehicle Account—State appropriation:
 27 For transfer to the Move Ahead WA Flexible
 28 Account—State. \$29,200,000

29 (5) Electric Vehicle Account—State Appropriation:
 30 For transfer to the Multimodal Transportation
 31 Account—State. \$20,000,000

32 (6) Washington State Aviation Account—State
 33 Appropriation: For transfer to the Aeronautics
 34 Account—State. \$150,000

35 (7) Carbon Emissions Reduction Account—State
 36 Appropriation: For transfer to the Climate Active

1 Transportation Account—State. \$178,885,000
2 (8) Carbon Emissions Reduction Account—State
3 Appropriation: For transfer to the Climate Transit
4 Programs Account—State. \$418,000,000
5 (9) Carbon Emissions Reduction Account—State
6 Appropriation: For transfer to the Multimodal
7 Transportation Account—State. \$127,000,000
8 (10) Carbon Emissions Reduction Account—State
9 Appropriation: For transfer to the Puget Sound Ferry
10 Operations Account—State. \$4,200,000
11 (11) Move Ahead WA Flexible Account—State
12 Appropriation: For transfer to the Move Ahead WA
13 Account—State. \$115,000,000
14 (12) Alaskan Way Viaduct Replacement Project
15 Account—State Appropriation: For transfer to the
16 Motor Vehicle Account—State. \$25,000,000
17 (13) Highway Safety Account—State Appropriation:
18 For transfer to the State Patrol Highway Account—State. . \$79,000,000
19 (14) (a) Transportation Partnership Account—State
20 Appropriation: For transfer to the Tacoma Narrows Toll
21 Bridge Account—State. \$6,611,000
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 (15) Motor Vehicle Account—State Appropriation:
29 For transfer to the County Arterial Preservation
30 Account—State. \$4,844,000
31 (16) Motor Vehicle Account—State Appropriation: For
32 transfer to the Freight Mobility Investment
33 Account—State. \$8,511,000
34 (17) Motor Vehicle Account—State Appropriation: For
35 transfer to the Rural Arterial Trust Account—State. . . . \$4,844,000
36 (18) Motor Vehicle Account—State Appropriation:
37 For transfer to the Transportation Improvement
38 Account—State. \$9,688,000
39 (19) (a) State Route Number 520 Civil Penalties

1 Account—State Appropriation: For transfer to the Motor
2 Vehicle Account—State. \$1,000,000
3 (b) The transfer in this subsection is to repay moneys loaned to
4 the state route number 520 civil penalties account in the 2019-2021
5 fiscal biennium.
6 (20) State Route Number 520 Civil Penalties
7 Account—State Appropriation: For transfer to the
8 State Route Number 520 Corridor Account—State. \$560,000
9 (21)(a) Capital Vessel Replacement Account—State
10 Appropriation: For transfer to the Connecting Washington
11 Account—State. \$335,000,000
12 (b) It is the intent of the legislature that this transfer is
13 temporary, for the purpose of minimizing the use of bonding in the
14 connecting Washington account.
15 (22) Multimodal Transportation Account—State
16 Appropriation: For transfer to the Complete Streets
17 Grant Program Account—State. \$14,670,000
18 (23) Multimodal Transportation Account—State
19 Appropriation: For transfer to the Connecting Washington
20 Account—State. \$80,000,000
21 (24) Multimodal Transportation Account—State
22 Appropriation: For transfer to the Freight Mobility
23 Multimodal Account—State. \$8,511,000
24 (25) Multimodal Transportation Account—State
25 Appropriation: For transfer to the Move Ahead WA Flexible
26 Account—State. \$11,790,000
27 (26) Multimodal Transportation Account—State
28 Appropriation: For transfer to the Puget Sound Capital
29 Construction Account—State. \$160,000,000
30 (27) Multimodal Transportation Account—State
31 Appropriation: For transfer to the Puget Sound
32 Ferry Operations Account—State. \$40,000,000
33 (28) Multimodal Transportation Account—State
34 Appropriation: For transfer to the Regional Mobility
35 Grant Program Account—State. \$27,679,000
36 (29) Multimodal Transportation Account—State
37 Appropriation: For transfer to the Rural Mobility
38 Grant Program Account—State. \$12,223,000
39 (30) Multimodal Transportation Account—State

1 Appropriation: For transfer to the State Patrol Highway
2 Account—State. \$57,000,000
3 (31) (a) Alaskan Way Viaduct Replacement Project
4 Account—State Appropriation: For transfer to the
5 Transportation Partnership Account—State. \$22,899,000
6 (b) The amount transferred in this subsection represents
7 repayment of debt service incurred for the construction of the SR 99/
8 Alaskan Way Viaduct Replacement project (809936Z).
9 (32) Tacoma Narrows Toll Bridge Account—State
10 Appropriation: For transfer to the Motor Vehicle
11 Account—State. \$543,000
12 (33) (a) General Fund Account—State Appropriation:
13 For transfer to the State Patrol Highway
14 Account—State. \$625,000
15 (b) The state treasurer shall transfer the funds only after
16 receiving notification from the Washington state patrol under section
17 207 of this act.
18 TOTAL APPROPRIATION. \$2,178,633,000

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

22 Toll Facility Bond Retirement Account—Federal
23 Appropriation. \$194,241,000
24 Toll Facility Bond Retirement Account—State
25 Appropriation. \$25,372,000
26 TOTAL APPROPRIATION. \$219,613,000

27 The appropriations in this section are subject to the following
28 conditions and limitations: \$35,250,000 of the toll facility bond
29 retirement account—federal appropriation may be used to prepay
30 certain outstanding bonds if sufficient debt service savings can be
31 obtained.

(End of part)

1 **COMPENSATION**

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

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

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

9 (1) In accordance with chapters 41.80, 41.56, and 47.64 RCW,
10 agreements have been reached between the governor and organizations
11 representing state employee bargaining units for the 2023-2025 fiscal
12 biennium and funding is provided in this act for agreements and
13 awards with the following organizations:

- 14 (a) Washington federation of state employees, general government;
- 15 (b) Washington public employees association, general government;
- 16 (c) Professional and technical engineers, local 17;
- 17 (d) The coalition of unions;
- 18 (e) Washington state patrol troopers association;
- 19 (f) Washington state patrol lieutenants and captains association;
- 20 (g) Office and professional employees international union local
21 8;
- 22 (h) Ferry agents, supervisors, and project administrators
23 association;
- 24 (i) Service employees international union local 6;
- 25 (j) Pacific northwest regional council of carpenters;
- 26 (k) Puget Sound metal trades council;
- 27 (l) Marine engineers' beneficial association unlicensed engine
28 room employees;
- 29 (m) Marine engineers' beneficial association licensed engineer
30 officers;
- 31 (n) Marine engineers' beneficial association port engineers;
- 32 (o) Masters, mates, and pilots - mates;
- 33 (p) Masters, mates, and pilots - masters;
- 34 (q) Masters, mates, and pilots - watch center supervisors; and
- 35 (r) Inlandboatmen's union of the Pacific;

36 (2) Expenditures for agreements in this section may also be
37 funded from nonappropriated accounts. If positions are funded with

1 lidded grants or dedicated fund sources with insufficient revenue,
2 additional funding from other sources is not provided.

3 NEW SECTION. **Sec. 503. COMPENSATION—REPRESENTED EMPLOYEES—**
4 **HEALTH CARE—COALITION—INSURANCE BENEFITS**

5 An agreement was reached for the 2023-2025 fiscal biennium
6 between the governor and the health care coalition under the
7 provisions of chapter 41.80 RCW. Appropriations in this act for state
8 agencies are sufficient to implement the provisions of the 2023-2025
9 collective bargaining agreement, which maintains the provisions of
10 the prior agreement, and are subject to the following conditions and
11 limitations:

12 (1) The monthly employer funding rate for insurance benefit
13 premiums, public employees' benefits board administration, and the
14 uniform medical plan, shall not exceed \$1,145 per eligible employee
15 for fiscal year 2024. For fiscal year 2025, the monthly employer
16 funding rate shall not exceed \$1,191 per eligible employee. These
17 rates are sufficient to separate vision benefits out of medical plans
18 into stand-alone vision insurance, beginning January 1, 2025.

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

28 NEW SECTION. **Sec. 504. COMPENSATION—INSURANCE BENEFITS**

29 Appropriations for state agencies in this act are sufficient for
30 represented employees outside the health care coalition and
31 nonrepresented state employee health benefits for state agencies, and
32 are subject to the following conditions and limitations: The employer
33 monthly funding rate for insurance benefit premiums, public
34 employees' benefits board administration, and the uniform medical
35 plan, shall not exceed \$1,145 per eligible employee for fiscal year
36 2024. For fiscal year 2025, the monthly employer funding rate shall
37 not exceed \$1,191 per eligible employee.

1 NEW SECTION. **Sec. 505. GENERAL WAGE INCREASES AND LUMP SUM**
2 **PAYMENTS**

3 (1) (a) Appropriations for state agency employee compensation in
4 this act are sufficient to provide general wage increases to state
5 agency employees and employees of institutions of higher education,
6 who are not represented or who bargain under statutory authority
7 other than chapter 41.80 or 47.64 RCW or RCW 41.56.473 or 41.56.475.

8 (b) Appropriations for state agency employee compensation in this
9 act are sufficient to provide a retention lump sum payment and a lump
10 sum COVID-19 booster incentive to state agency employees who are not
11 represented or who bargain under statutory authority other than
12 chapter 41.80 or 47.64 RCW or RCW 41.56.473 or 41.56.475.

13 (2) Funding is provided for a four percent general wage increase
14 effective July 1, 2023, for all classified employees as specified in
15 subsection (1)(a) of this section, employees in the Washington
16 management service, and exempt employees under the jurisdiction of
17 the office of financial management. The appropriations are also
18 sufficient to fund a four percent salary increase effective July 1,
19 2023, for executive, legislative, and judicial branch employees
20 exempt from merit system rules whose maximum salaries are not set by
21 the commission on salaries for elected officials.

22 (3) Funding is provided for a three percent general wage increase
23 effective July 1, 2024, for all classified employees as specified in
24 subsection (1)(a) of this section, employees in the Washington
25 management service, and exempt employees under the jurisdiction of
26 the office of financial management. The appropriations are also
27 sufficient to fund a three percent salary increase effective July 1,
28 2024, for executive, legislative, and judicial branch employees
29 exempt from merit system rules whose maximum salaries are not set by
30 the commission on salaries for elected officials.

31 (4) Funding is provided for a retention lump sum payment of
32 \$1,000 for all employees as specified in subsection (1)(b) of this
33 section who were employed on or before July 1, 2022, and continuously
34 employed through July 1, 2023.

35 (5) Funding is provided for a COVID-19 booster incentive payment
36 of \$1,000 for all employees as specified in subsection (1)(b) of this
37 section who provide verification, beginning January 1, 2023, through
38 December 31, 2023, that they are up-to-date with the COVID-19 vaccine
39 booster.

1 NEW SECTION. **Sec. 506. COMPENSATION—PENSION CONTRIBUTIONS**

2 The appropriations in this act for state agencies are subject to
3 the following conditions and limitations:

4 (1) Appropriations are adjusted to reflect changes to agency
5 appropriations to reflect pension contribution rates adopted by the
6 pension funding council, and the law enforcement officers' and
7 firefighters' retirement system plan 2 board, and as adjusted under
8 chapter . . . (Engrossed Substitute Senate Bill No. 5294), Laws of
9 2023 (plan 1 UAAL rates).

10 (2) An increase of 0.12 percent is funded for state employer
11 contributions to the public employees' retirement system, the public
12 safety employees' retirement system, and the school employees'
13 retirement system. An increase of 0.23 percent for employer
14 contributions to the teachers' retirement system is funded. These
15 increases are provided for the purpose of a one-time, ongoing pension
16 increase for retirees in the public employees' retirement system plan
17 1 and teachers' retirement system plan 1, as provided in
18 chapter . . . (Senate Bill No. 5350), Laws of 2023 (providing a
19 benefit increase to certain retirees of the public employees'
20 retirement system plan 1 and the teachers' retirement system plan 1).
21 If chapter . . . (Senate Bill No. 5350), Laws of 2023 is not enacted
22 by June 30, 2023, this subsection has no force and effect and
23 appropriations for school districts and state agencies, including
24 institutions of higher education, shall be held in unallotted status.

25 (3) An increase of 0.13 percent is funded for state employer
26 contributions to the Washington state patrol retirement system and an
27 increase of 0.01 percent is funded for state contributions to the law
28 enforcement officers' and firefighters' retirement system plan 2 for
29 the provisions of chapter . . . (Senate Bill No. 5296), Laws of 2023
30 (military service credit). If chapter . . . (Senate Bill No. 5296),
31 Laws of 2023 is not enacted by June 30, 2023, this subsection has no
32 force and effect and appropriations for state agencies shall be held
33 in unallotted status.

(End of part)

1 **IMPLEMENTING PROVISIONS**

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

4 (1) The 2005 transportation partnership projects or improvements,
5 2015 connecting Washington projects or improvements, and 2022 move
6 ahead WA projects or improvements are listed in the LEAP
7 Transportation Document 2023-1 as developed March 29, 2023, which
8 consists of a list of specific projects by fund source and amount
9 over multiple biennia. Current fiscal biennium funding for each
10 project is a line-item appropriation, while the outer year funding
11 allocations represent a 16-year plan. The department of
12 transportation is expected to use the flexibility provided in this
13 section to assist in the delivery and completion of all
14 transportation partnership account, connecting Washington account
15 projects, and move ahead WA account projects on the LEAP
16 transportation document referenced in this subsection. For the
17 2023-2025 project appropriations, unless otherwise provided in this
18 act, the director of the office of financial management may provide
19 written authorization for a transfer of appropriation authority
20 between projects funded with transportation partnership account
21 appropriations, connecting Washington account, or move ahead WA
22 account appropriations to manage project spending and efficiently
23 deliver all projects in the respective program under the following
24 conditions and limitations:

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

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

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

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

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

- 1 (f) Transfers may not be made while the legislature is in
2 session;
- 3 (g) Transfers to a project may not be made with funds designated
4 as attributable to practical design savings as described in RCW
5 47.01.480;
- 6 (h) Except for transfers made under (l) of this subsection,
7 transfers may only be made in fiscal year 2024;
- 8 (i) The total amount of transfers under this section may not
9 exceed \$50,000,000;
- 10 (j) Except as otherwise provided in (l) of this subsection,
11 transfers made to a single project may not cumulatively total more
12 than \$20,000,000 per fiscal biennium;
- 13 (k) Each transfer between projects may only occur if the director
14 of the office of financial management finds that any resulting change
15 will not hinder the completion of the projects as approved by the
16 legislature; and
- 17 (l) Transfers between projects may be made by the department of
18 transportation without the formal written approval provided under
19 this subsection (1), provided that the transfer amount to a single
20 project does not exceed \$250,000 or 10 percent of the total project
21 per fiscal biennium, whichever is less. These transfers must be
22 reported quarterly to the director of the office of financial
23 management and the chairs of the house of representatives and senate
24 transportation committees.
- 25 (2) The department of transportation must submit quarterly all
26 transfers authorized under this section in the transportation
27 executive information system. The office of financial management must
28 maintain a legislative baseline project list identified in the LEAP
29 transportation documents referenced in this act, and update that
30 project list with all authorized transfers under this section,
31 including any effects to the total project budgets and schedules
32 beyond the current fiscal biennium.
- 33 (3) At the time the department submits a request to transfer
34 funds under this section, a copy of the request must be submitted to
35 the chairs and ranking members of the transportation committees of
36 the legislature.
- 37 (4) Before approval, the office of financial management shall
38 work with legislative staff of the house of representatives and
39 senate transportation committees to review the requested transfers in

1 a timely manner and address any concerns raised by the chairs and
2 ranking members of the transportation committees.

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

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

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

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

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

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

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

34 (1) As part of its 2024 supplemental budget submittal, the
35 department of transportation shall provide a report to the
36 legislature and the office of financial management that:

1 (a) Identifies, by capital project, the amount of state funding
2 that has been reappropriated from the 2021-2023 fiscal biennium into
3 the 2023-2025 fiscal biennium; and

4 (b) Identifies, for each project, the amount of cost savings or
5 increases in funding that have been identified as compared to the
6 2021 enacted omnibus transportation appropriations act.

7 (2) As part of the agency request for capital programs, the
8 department shall load reappropriations separately from funds that
9 were assumed to be required for the 2023-2025 fiscal biennium into
10 budgeting systems.

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

12 The department of transportation shall post on its website every
13 report that is due from the department to the legislature during the
14 2023-2025 fiscal biennium on one web page in a manner consistent with
15 past practices as specified in section 605, chapter 333, Laws of
16 2021.

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

19 By November 15th of each year, the department of transportation
20 must report on amounts expended to benefit transit, bicycle, or
21 pedestrian elements within all connecting Washington projects in
22 programs I, P, and Z identified in LEAP Transportation Document
23 2023-2 ALL PROJECTS as developed March 29, 2023, in a manner
24 consistent with past practices as specified in section 602, chapter
25 186, Laws of 2022.

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

27 (1) During the 2023-2025 fiscal biennium, while the legislature
28 is not in session, the director of the office of financial management
29 may approve project scope change requests to connecting Washington
30 projects and move ahead WA projects in the highway improvements
31 program, provided that the requests meet the criteria outlined in RCW
32 47.01.480 and are subject to the limitations in this section.

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

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

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

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

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

15 The department of transportation may provide up to \$5,000,000 in
16 toll credits to Kitsap transit for its role in delivering capital
17 projects related to Kitsap transit public transportation services
18 including, but not limited to, ferry service. The number of toll
19 credits provided must be equal to, but no more than, the number
20 sufficient to meet federal match requirements for grant funding for
21 passenger-only ferry service, but must not exceed the amount
22 authorized in this section.

23 NEW SECTION. **Sec. 609. CODIFIED GRANT AND LOAN PROGRAMS**

24 The grant and loan programs referenced in sections 221(1),
25 221(3), 310(2), 310(3), and 311(2)(a) of this act reflect the
26 respective programs and activities described in chapter . . . (Senate
27 Bill No. 5742), Laws of 2023 (codifying existing WSDOT grant
28 programs).

(End of part)

1 MISCELLANEOUS 2023-2025 FISCAL BIENNIUM

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

3 The following transportation projects are subject to the
4 conditions, limitations, and review provided in section 701,
5 chapter . . . (Senate Bill No. 5187 or House Bill No. 1140), Laws of
6 2023 (omnibus operating appropriations act):

7 (1) For the Washington state patrol: Aerial criminal
8 investigation tools;

9 (2) For the department of licensing: Website accessibility and
10 usability, and to upgrade and improve prorated and fuel tax system;
11 and

12 (3) For the department of transportation: Linear referencing
13 system (LRS) and highway performance monitoring system (HPMS)
14 replacement, transportation reporting and accounting information
15 system (TRAINS) upgrade and PROPEL - WSDOT support of one Washington,
16 and capital systems replacement.

17 NEW SECTION. **Sec. 702. ACQUISITION OF PROPERTIES AND FACILITIES**
18 **THROUGH FINANCIAL CONTRACTS**

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

32 **Sec. 703.** RCW 43.19.642 and 2021 c 333 s 703 are each amended to
33 read as follows:

34 (1) Effective June 1, 2006, for agencies complying with the
35 ultra-low sulfur diesel mandate of the United States environmental
36 protection agency for on-highway diesel fuel, agencies shall use

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

6 (2) Except as provided in subsection (5) of this section,
7 effective June 1, 2009, state agencies are required to use a minimum
8 of ~~((twenty))~~ 20 percent biodiesel as compared to total volume of all
9 diesel purchases made by the agencies for the operation of the
10 agencies' diesel-powered vessels, vehicles, and construction
11 equipment.

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

16 (4) By December 1, 2009, the department of enterprise services
17 shall:

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

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

23 (5) During the ~~((2019-2021 and))~~ 2021-2023 and 2023-2025 fiscal
24 biennia, the Washington state ferries is required to use a minimum of
25 five percent biodiesel as compared to total volume of all diesel
26 purchases made by the Washington state ferries for the operation of
27 the Washington state ferries diesel-powered vessels, as long as the
28 price of a B5 or B10 biodiesel blend does not exceed the price of
29 conventional diesel fuel by five percent or more.

30 **Sec. 704.** RCW 46.01.385 and 2022 c 186 s 703 are each amended to
31 read as follows:

32 The agency financial transaction account is created in the state
33 treasury. Receipts directed by law to the account from cost recovery
34 charges for credit card and other financial transaction fees must be
35 deposited into the account. Moneys in the account may be spent only
36 after appropriation. Expenditures from the account may be used only
37 for paying credit card and financial transaction fees, and other
38 related costs incurred by state agencies. During the 2021-2023 and
39 2023-2025 fiscal ~~((biennium))~~ biennia, expenditures from the account

1 may also be used for additional information technology costs related
2 to supporting the department of licensing operations and addressing
3 its staffing shortages.

4 **Sec. 705.** RCW 46.20.745 and 2021 c 333 s 704 are each amended to
5 read as follows:

6 (1) The ignition interlock device revolving account program is
7 created within the department to assist in covering the monetary
8 costs of installing, removing, and leasing an ignition interlock
9 device, and applicable licensing, for indigent persons who are
10 required under RCW 46.20.385, 46.20.720, and 46.61.5055 to install an
11 ignition interlock device in all vehicles owned or operated by the
12 person. For purposes of this subsection, "indigent" has the same
13 meaning as in RCW 10.101.010, as determined by the department. During
14 the ~~((2019-2021 and))~~ 2021-2023 and 2023-2025 fiscal biennia, the
15 ignition interlock device revolving account program also includes
16 ignition interlock enforcement work conducted by the Washington state
17 patrol.

18 (2) A pilot program is created within the ignition interlock
19 device revolving account program for the purpose of monitoring
20 compliance by persons required to use ignition interlock devices and
21 by ignition interlock companies and vendors.

22 (3) The department, the state patrol, and the Washington traffic
23 safety commission shall coordinate to establish a compliance pilot
24 program that will target at least one county from eastern Washington
25 and one county from western Washington, as determined by the
26 department, state patrol, and Washington traffic safety commission.

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

28 (a) Review the number of ignition interlock devices that are
29 required to be installed in the targeted county and the number of
30 ignition interlock devices actually installed;

31 (b) Work to identify those persons who are not complying with
32 ignition interlock requirements or are repeatedly violating ignition
33 interlock requirements; and

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

35 (5) As part of monitoring compliance, the Washington traffic
36 safety commission shall also track recidivism for violations of RCW
37 46.61.502 and 46.61.504 by persons required to have an ignition
38 interlock driver's license under RCW 46.20.385 and 46.20.720.

1 **Sec. 706.** RCW 46.63.030 and 2013 2nd sp.s. c 23 s 23 are each
2 amended to read as follows:

3 (1) A law enforcement officer has the authority to issue a notice
4 of traffic infraction:

5 (a) When the infraction is committed in the officer's presence,
6 except as provided in RCW 46.09.485;

7 (b) When the officer is acting upon the request of a law
8 enforcement officer in whose presence the traffic infraction was
9 committed;

10 (c) If an officer investigating at the scene of a motor vehicle
11 accident has reasonable cause to believe that the driver of a motor
12 vehicle involved in the accident has committed a traffic infraction;

13 (d) When the infraction is detected through the use of an
14 automated traffic safety camera under RCW 46.63.170. For the
15 2023-2025 fiscal biennium, local law enforcement may allow
16 noncommissioned officers to review infractions detected through the
17 use of an automated traffic safety camera under RCW 46.63.170 and
18 issue notices of infraction consistent with RCW 46.63.170(1)(g).
19 Noncommissioned officers must be sufficiently trained in reviewing
20 such infractions and issuing such notices; or

21 (e) When the infraction is detected through the use of an
22 automated school bus safety camera under RCW 46.63.180.

23 (2) A court may issue a notice of traffic infraction upon receipt
24 of a written statement of the officer that there is reasonable cause
25 to believe that an infraction was committed.

26 (3) If any motor vehicle without a driver is found parked,
27 standing, or stopped in violation of this title or an equivalent
28 administrative regulation or local law, ordinance, regulation, or
29 resolution, the officer finding the vehicle shall take its
30 registration number and may take any other information displayed on
31 the vehicle which may identify its user, and shall conspicuously
32 affix to the vehicle a notice of traffic infraction.

33 (4) In the case of failure to redeem an abandoned vehicle under
34 RCW 46.55.120, upon receiving a complaint by a registered tow truck
35 operator that has incurred costs in removing, storing, and disposing
36 of an abandoned vehicle, an officer of the law enforcement agency
37 responsible for directing the removal of the vehicle shall send a
38 notice of infraction by certified mail to the last known address of
39 the person responsible under RCW 46.55.105. The notice must be
40 entitled "Littering—Abandoned Vehicle" and give notice of the

1 monetary penalty. The officer shall append to the notice of
2 infraction, on a form prescribed by the department of licensing, a
3 notice indicating the amount of costs incurred as a result of
4 removing, storing, and disposing of the abandoned vehicle, less any
5 amount realized at auction, and a statement that monetary penalties
6 for the infraction will not be considered as having been paid until
7 the monetary penalty payable under this chapter has been paid and the
8 court is satisfied that the person has made restitution in the amount
9 of the deficiency remaining after disposal of the vehicle.

10 **Sec. 707.** RCW 46.68.063 and 2021 c 333 s 714 are each amended to
11 read as follows:

12 The department of licensing technology improvement and data
13 management account is created in the highway safety fund. All
14 receipts from fees collected under RCW 46.12.630(5) must be deposited
15 into the account. Expenditures from the account may be used only for
16 investments in technology and data management at the department.
17 During the ((2019-2021 and)) 2021-2023 and 2023-2025 fiscal biennia,
18 the account may also be used for responding to public records
19 requests. Moneys in the account may be spent only after
20 appropriation.

21 **Sec. 708.** RCW 46.68.290 and 2022 c 157 s 16 are each amended to
22 read as follows:

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

31 (2) The legislature finds that:

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

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

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

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

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

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

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

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

33 (6) The audits may include:

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

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

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

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

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

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

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

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

22 (i) Identification and recognition of best practices;

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

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

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

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

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

34 (7) Within the authorities and duties under chapter 43.09 RCW,
35 the state auditor must provide the preliminary performance audit
36 reports to the audited state agency for comment. The auditor also may
37 seek input on the preliminary report from other appropriate
38 officials. Comments must be received within (~~thirty~~) 30 days after
39 receipt of the preliminary performance audit report unless a
40 different time period is approved by the state auditor. The final

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

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

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

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

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

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

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

37 ~~(12))~~ During the ~~((2019-2021 and))~~ 2021-2023 and 2023-2025
38 fiscal biennia, the legislature may direct the state treasurer to
39 make transfers of moneys in the transportation partnership account to
40 ~~((the connecting Washington account,))~~ the motor vehicle fund~~((,))~~

1 and the Tacoma Narrows toll bridge account (~~(, and the capital vessel~~
2 ~~replacement account)~~).

3 **Sec. 709.** RCW 46.68.300 and 2021 c 333 s 711 are each amended to
4 read as follows:

5 The freight mobility investment account is hereby created in the
6 state treasury. Money in the account may be spent only after
7 appropriation. Expenditures from the account may be used only for
8 freight mobility projects that have been approved by the freight
9 mobility strategic investment board in RCW 47.06A.020 and may include
10 any principal and interest on bonds authorized for the projects or
11 improvements. During the (~~(2019-2021 and)~~) 2021-2023 and 2023-2025
12 fiscal biennia, the expenditures from the account may also be used
13 for the administrative expenses of the freight mobility strategic
14 investment board.

15 **Sec. 710.** RCW 46.68.370 and 2021 c 333 s 710 are each amended to
16 read as follows:

17 The license plate technology account is created in the state
18 treasury. All receipts collected under RCW 46.17.015 must be
19 deposited into this account. Expenditures from this account must
20 support current and future license plate technology and systems
21 integration upgrades for both the department and correctional
22 industries. Moneys in the account may be spent only after
23 appropriation. Additionally, the moneys in this account may be used
24 to reimburse the motor vehicle account for any appropriation made to
25 implement the digital license plate system. During the 2011-2013 and
26 2013-2015 fiscal biennia, the legislature may transfer from the
27 license plate technology account to the highway safety fund such
28 amounts as reflect the excess fund balance of the license plate
29 technology account. During the (~~(2019-2021 and)~~) 2021-2023 and
30 2023-2025 fiscal biennia, the account may also be used for the
31 maintenance of recently modernized information technology systems for
32 vehicle registrations.

33 **Sec. 711.** RCW 46.68.395 and 2020 c 219 s 707 are each amended to
34 read as follows:

35 (1) The connecting Washington account is created in the motor
36 vehicle fund. Moneys in the account may be spent only after
37 appropriation. Expenditures from the account must be used only for

1 projects or improvements identified as connecting Washington projects
2 or improvements in a transportation appropriations act, including any
3 principal and interest on bonds authorized for the projects or
4 improvements.

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

8 (3) During the (~~2019-2021~~) 2023-2025 fiscal biennium, the
9 legislature may direct the state treasurer to make transfers of
10 moneys in the connecting Washington account to the (~~motor vehicle~~
11 ~~fund~~) move ahead WA account.

12 **Sec. 712.** RCW 46.68.490 and 2022 c 182 s 102 are each amended to
13 read as follows:

14 (1) The climate active transportation account is hereby created
15 in the state treasury. Moneys in the account may be spent only after
16 appropriation. Expenditures from the account may be used only for the
17 following active transportation grant programs: Safe routes to
18 schools, school-based bike program, bicycle and pedestrian grant
19 program, complete streets grants program, and connecting communities
20 grant program, as well as pedestrian and bicycle or other active
21 transportation projects identified in an omnibus transportation
22 appropriations act as move ahead WA projects.

23 (2) Beginning July 1, 2023, the state treasurer shall annually
24 transfer 24 percent of the revenues accruing annually to the carbon
25 emissions reduction account created in RCW 70A.65.240 to the climate
26 active transportation account. This subsection does not apply during
27 the 2023-2025 fiscal biennium.

28 **Sec. 713.** RCW 46.68.500 and 2022 c 182 s 103 are each amended to
29 read as follows:

30 (1) The climate transit programs account is hereby created in the
31 state treasury. Moneys in the account may be spent only after
32 appropriation. Expenditures from the account may be used only for the
33 following transit grant programs: Transit support grant program,
34 tribal transit mobility grants, transit coordination grants, special
35 needs transit grants, bus and bus facility grant program, green
36 transit grants, and transportation demand management grants, as well
37 as transit projects identified in an omnibus transportation
38 appropriations act as move ahead WA projects.

1 (2) Beginning July 1, 2023, the state treasurer shall annually
2 transfer 56 percent of the revenues accruing annually to the carbon
3 emissions reduction account created in RCW 70A.65.240 to the climate
4 transit programs account. This subsection does not apply during the
5 2023-2025 fiscal biennium.

6 **Sec. 714.** RCW 47.12.063 and 2022 c 186 s 710 are each amended to
7 read as follows:

8 (1) It is the intent of the legislature to continue the
9 department's policy giving priority consideration to abutting
10 property owners in agricultural areas when disposing of property
11 through its surplus property program under this section.

12 (2) Whenever the department determines that any real property
13 owned by the state of Washington and under the jurisdiction of the
14 department is no longer required for transportation purposes and that
15 it is in the public interest to do so, the department may sell the
16 property or exchange it in full or part consideration for land or
17 building improvements or for construction of highway improvements at
18 fair market value to any person through the solicitation of written
19 bids through public advertising in the manner prescribed under RCW
20 47.28.050 or in the manner prescribed under RCW 47.12.283.

21 (3) The department may forego the processes prescribed by RCW
22 47.28.050 and 47.12.283 and sell the real property to any of the
23 following entities or persons at fair market value:

24 (a) Any other state agency;

25 (b) The city or county in which the property is situated;

26 (c) Any other municipal corporation;

27 (d) Regional transit authorities created under chapter 81.112
28 RCW;

29 (e) The former owner of the property from whom the state acquired
30 title;

31 (f) In the case of residentially improved property, a tenant of
32 the department who has resided thereon for not less than six months
33 and who is not delinquent in paying rent to the state;

34 (g) Any abutting private owner but only after each other abutting
35 private owner (if any), as shown in the records of the county
36 assessor, is notified in writing of the proposed sale. If more than
37 one abutting private owner requests in writing the right to purchase
38 the property within 15 days after receiving notice of the proposed

1 sale, the property shall be sold at public auction in the manner
2 provided in RCW 47.12.283;

3 (h) To any other owner of real property required for
4 transportation purposes;

5 (i) In the case of property suitable for residential use, any
6 nonprofit organization dedicated to providing affordable housing to
7 very low-income, low-income, and moderate-income households as
8 defined in RCW 43.63A.510 and is eligible to receive assistance
9 through the Washington housing trust fund created in chapter 43.185
10 RCW;

11 (j) During the 2021-2023 and 2023-2025 fiscal (~~biennium~~)
12 biennia, any nonprofit organization that identifies real property to
13 be sold or conveyed as a substitute for real property owned by the
14 nonprofit within the city of Seattle to be redeveloped for the
15 purpose of affordable housing; or

16 (k) A federally recognized Indian tribe within whose reservation
17 boundary the property is located.

18 (4) When selling real property pursuant to RCW 47.12.283, the
19 department may withhold or withdraw the property from an auction when
20 requested by one of the entities or persons listed in subsection (3)
21 of this section and only after the receipt of a nonrefundable deposit
22 equal to 10 percent of the fair market value of the real property or
23 \$5,000, whichever is less. This subsection does not prohibit the
24 department from exercising its discretion to withhold or withdraw the
25 real property from an auction if the department determines that the
26 property is no longer surplus or chooses to sell the property through
27 one of the other means listed in subsection (2) of this section. If a
28 transaction under this subsection is not completed within 60 days,
29 the real property must be put back up for sale.

30 (5) Sales to purchasers may, at the department's option, be for
31 cash, by real estate contract, or exchange of land or highway
32 improvements. Transactions involving the construction of improvements
33 must be conducted pursuant to chapter 47.28 RCW and Title 39 RCW, as
34 applicable, and must comply with all other applicable laws and rules.

35 (6) Conveyances made pursuant to this section shall be by deed
36 executed by the secretary of transportation and shall be duly
37 acknowledged.

38 (7) Unless otherwise provided, all moneys received pursuant to
39 the provisions of this section less any real estate broker

1 commissions paid pursuant to RCW 47.12.320 shall be deposited in the
2 motor vehicle fund.

3 (8) The department may not enter into equal value exchanges or
4 property acquisitions for building improvements without first
5 consulting with the office of financial management and the joint
6 transportation committee.

7 **Sec. 715.** RCW 47.56.870 and 2010 c 248 s 2 are each amended to
8 read as follows:

9 (1) The initial imposition of tolls on the state route number 520
10 corridor is authorized, the state route number 520 corridor is
11 designated an eligible toll facility, and toll revenue generated in
12 the corridor must only be expended as allowed under RCW 47.56.820.

13 (2) The state route number 520 corridor consists of that portion
14 of state route number 520 between the junctions of Interstate 5 and
15 state route number 202. The toll imposed by this section shall be
16 charged only for travel on the floating bridge portion of the state
17 route number 520 corridor. However, during the 2023-2025 fiscal
18 biennium, a toll may also be charged for travel on the westbound
19 state route number 520 on-ramp at 84th Avenue NE, subject to the
20 conditions and limitations described in the pilot program and toll
21 rates authorized under sections 205(6) and 209(6) of this act.

22 (3) (a) In setting the toll rates for the corridor pursuant to RCW
23 47.56.850, the tolling authority shall set a variable schedule of
24 toll rates to maintain travel time, speed, and reliability on the
25 corridor and generate the necessary revenue as required under (b) of
26 this subsection.

27 (b) The tolling authority shall initially set the variable
28 schedule of toll rates, which the tolling authority may adjust at
29 least annually to reflect inflation as measured by the consumer price
30 index or as necessary to meet the redemption of bonds and interest
31 payments on the bonds, to generate revenue sufficient to provide for:

32 (i) The issuance of general obligation bonds, authorized in RCW
33 47.10.879, first payable from toll revenue and then excise taxes on
34 motor vehicle and special fuels pledged for the payment of those
35 bonds in the amount necessary to fund the state route number 520
36 bridge replacement and HOV program, subject to subsection (4) of this
37 section; and

38 (ii) Costs associated with the project designated in subsection
39 (4) of this section that are eligible under RCW 47.56.820.

1 (4) (a) The proceeds of the bonds designated in subsection
2 (3) (b) (i) of this section must be used only to fund the state route
3 number 520 bridge replacement and HOV program; however, (~~two hundred~~
4 ~~million dollars~~) \$200,000,000 of bond proceeds, in excess of the
5 proceeds necessary to complete the floating bridge segment and
6 necessary landings, must be used only to fund the state route number
7 520, Interstate 5 to Medina bridge replacement and HOV project
8 segment of the program, as identified in applicable environmental
9 impact statements, and may be used to fund effective connections for
10 high occupancy vehicles and transit for state route number 520, but
11 only to the extent those connections benefit or improve the operation
12 of state route number 520.

13 (b) The program must include the following elements within the
14 cost constraints identified in section 1, chapter 472, Laws of 2009,
15 consistent with the legislature's intent that cost savings applicable
16 to the program stay within the program and that the bridge open to
17 vehicular traffic in 2014:

18 (i) A project design, consistent with RCW 47.01.408, that
19 includes high occupancy vehicle lanes with a minimum carpool
20 occupancy requirement of three-plus persons on state route number
21 520;

22 (ii) High occupancy vehicle lane performance standards for the
23 state route number 520 corridor established by the department. The
24 department shall report to the transportation committees of the
25 legislature when average transit speeds in the two lanes that are for
26 high occupancy vehicle travel fall below (~~forty-five~~) 45 miles per
27 hour at least ten percent of the time during peak hours;

28 (iii) A work group convened by the mayor and city council of the
29 city of Seattle to include sound transit, King county metro, the
30 Seattle department of transportation, the department, the University
31 of Washington, and other persons or organizations as designated by
32 the mayor or city council to study and make recommendations of
33 alternative connections for transit, including bus routes and high
34 capacity transit, to the university link light rail line. The work
35 group must consider such techniques as grade separation, additional
36 stations, and pedestrian lids to effect these connections. The
37 recommendations must be alternatives to the transit connections
38 identified in the supplemental draft environmental impact statement
39 for the state route number 520 bridge replacement and HOV program
40 released in January 2010, and must meet the requirements under RCW

1 47.01.408, including accommodating effective connections for transit.
2 The recommendations must be within the scope of the supplemental
3 draft environmental impact statement. For the purposes of this
4 section, "effective connections for transit" means a connection that
5 connects transit stops, including high capacity transit stops, that
6 serve the state route number 520/Montlake interchange vicinity to the
7 university link light rail line, with a connection distance of less
8 than (~~one thousand two hundred~~) 1,200 feet between the stops and
9 the light rail station. The city of Seattle shall submit the
10 recommendations by October 1, 2010, to the governor and the
11 transportation committees of the legislature. However, if the city of
12 Seattle does not convene the work group required under this
13 subsection before July 1, 2010, or does not submit recommendations to
14 the governor and the transportation committees of the legislature by
15 October 1, 2010, the department must convene the work group required
16 under this subsection and meet all the requirements of this
17 subsection that are described as requirements of the city of Seattle
18 by November 30, 2010;

19 (iv) A work group convened by the department to include sound
20 transit and King county metro to study and make recommendations
21 regarding options for planning and financing high capacity transit
22 through the state route number 520 corridor. The department shall
23 submit the recommendations by January 1, 2011, to the governor and
24 the transportation committees of the legislature;

25 (v) A plan to address mitigation as a result of the state route
26 number 520 bridge replacement and HOV program at the Washington park
27 arboretum. As part of its process, the department shall consult with
28 the governing board of the Washington park arboretum, the Seattle
29 city council and mayor, and the University of Washington to identify
30 all mitigation required by state and federal law resulting from the
31 state route number 520 bridge replacement and HOV program's impact on
32 the arboretum, and to develop a project mitigation plan to address
33 these impacts. The department shall submit the mitigation plan by
34 December 31, 2010, to the governor and the transportation committees
35 of the legislature. Wetland mitigation required by state and federal
36 law as a result of the state route number 520 bridge replacement and
37 HOV program's impacts on the arboretum must, to the greatest extent
38 practicable, include on-site wetland mitigation at the Washington
39 park arboretum, and must enhance the Washington park arboretum. This
40 subsection (4)(b)(v) does not preclude any other mitigation planned

1 for the Washington park arboretum as a result of the state route
2 number 520 bridge replacement and HOV program;

3 (vi) A work group convened by the department to include the mayor
4 of the city of Seattle, the Seattle city council, the Seattle
5 department of transportation, and other persons or organizations as
6 designated by the Seattle city council and mayor to study and make
7 recommendations regarding design refinements to the preferred
8 alternative selected by the department in the supplemental draft
9 environmental impact statement process for the state route number 520
10 bridge replacement and HOV program. To accommodate a timely
11 progression of the state route number 520 bridge replacement and HOV
12 program, the design refinements recommended by the work group must be
13 consistent with the current environmental documents prepared by the
14 department for the supplemental draft environmental impact statement.
15 The department shall submit the recommendations to the legislature
16 and governor by December 31, 2010, and the recommendations must
17 inform the final environmental impact statement prepared by the
18 department; and

19 (vii) An account, created in section 5 of this act, into which
20 civil penalties generated from the nonpayment of tolls on the state
21 route number 520 corridor are deposited to be used to fund any
22 project within the program, including mitigation. However, this
23 subsection (4)(b)(vii) is contingent on the enactment by June 30,
24 2010, of either chapter 249, Laws of 2010 or chapter . . .
25 (Substitute House Bill No. 2897), Laws of 2010, but if the enacted
26 bill does not designate the department as the toll penalty
27 adjudicating agency, this subsection (4)(b)(vii) is null and void.

28 (5) The department may carry out the improvements designated in
29 subsection (4) of this section and administer the tolling program on
30 the state route number 520 corridor.

31 **Sec. 716.** RCW 47.56.876 and 2022 c 157 s 17 are each amended to
32 read as follows:

33 (1) A special account to be known as the state route number 520
34 civil penalties account is created in the state treasury. All state
35 route number 520 bridge replacement and HOV program civil penalties
36 generated from the nonpayment of tolls on the state route number 520
37 corridor must be deposited into the account, as provided under RCW
38 47.56.870(4)(b)(vii). Moneys in the account may be spent only after
39 appropriation. Expenditures from the account must be used to fund

1 legal obligations associated with bonds and loans associated with the
2 construction and operation of state route number 520 under
3 circumstances where the toll revenue collections at the time are not
4 sufficient to fully cover such legal obligations, and then may be
5 used to fund any project within the state route number 520 bridge
6 replacement and HOV program, including mitigation. The legislature
7 may direct the state treasurer to make transfers of moneys in the
8 state route number 520 civil penalties account to the state route
9 number 520 corridor account. During the 2021-2023 and 2023-2025
10 fiscal (~~(biennium)~~) biennia, the legislature may direct the state
11 treasurer to transfer moneys in the state route number 520 civil
12 penalties account to the motor vehicle account.

13 (2) For purposes of this section, "legal obligations associated
14 with bonds and loans" includes, but is not limited to, debt service
15 and all other activities necessary to comply with financial covenants
16 associated with state route number 520, costs associated with the
17 civil penalties program, and operation and maintenance costs.

18 **Sec. 717.** RCW 47.60.322 and 2021 c 333 s 712 are each amended to
19 read as follows:

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

33 (2) The state treasurer may transfer moneys from the capital
34 vessel replacement account to the transportation 2003 account (nickel
35 account) for debt service on bonds issued for the construction of
36 144-car class ferry vessels.

37 (3) The legislature may transfer from the capital vessel
38 replacement account to the connecting Washington account created
39 under RCW 46.68.395 such amounts as reflect the excess fund balance

1 of the capital vessel replacement account to be used for ferry
2 terminal construction and preservation.

3 (4) During the (~~2019-2021~~ and) 2021-2023 and 2023-2025 fiscal
4 biennia, the legislature may direct the state treasurer to make
5 transfers of moneys in the capital vessel replacement account to the
6 transportation partnership account and the connecting Washington
7 account.

8 **Sec. 718.** RCW 47.66.120 and 2022 c 182 s 439 are each amended to
9 read as follows:

10 (1)(a) The department's public transportation division shall
11 establish a green transportation capital grant program. The purpose
12 of the grant program is to aid any transit authority in funding cost-
13 effective capital projects to reduce the carbon intensity of the
14 Washington transportation system, examples of which include:
15 Electrification of vehicle fleets, including battery and fuel cell
16 electric vehicles; modification or replacement of capital facilities
17 in order to facilitate fleet electrification and/or hydrogen
18 refueling; necessary upgrades to electrical transmission and
19 distribution systems; and construction of charging and fueling
20 stations. The department's public transportation division shall
21 identify projects and shall submit a prioritized list of all projects
22 requesting funding to the legislature by December 1st of each even-
23 numbered year.

24 (b) The department's public transportation division shall select
25 projects based on a competitive process that considers the following
26 criteria:

27 (i) The cost-effectiveness of the reductions in carbon emissions
28 provided by the project; and

29 (ii) The benefit provided to transitioning the entire state to a
30 transportation system with lower carbon intensity.

31 (2) The department's public transportation division must
32 establish an advisory committee to assist in identifying projects
33 under subsection (1) of this section. The advisory committee must
34 include representatives from the department of ecology, the
35 department of commerce, the utilities and transportation commission,
36 and at least one transit authority.

37 (3) In order to receive green transportation capital grant
38 program funding for a project, a transit authority must provide

1 matching funding for that project that is at least equal to
2 (~~twenty~~) 20 percent of the total cost of the project.

3 (4) The department's public transportation division must report
4 annually to the transportation committees of the legislature on the
5 status of any grant projects funded by the program created under this
6 section.

7 (5) For purposes of this section, "transit authority" means a
8 city transit system under RCW 35.58.2721 or chapter 35.95A RCW, a
9 county public transportation authority under chapter 36.57 RCW, a
10 metropolitan municipal corporation transit system under chapter 36.56
11 RCW, a public transportation benefit area under chapter 36.57A RCW,
12 an unincorporated transportation benefit area under RCW 36.57.100, a
13 regional transit authority under chapter 81.112 RCW, or any special
14 purpose district formed to operate a public transportation system.

15 (6) During the 2021-2023 fiscal biennium, the department may
16 provide up to 20 percent of the total green transportation capital
17 grant program funding for zero emissions capital transition planning
18 projects. During the 2023-2025 fiscal biennium, the department may
19 provide up to 10 percent of the total green transportation capital
20 grant program funding for zero emissions capital transition planning
21 projects.

22 **Sec. 719.** RCW 82.44.200 and 2022 c 187 s 501 are each amended to
23 read as follows:

24 The electric vehicle account is created in the transportation
25 infrastructure account. Proceeds from the principal and interest
26 payments made on loans from the account must be deposited into the
27 account. Expenditures from the account may be used only for the
28 purposes specified in RCW 47.04.350, 82.08.9999, and 82.12.9999, and
29 the support of other transportation electrification and alternative
30 fuel related purposes, including RCW 47.01.520. Moneys in the account
31 may be spent only after appropriation. During the 2021-2023 and
32 2023-2025 fiscal (~~biennium~~) biennia, the legislature may direct the
33 state treasurer to make transfers of moneys in the electric vehicle
34 account to the move ahead WA flexible account and multimodal
35 transportation account.

(End of part)

2021-2023 FISCAL BIENNIUM
TRANSPORTATION AGENCIES—OPERATING

Sec. 801. 2022 c 186 s 205 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION COMMISSION

Motor Vehicle Account—State Appropriation.	\$3,804,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation.	\$127,000
State Route Number 520 Corridor Account—State Appropriation.	\$276,000
Tacoma Narrows Toll Bridge Account—State Appropriation.	\$180,000
Alaskan Way Viaduct Replacement Project Account— State Appropriation.	\$172,000
TOTAL APPROPRIATION.	\$4,559,000

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

(1)(a) The commission shall reconvene the road usage charge steering committee, with the same membership described in chapter 297, Laws of 2018, and shall periodically report to the steering committee with updates on activities undertaken in accordance with the federal grant awarded July 2020 ("Forward Drive"). A year-end update on the status of any federally-funded project for which federal funding is secured must be provided to the governor's office and the transportation committees of the legislature by January 1, 2022, and by January 1, 2023. Any legislative vacancies on the steering committee must be appointed by the speaker of the house of representatives for a house of representatives member vacancy, and by the president of the senate for a senate member vacancy.

(b) The commission shall coordinate with the department of transportation to jointly seek federal funds available through the federal strategic innovations in revenue collection grant program, applying toll credits for meeting match requirements. One or more grant applications may be developed that, at a minimum, propose to:

(i) Assess the impact of a road usage charge, incentives, and other factors on consumer purchase of electric vehicles and conduct a test with drivers to fully assess impacts;

1 (ii) Assess delivery vehicle fleets and how a road usage charge
2 may be applied, identifying potential impacts to fleet operations and
3 costs, and state transportation revenues, and conducting a pilot test
4 to further inform the identification of potential impacts from a road
5 usage charge;

6 (iii) Review the process for changing vehicle ownership and
7 determine the considerations and possible implications with a road
8 usage charge system, identifying the processes and structure needed
9 for reconciling a road usage charge owed between sellers and
10 purchasers of used vehicles; and

11 (iv) Identify opportunities for achieving large-scale data
12 integration to support road usage charge service provisions that
13 could be offered by private-sector service providers, conducting a
14 pilot test to determine the ability of such service providers to
15 support automated mileage reporting and periodic payment services.

16 (2) \$127,000 of the Interstate 405 and state route number 167
17 express toll lanes account—state appropriation, \$276,000 of the state
18 route number 520 corridor account—state appropriation, \$180,000 of
19 the Tacoma Narrows toll bridge account—state appropriation, and
20 \$172,000 of the Alaskan Way viaduct replacement project account—state
21 appropriation are provided solely for the transportation commission's
22 proportional share of time spent supporting tolling operations for
23 the respective tolling facilities.

24 (3) \$1,500,000 of the motor vehicle account—state appropriation
25 is provided solely for the commission to conduct a full planning-
26 level traffic and revenue study of the Hood River Bridge to determine
27 the viability of toll revenues to support future financing of
28 improvements and possible replacement of the bridge, considering
29 prior work and studies conducted. The commission shall coordinate
30 this work with the department of transportation, the Port of Hood
31 River, the Oregon department of transportation, and other entities as
32 needed. The results of the assessment must be submitted to the house
33 and senate transportation committees by June 30, 2023.

34 (4) Within the parameters established by RCW 47.56.880, the
35 commission shall review toll revenue performance on the Interstate
36 405 and state route number 167 corridor and adjust Interstate 405
37 tolls as appropriate to increase toll revenue to provide sufficient
38 funds for payments of future debt pursuant to RCW 47.10.896 and to
39 support improvements to the corridor. The commission may consider

1 adjusting maximum toll rates, minimum toll rates, time-of-day rates,
2 restricting direct access ramps to transit and HOV vehicles only, or
3 any combination thereof, in setting tolls to increase toll revenue.

4 **Sec. 802.** 2022 c 186 s 206 (uncodified) is amended to read as
5 follows:

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

7 Freight Mobility Investment Account—State

8 Appropriation.	((\$843,000))
9	<u>\$874,000</u>

10 The appropriations in this section are subject to the following
11 conditions and limitations: Within appropriated funds, the freight
12 mobility strategic investment board may opt in as provided under RCW
13 70A.02.030 to assume all of the substantive and procedural
14 requirements of covered agencies under chapter 70A.02 RCW. The board
15 shall include in its 2022 annual report to the legislature a progress
16 report on opting into the healthy environment for all act and a
17 status report on diversity, equity, and inclusion within the board's
18 jurisdiction.

19 **Sec. 803.** 2022 c 186 s 207 (uncodified) is amended to read as
20 follows:

21 **FOR THE WASHINGTON STATE PATROL**

22 State Patrol Highway Account—State Appropriation.	((\$524,348,000))
23	<u>\$523,571,000</u>
24 State Patrol Highway Account—Federal Appropriation.	((\$16,433,000))
25	<u>\$19,578,000</u>
26 State Patrol Highway Account—Private/Local	
27 Appropriation.	\$4,314,000
28 Highway Safety Account—State Appropriation.	\$1,292,000
29 Ignition Interlock Device Revolving Account—State	
30 Appropriation.	\$2,243,000
31 Multimodal Transportation Account—State	
32 Appropriation.	\$293,000
33 State Route Number 520 Corridor Account—State	
34 Appropriation.	\$433,000
35 Tacoma Narrows Toll Bridge Account—State	
36 Appropriation.	\$77,000
37 I-405 and SR 167 Express Toll Lanes Account—State	

1	Appropriation.	\$1,348,000
2	TOTAL APPROPRIATION.	(\$550,781,000)
3		<u>\$553,149,000</u>

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

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

15 (2) \$580,000 of the state patrol highway account—state
16 appropriation is provided solely for the operation of and
17 administrative support to the license investigation unit to enforce
18 vehicle registration laws in southwestern Washington. The Washington
19 state patrol, in consultation with the department of revenue, shall
20 maintain a running estimate of the additional vehicle registration
21 fees, sales and use taxes, and local vehicle fees remitted to the
22 state pursuant to activity conducted by the license investigation
23 unit. Beginning October 1, 2021, and quarterly thereafter, the
24 Washington state patrol shall submit a report detailing the
25 additional revenue amounts generated since January 1, 2021, to the
26 director of the office of financial management and the transportation
27 committees of the legislature. At the end of the calendar quarter in
28 which it is estimated that more than \$625,000 in state sales and use
29 taxes have been remitted to the state since January 1, 2021, the
30 Washington state patrol shall notify the state treasurer and the
31 state treasurer shall transfer funds pursuant to section 406, chapter
32 333, Laws of 2021.

33 (3) \$4,000,000 of the state patrol highway account—state
34 appropriation is provided solely for a third arming and a third
35 trooper basic training class. The cadet class is expected to graduate
36 in June 2023.

37 (4) By December 1st of each year during the 2021-2023 biennium,
38 the Washington state patrol must report to the house and senate

1 transportation committees on the status of recruitment and retention
2 activities as follows:

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

4 (b) The number of transportation funded staff vacancies by major
5 category;

6 (c) The number of applicants for each of the positions by these
7 categories;

8 (d) The composition of workforce;

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

11 (f) Activities related to the implementation of the agency's
12 workforce diversity plan, including short-term and long-term,
13 specific comprehensive outreach and recruitment strategies to
14 increase populations underrepresented within both commissioned and
15 noncommissioned employee groups.

16 (5) \$493,000 of the state patrol highway account—state
17 appropriation is provided solely for aerial criminal investigation
18 tools, including software licensing and maintenance, and annual
19 certification, and is subject to the conditions, limitations, and
20 review requirements of section 701, chapter 333, Laws of 2021.

21 (6) (~~(\$6,422,000)~~) \$4,353,000 of the state patrol highway account
22 —state appropriation is provided solely for the land mobile radio
23 system replacement, upgrade, and other related activities. Beginning
24 January 1, 2022, the Washington state patrol must report semiannually
25 to the office of the state chief information officer on the progress
26 related to the projects and activities associated with the land
27 mobile radio system, including the governance structure, outcomes
28 achieved in the prior six month time period, and how the activities
29 are being managed holistically as recommended by the office of the
30 chief information officer. At the time of submittal to the office of
31 the state chief information officer, this report shall be transmitted
32 to the office of financial management and the house and senate
33 transportation committees.

34 (7) \$510,000 of the ignition interlock device revolving account—
35 state appropriation is provided solely for the ignition interlock
36 program at the Washington state patrol to provide funding for two
37 staff to work and provide support for the program in working with
38 manufacturers, service centers, technicians, and participants in the
39 program.

1 (8) \$1,348,000 of the Interstate 405 and state route number 167
2 express toll lanes account—state appropriation, \$433,000 of the state
3 route number 520 corridor account—state appropriation, and \$77,000 of
4 the Tacoma Narrows toll bridge account—state appropriation are
5 provided solely for the Washington state patrol's proportional share
6 of time spent supporting tolling operations and enforcement for the
7 respective tolling facilities.

8 (9) \$289,000 of the state patrol highway account—state
9 appropriation is provided solely for the replacement of 911
10 workstations.

11 (10) \$35,000 of the state patrol highway account—state
12 appropriation is provided solely for the replacement of bomb response
13 equipment.

14 (11) \$713,000 of the state patrol highway account—state
15 appropriation is provided solely for information technology
16 infrastructure maintenance.

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

21 (13) \$945,000 of the state patrol highway account—state
22 appropriation is provided solely for implementation of chapter 329,
23 Laws of 2021 (custodial interrogations).

24 (14) \$46,000 of the state patrol highway account—state
25 appropriation is provided solely for implementation of chapter 320,
26 Laws of 2021 (peace officer tactics).

27 (15) \$46,000 of the state patrol highway account—state
28 appropriation is provided solely for implementation of chapter 324,
29 Laws of 2021 (use of force by officers).

30 (16) (a) The legislature finds that the water connection extension
31 constructed by the Washington state patrol from the city of Shelton's
32 water facilities to the Washington state patrol academy was necessary
33 to meet the water supply needs of the academy. The legislature also
34 finds that the water connection provides an ongoing water supply that
35 is necessary to the operation of the training facility, that the
36 state is making use of the water connection for these public
37 activities, and that any future incidental use of the municipal
38 infrastructure put in place to support these activities will not

1 impede the Washington state patrol's ongoing use of the water
2 connection extension.

3 (b) \$2,220,000 of the transfer from the waste tire removal
4 account to the motor vehicle fund, as required under RCW 70A.205.425,
5 reimburses the motor vehicle fund for the portion of the water
6 project costs assigned by the agreement to properties, other than the
7 Washington state patrol academy, that make use of the water
8 connection while the agreement remains in effect. This reimbursement
9 to the motor vehicle fund is intended to address any possibility that
10 the termination of this agreement could be determined to result in
11 the unconstitutional use of 18th amendment designated funds for
12 nonhighway purposes under the constitution of the state of
13 Washington; however, this transfer is not intended to indicate that
14 the incidental use of this infrastructure by these properties
15 necessarily requires such reimbursement under the state Constitution.
16 Immediately following the transfer of funds, Washington state patrol
17 and the city of Shelton shall meet to formally update the terms of
18 their "Agreement for Utility Connection and Reimbursement of Water
19 Extension Expenses" executed on June 12, 2017, to reflect the intent
20 of the proviso.

21 (17) The appropriations in this section provide sufficient
22 funding for state patrol staffing assuming vacancy savings which may
23 change over time. Funding for staffing will be monitored and adjusted
24 in the 2023 supplemental budget to restore funding as authorized
25 staffing levels are achieved.

26 (18) \$331,000 of the state patrol highway account—state
27 appropriation is provided solely for the state patrol's diversity,
28 equity, and inclusion program and a contract with an external
29 psychologist to perform exams. If chapter 146, Laws of 2022 is not
30 enacted by June 30, 2022, the amount provided in this subsection
31 lapses.

32 (19) \$793,000 of the state patrol highway account—state
33 appropriation is provided solely for the tenant improvements and
34 higher than expected equipment costs for the toxicology lab in
35 Federal Way, and preparing a report on the current cost recovery
36 mechanisms and opportunities for expanding these cost recovery
37 mechanisms in the future. The report must be submitted to the
38 governor and the transportation committees of the legislature by
39 November 1, 2022.

1 (20) \$14,788,000 of the state patrol highway account—state
2 appropriation is provided solely for contingency funding to address
3 emergent issues related to mitigating negative impacts of the high
4 level of commissioned and noncommissioned staff vacancies. Potential
5 uses of the funding include, but are not limited to, the following:
6 Operating a miniacademy and training opportunities for lateral
7 transfers from other agencies; increased overtime, travel, and other
8 related costs; increased contracting to maintain adequate service
9 levels; and unanticipated facility and equipment needs. By January 1,
10 2023, the state patrol must submit a report to the governor and the
11 transportation committees of the legislature detailing the specific
12 expenditures made from the contingency funding provided in this
13 subsection. The report must also include a description of the
14 miniacademy training, including the number of lateral transfers that
15 entered the training, the number which completed training, the cost
16 of the miniacademy, and a comparison of how the training was
17 different from a conventional academy class.

18 (21) \$122,000 of the state patrol highway account—state
19 appropriation, \$1,000 of the highway safety account—state
20 appropriation, and \$4,000 of the ignition interlock account—state
21 appropriation are provided solely for implementation of chapter . . .
22 (House Bill No. 1804), Laws of 2022 (interruptive military service
23 credit for members of the state retirement systems). If chapter . . .
24 (House Bill No. 1804), Laws of 2022 is not enacted by June 30, 2022,
25 the amount provided in this subsection lapses.

26 (22) \$250,000 of the state patrol highway account—state
27 appropriation is provided solely for implementation of chapter 80,
28 Laws of 2022 (peace officers/use of force). If chapter 80, Laws of
29 2022 is not enacted by June 30, 2022, the amount provided in this
30 subsection lapses.

31 (23) \$949,000 of the state patrol highway account—state is
32 provided solely for vehicle identification number inspection staff to
33 reduce the backlog of inspections and a study of how to incorporate
34 best practices into the program, including the timeliness of
35 inspections.

36 **Sec. 804.** 2022 c 186 s 208 (uncodified) is amended to read as
37 follows:

38 **FOR THE DEPARTMENT OF LICENSING**

1	<u>Department of Licensing Technology Improvement and</u>	
2	<u>Data Management Account—State Appropriation.</u>	<u>\$874,000</u>
3	Marine Fuel Tax Refund Account—State Appropriation.	\$34,000
4	Motorcycle Safety Education Account—State	
5	Appropriation.	\$5,016,000
6	Limited Fish and Wildlife Account—State	
7	Appropriation.	\$922,000
8	Highway Safety Account—State Appropriation.	((\$242,712,000))
9		<u>\$240,649,000</u>
10	Highway Safety Account—Federal Appropriation.	\$1,294,000
11	Motor Vehicle Account—State Appropriation.	((\$80,449,000))
12		<u>\$79,522,000</u>
13	Motor Vehicle Account—Federal Appropriation.	\$400,000
14	Motor Vehicle Account—Private/Local Appropriation.	\$1,336,000
15	Ignition Interlock Device Revolving Account—State	
16	Appropriation.	\$6,123,000
17	Department of Licensing Services Account—State	
18	Appropriation.	((\$7,964,000))
19		<u>\$7,872,000</u>
20	License Plate Technology Account—State Appropriation	
21	((\$4,092,000))
22		<u>\$4,045,000</u>
23	Abandoned Recreational Vehicle Account—State	
24	Appropriation.	\$3,078,000
25	Limousine Carriers Account—State Appropriation.	\$110,000
26	Electric Vehicle Account—State Appropriation.	\$425,000
27	((DOL Technology Improvement & Data Management	
28	Account—State Appropriation.	\$874,000))
29	Agency Financial Transaction Account—State	
30	Appropriation.	((\$22,257,000))
31		<u>\$21,360,000</u>
32	<u>Move Ahead WA Flexible Account—State Appropriation.</u>	<u>\$1,260,000</u>
33	TOTAL APPROPRIATION.	((\$377,086,000))
34		<u>\$374,320,000</u>

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

37 (1) \$1,100,000 of the highway safety account—state appropriation
38 is provided solely for the department to provide an interagency

1 transfer to the department of social and health services, children's
2 administration division for the purpose of providing driver's license
3 support to a larger population of foster youth than is already served
4 within existing resources. Support services include reimbursement of
5 driver's license issuance costs, fees for driver training education,
6 and motor vehicle liability insurance costs.

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

15 (3) (a) For the 2021-2023 biennium, the department shall charge
16 \$1,336,000 for the administration and collection of a motor vehicle
17 excise tax on behalf of a regional transit authority, as authorized
18 under RCW 82.44.135. The amount in this subsection must be deducted
19 before distributing any revenues to a regional transit authority.

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

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

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

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

34 (4) \$12,000 of the motorcycle safety education account—state
35 appropriation, \$2,000 of the limited fish and wildlife account—state
36 appropriation, \$728,000 of the highway safety account—state
37 appropriation, \$238,000 of the motor vehicle account—state
38 appropriation, \$10,000 of the ignition interlock device revolving
39 account—state appropriation, and \$10,000 of the department of

1 licensing services account—state appropriation are provided solely
2 for the department to redesign and improve its online services and
3 website, and are subject to the conditions, limitations, and review
4 requirements of section 701, chapter 333, Laws of 2021.

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

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

32 (7) \$523,000 of the highway safety account—state appropriation is
33 provided solely for the implementation of chapter 158, Laws of 2021
34 (DOL issued documents).

35 (8) \$929,000 of the highway safety account—state appropriation is
36 provided solely for the implementation of chapter 240, Laws of 2021
37 (suspension of licenses for traffic infractions).

1 (9) \$23,000 of the highway safety account—state appropriation is
2 provided solely for the implementation of chapter 10, Laws of 2021
3 (restoring voter eligibility after felony conviction).

4 (10) \$3,074,000 of the abandoned recreational vehicle disposal
5 account—state appropriation is provided solely for providing
6 reimbursements in accordance with the department's abandoned
7 recreational vehicle disposal reimbursement program. It is the intent
8 of the legislature that the department prioritize this funding for
9 allowable and approved reimbursements and not to build a reserve of
10 funds within the account. During the 2021-2023 fiscal biennium, the
11 department must report any amounts recovered to the office of
12 financial management and appropriate committees of the legislature on
13 a quarterly basis.

14 (11)(a) \$54,000 of the motor vehicle account—state appropriation
15 is provided solely for the issuance of nonemergency medical
16 transportation vehicle decals to implement the high occupancy vehicle
17 lane access pilot program established in section 216, chapter 333,
18 Laws of 2021. A for hire nonemergency medical transportation vehicle
19 is a vehicle that is a "for hire vehicle" under RCW 46.04.190 that
20 provides nonemergency medical transportation, including for life-
21 sustaining transportation purposes, to meet the medical
22 transportation needs of individuals traveling to medical practices
23 and clinics, cancer centers, dialysis facilities, hospitals, and
24 other care providers.

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

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

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

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

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

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

6 (i) The name and address of the person who is the owner of the
7 vehicle;

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

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

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

20 (v) Other information as required by the department upon
21 application.

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

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

28 (g) A high occupancy vehicle exempt decal expires June 30, 2023,
29 and must be marked to indicate its expiration date. The decal may be
30 renewed if the pilot program is continued past the date of a decal's
31 expiration. The status as an exempt vehicle continues until the high
32 occupancy vehicle exempt decal is suspended or revoked for misuse,
33 the vehicle is no longer used as a for hire nonemergency medical
34 transportation vehicle, or the pilot program established in section
35 216, chapter 333, Laws of 2021 is terminated.

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

37 (12) \$434,000 of the highway safety account—state appropriation
38 is provided solely for the implementation of the Thurston county
39 superior court order in *Pierce et al. v. Department of Licensing*.

1 (13) The department shall consult with the department of
2 corrections and state board for community and technical colleges to
3 develop a pilot program that allows incarcerated individuals who are
4 not prohibited by state or federal law from receiving a commercial
5 driver's license upon release to participate in a prerelease
6 commercial driver training program. The department must submit a
7 report to the legislature by June 30, 2023, detailing the status of
8 the program.

9 (14) \$100,000 of the highway safety account—state appropriation
10 is provided solely for the department to lead a study on the
11 potential impacts that current licensing requirements, including
12 required training hours, and testing requirements may have on the
13 shortage of commercial drivers, and whether adjustments to these
14 requirements may be warranted to help alleviate the shortage. In
15 completing the study, the department must consult with the workforce
16 training board, state board for community and technical colleges,
17 federal motor carrier safety officials, organizations representing
18 veterans, organizations representing commercial drivers, and
19 organizations representing businesses or government entities that
20 rely on commercial drivers. The report must be submitted to the
21 governor and the transportation committees of the legislature by
22 December 1, 2022.

23 (15) \$965,000 of the motor vehicle account—state appropriation is
24 provided solely for the increased costs associated with delays in the
25 production of license plates, and to provide a report detailing
26 license plate inventory practices and whether those practices should
27 be changed to guard against potential future plate production delays.
28 The report must be submitted to the governor and the transportation
29 committees of the legislature by December 1, 2022.

30 (16) \$28,000 of the motor vehicle account—state appropriation is
31 provided solely for the implementation of chapter 96, Laws of 2022
32 (state leadership board) and making improvements to the annual
33 information submitted by special license plate sponsoring
34 organizations pursuant to RCW 46.18.120(2). The improvements must
35 include, but are not limited to, the following: An annual budget for
36 the sponsoring organization's activities in the preceding year;
37 information regarding private and other governmental support for the
38 activities of the sponsoring organization; and a description of the
39 number of people served or services delivered, as appropriate, by the

1 sponsoring organization in the preceding year. If chapter 96, Laws of
2 2022 is not enacted by June 30, 2022, the amount provided in this
3 subsection lapses.

4 (17) \$268,000 of the highway safety account—state appropriation
5 is provided solely for the implementation of chapter . . . (Engrossed
6 Senate Bill No. 5054), Laws of 2022 (impaired driving). If
7 chapter . . . (Engrossed Senate Bill No. 5054), Laws of 2022 is not
8 enacted by June 30, 2022, the amount provided in this subsection
9 lapses.

10 (18) \$113,000 of the highway safety account—state appropriation
11 is provided solely for the implementation of chapter 51, Laws of 2022
12 (human trafficking disqualification for a commercial driver's
13 license). If chapter 51, Laws of 2022 is not enacted by June 30,
14 2022, the amount provided in this subsection lapses.

15 (19) \$18,000 of the motor vehicle account—state appropriation is
16 provided solely for the implementation of chapter 239, Laws of 2022
17 (Patches pal special license plates). If chapter 239, Laws of 2022 is
18 not enacted by June 30, 2022, the amount provided in this subsection
19 lapses.

20 (20) \$350,000 of the highway safety account—state appropriation
21 is provided solely to expand driver's license assistance and support
22 services in King county with an existing provider that is already
23 providing these services to low-income immigrant and refugee women.
24 By March 1, 2023, the contracted provider must submit information on
25 the annual budget in the preceding year; information regarding
26 private and other governmental support for the activities of the
27 provider; and a description of the number of people served, services
28 delivered, and outcome measures.

29 (21) \$6,139,000 of the highway safety account—state
30 appropriation, \$1,849,000 of the motor vehicle account—state
31 appropriation, \$203,000 of the department of licensing services
32 account—state appropriation, and \$105,000 of the department of
33 licensing technology improvement and data management account—state
34 appropriation are provided solely for contingency funding to address
35 emergent issues related to mitigating negative impacts of the high
36 level of staff vacancies and agency operations and customer service
37 levels. Potential uses of the funding include, but are not limited
38 to, the following: Increased overtime, travel, and other related
39 costs; increased contracting to maintain adequate service levels; and

1 unanticipated facility and equipment needs. By January 1, 2023, the
2 department shall submit a report to the governor and the legislative
3 transportation committees detailing the specific expenditures made
4 from the contingency funding provided in this subsection.

5 (22) \$28,000 of the motor vehicle account—state appropriation is
6 provided solely for the implementation of chapter 191, Laws of 2022
7 (veterans and military suicide). If chapter 191, Laws of 2022 is not
8 enacted by June 30, 2022, the amount provided in this subsection
9 lapses.

10 (23) \$83,000 of the motor vehicle account—state appropriation is
11 provided solely for the implementation of chapter 36, Laws of 2022
12 (vehicle registration certificate addresses). If chapter 36, Laws of
13 2022 is not enacted by June 30, 2022, the amount provided in this
14 subsection lapses.

15 (24) \$57,000 of the motor vehicle account—state appropriation is
16 provided solely for the implementation of chapter 40, Laws of 2022
17 (off-road vehicles fees). If chapter 40, Laws of 2022 is not enacted
18 by June 30, 2022, the amount provided in this subsection lapses.

19 (25) \$18,000 of the motor vehicle account—state appropriation is
20 provided solely for the implementation of chapter 117, Laws of 2022
21 (wine special license plate). If chapter 117, Laws of 2022 is not
22 enacted by June 30, 2022, the amount provided in this subsection
23 lapses.

24 (26) \$316,000 of the motor vehicle account—state appropriation is
25 provided solely for the implementation of chapter 132, Laws of 2022
26 (temporary license plates). If chapter 132, Laws of 2022 is not
27 enacted by June 30, 2022, the amount provided in this subsection
28 lapses.

29 (27) \$251,000 of the highway safety account—state appropriation
30 is provided solely for the department to: (a) Provide each driver's
31 license, identicard, instruction permit, intermediate license, and
32 commercial driver's license applicant with written materials
33 regarding the contents and requirements of RCW 46.61.212, the slow
34 down and move over law, at the completion of the applicant's
35 licensing transaction; (b) place signage in each of the licensing
36 service offices that provide background on the written materials that
37 the applicant will receive regarding the slow down and move over law;
38 and (c) initiate the development of an appropriate training module

1 relating to the requirements of RCW 46.61.212, for inclusion in all
2 new driver training curricula.

3 (28) \$550,000 of the move ahead WA flexible account—state
4 appropriation is provided solely for an interagency transfer to the
5 department of children, youth, and families to provide driver's
6 license support to a larger population of foster youth than is
7 currently being served. Support services include reimbursement of
8 driver's license issuance costs, fees for driver training education,
9 and motor vehicle liability insurance costs.

10 (29) \$569,000 of the move ahead WA flexible account—state
11 appropriation and \$103,000 of the agency financial transaction
12 account—state appropriation are provided solely for estimated
13 implementation costs associated with new revenues.

14 (30) \$141,000 of the move ahead WA flexible account—state
15 appropriation is provided solely for chapter 57, Laws of 2022
16 (homeless identicard).

17 **Sec. 805.** 2022 c 186 s 209 (uncodified) is amended to read as
18 follows:

19 **FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE**
20 **—PROGRAM B**

21	State Route Number 520 Corridor Account—State	
22	Appropriation.	(((\$58,356,000))
23		<u>\$56,478,000</u>
24	State Route Number 520 Civil Penalties Account—State	
25	Appropriation.	\$4,163,000
26	Tacoma Narrows Toll Bridge Account—State	
27	Appropriation.	(((\$31,102,000))
28		<u>\$34,025,000</u>
29	Alaskan Way Viaduct Replacement Project Account—	
30	State Appropriation.	(((\$21,806,000))
31		<u>\$21,393,000</u>
32	Interstate 405 and State Route Number 167 Express	
33	Toll Lanes Account—State Appropriation.	(((\$24,647,000))
34		<u>\$23,629,000</u>
35	TOTAL APPROPRIATION.	(((\$140,074,000))
36		<u>\$139,688,000</u>

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

1 (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state
2 appropriation and \$12,484,000 of the state route number 520 corridor
3 account—state appropriation are provided solely for the purposes of
4 addressing unforeseen operations and maintenance costs on the Tacoma
5 Narrows bridge and the state route number 520 bridge, respectively.
6 The office of financial management shall place the amounts provided
7 in this subsection, which represent a portion of the required minimum
8 fund balance under the policy of the state treasurer, in unallotted
9 status. The office may release the funds only when it determines that
10 all other funds designated for operations and maintenance purposes
11 have been exhausted.

12 (2) As long as the facility is tolled, the department must
13 provide annual reports to the transportation committees of the
14 legislature on the Interstate 405 express toll lane project
15 performance measures listed in RCW 47.56.880(4). These reports must
16 include:

17 (a) Information on the travel times and travel time reliability
18 (at a minimum, average and 90th percentile travel times) maintained
19 during peak and nonpeak periods in the express toll lanes and general
20 purpose lanes for both the entire corridor and commonly made trips in
21 the corridor including, but not limited to, northbound from Bellevue
22 to Rose Hill, state route number 520 at NE 148th to Interstate 405 at
23 state route number 522, Bellevue to Bothell (both NE 8th to state
24 route number 522 and NE 8th to state route number 527), and a trip
25 internal to the corridor (such as NE 85th to NE 160th) and similar
26 southbound trips;

27 (b) A month-to-month comparison of travel times and travel time
28 reliability for the entire corridor and commonly made trips in the
29 corridor as specified in (a) of this subsection since implementation
30 of the express toll lanes and, to the extent available, a comparison
31 to the travel times and travel time reliability prior to
32 implementation of the express toll lanes;

33 (c) Total express toll lane and total general purpose lane
34 traffic volumes, as well as per lane traffic volumes for each type of
35 lane (i) compared to total express toll lane and total general
36 purpose lane traffic volumes, as well as per lane traffic volumes for
37 each type of lane, on this segment of Interstate 405 prior to
38 implementation of the express toll lanes and (ii) compared to total
39 express toll lane and total general purpose lane traffic volumes, as

1 well as per lane traffic volumes for each type of lane, from month to
2 month since implementation of the express toll lanes; and

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

6 (3) (a) (~~(\$1,189,000)~~) \$875,000 of the Interstate 405 and state
7 route number 167 express toll lanes account—state appropriation,
8 (~~(\$2,783,000)~~) \$2,049,000 of the state route number 520 corridor
9 account—state appropriation, (~~(\$1,218,000)~~) \$903,000 of the Tacoma
10 Narrows toll bridge account—state appropriation, and (~~(\$1,568,000)~~)
11 \$1,155,000 of the Alaskan Way viaduct replacement project account—
12 state appropriation are provided solely for the reappropriation of
13 unspent funds on the new tolling back office system from the
14 2019-2021 biennium.

15 (b) The office of financial management shall place the amounts
16 provided in this subsection in unallotted status until the department
17 submits a detailed progress report on the progress of the new tolling
18 back office system. The director of the office of financial
19 management or their designee shall consult with the chairs and
20 ranking members of the transportation committees of the legislature
21 prior to making a decision to allot these funds.

22 (4) \$121,000 of the Interstate 405 and state route number 167
23 express toll lanes account—state appropriation, \$288,000 of the state
24 route number 520 corridor account—state appropriation, \$128,000 of
25 the Tacoma Narrows toll bridge account—state appropriation, and
26 \$163,000 of the Alaskan Way viaduct replacement project account—state
27 appropriation are provided solely for the department to contract with
28 the state auditor's office for a performance audit of the
29 department's project to replace its electronic toll collection
30 system. The audit should include an evaluation of the department's
31 project planning, vendor procurement, contract management and project
32 oversight. The final report is to be issued by December 31, 2022. The
33 state auditor will transmit copies of the report to the
34 jurisdictional committees of the legislature and the department.

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

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

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

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

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

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

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

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

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

20 (iv) Workload costs related to hearings;

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

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

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

26 (6) During the 2021-2023 fiscal biennium, the department plans to
27 issue a request for proposals as the first stage of a competitive
28 procurement process that will replace the toll equipment and select a
29 new tolling operator for the Tacoma Narrows Bridge. The request for
30 proposals and subsequent competitive procurement must incorporate
31 elements that prioritize the overall goal of lowering costs per
32 transaction for the facility, such as incentives for innovative
33 approaches which result in lower transactional costs, requests for
34 efficiencies on the part of the bidder that lower operational costs,
35 and incorporation of technologies such as self-serve credit card
36 machines or other point-of-payment technologies that lower costs or
37 improve operational efficiencies.

38 (7) \$19,908,000 of the Alaskan Way viaduct replacement project
39 account—state appropriation is provided solely for the new state
40 route number 99 tunnel toll facility's expected share of collecting

1 toll revenues, operating customer services, and maintaining toll
2 collection systems. The legislature expects to see appropriate
3 reductions to the other toll facility accounts once tolling on the
4 new state route number 99 tunnel toll facility stabilizes and any
5 previously incurred costs for start-up of the new facility are
6 charged back to the Alaskan Way viaduct replacement project account.
7 The office of financial management shall closely monitor the
8 application of the cost allocation model and ensure that the new
9 state route number 99 tunnel toll facility is adequately sharing
10 costs and the other toll facility accounts are not being overspent or
11 subsidizing the new state route number 99 tunnel toll facility.

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

18 (9) (~~(\$4,554,000)~~) \$5,779,000 of the state route number 520
19 corridor account—state appropriation and (~~(\$580,000)~~) \$744,000 of the
20 Tacoma Narrows toll bridge account—state appropriation are provided
21 solely for the increased costs of insurance for the state route
22 number 520 floating bridge and the Tacoma Narrows bridge,
23 respectively. The department shall conduct an evaluation of the short
24 and long-term costs and benefits including risk mitigation of self-
25 insurance as compared to the commercial insurance option for the
26 state route number 520 floating bridge, as allowed under the terms of
27 the state route number 520 master bond resolution. By December 15,
28 2021, the department shall report to the legislature on the results
29 of this evaluation.

30 (10) As part of the department's 2023-2025 biennial budget
31 request, the department shall update the cost allocation
32 recommendations that assign appropriate costs to each of the toll
33 funds for services provided by relevant Washington state department
34 of transportation programs, the Washington state patrol, and the
35 transportation commission. The recommendations shall be based on
36 updated traffic and toll transaction patterns and other relevant
37 factors.

38 (11) All amounts provided for operations and maintenance expenses
39 on the SR 520 facility from the state route number 520 corridor
40 account during the 2021-2023 fiscal biennium in this act, up to a

1 maximum of \$59,567,000, are derived from the receipt of federal
2 American rescue plan act of 2021 funds and not toll revenues.

3 (12) \$14,000 of the Interstate 405 and state route number 167
4 express toll lanes account—state appropriation, \$32,000 of the state
5 route number 520 corridor account—state appropriation, \$22,000 of the
6 Tacoma Narrows toll bridge account—state appropriation, and \$27,000
7 of the Alaskan Way viaduct replacement project account—state
8 appropriation are provided solely to implement chapter 132, Laws of
9 2022 (temporary license plates). If chapter 132, Laws of 2022 is not
10 enacted by June 30, 2022, the amounts provided in this subsection
11 lapse.

12 **Sec. 806.** 2022 c 186 s 210 (uncodified) is amended to read as
13 follows:

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

16	Transportation Partnership Account—State	
17	Appropriation.	\$1,461,000
18	Motor Vehicle Account—State Appropriation.	((\$101,010,000))
19		<u>\$101,026,000</u>
20	Puget Sound Ferry Operations Account—State	
21	Appropriation.	\$307,000
22	Multimodal Transportation Account—State	
23	Appropriation.	\$7,013,000
24	Transportation 2003 Account (Nickel Account)—State	
25	Appropriation.	\$1,461,000
26	TOTAL APPROPRIATION.	((\$111,252,000))
27		<u>\$111,268,000</u>

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

30 (1) \$4,273,000 of the multimodal transportation account—state
31 appropriation and \$4,273,000 of the motor vehicle account—state
32 appropriation are provided solely for the department's cost related
33 to the one Washington project, and is subject to the conditions,
34 limitations, and review requirements of section 701, chapter 333,
35 Laws of 2021.

36 (2) \$2,404,000 of the motor vehicle account—state appropriation
37 and \$119,000 of the multimodal transportation account—state
38 appropriation are provided solely for contingency funding to address

1 emergent issues related to mitigating negative impacts of the high
2 level of staff vacancies. Potential uses of the funding include, but
3 are not limited to, the following: Increased overtime, travel, and
4 other related costs; increased contracting to maintain adequate
5 service levels; and unanticipated facility and equipment needs. By
6 January 1, 2023, the department must submit a report to the governor
7 and the transportation committees of the legislature detailing the
8 specific expenditures made from the contingency funding provided in
9 this subsection.

10 **Sec. 807.** 2022 c 186 s 211 (uncodified) is amended to read as
11 follows:

12 **FOR THE DEPARTMENT OF TRANSPORTATION—FACILITY MAINTENANCE,**
13 **OPERATIONS, AND CONSTRUCTION—PROGRAM D—OPERATING**

14 Motor Vehicle Account—State Appropriation.	((\$36,843,000))
	<u>\$37,921,000</u>
16 State Route Number 520 Corridor Account—State	
17 Appropriation.	\$34,000
18 TOTAL APPROPRIATION.	((\$36,877,000))
	<u>\$37,955,000</u>

20 The appropriations in this section are subject to the following
21 conditions and limitations: \$780,000 of the motor vehicle account—
22 state appropriation is provided solely for contingency funding to
23 address emergent issues related to mitigating negative impacts of the
24 high level of staff vacancies. Potential uses of the funding include,
25 but are not limited to, the following: Increased overtime, travel,
26 and other related costs; increased contracting to maintain adequate
27 service levels; and unanticipated facility and equipment needs. By
28 January 1, 2023, the department must submit a report to the governor
29 and the transportation committees of the legislature detailing the
30 specific expenditures made from the contingency funding provided in
31 this subsection.

32 **Sec. 808.** 2022 c 186 s 212 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION EQUIPMENT FUND—**
35 **PROGRAM E**

36 Motor Vehicle Account—State Appropriation.	((\$12,396,000))
	<u>\$13,860,000</u>

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

3 (1) \$10,396,000 of the motor vehicle account—state appropriation
4 is provided solely for the department's costs related to replacing
5 obsolete transportation equipment. The appropriations to the
6 department in this section must be expended to maximize the amount of
7 obsolete equipment replaced in the 2021-2023 biennium.

8 (2) \$2,000,000 of the motor vehicle account—state appropriation
9 is provided solely for the department's costs related to replacing
10 snow removal equipment. The appropriations to the department in this
11 section must be expended to maximize the amount of snow removal
12 equipment replaced in the 2021-2023 biennium.

13 **Sec. 809.** 2022 c 186 s 213 (uncodified) is amended to read as
14 follows:

15 **FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F**

16 Aeronautics Account—State Appropriation.	(\$8,127,000)
17	<u>\$9,129,000</u>
18 Aeronautics Account—Federal Appropriation.	\$3,916,000
19 Aeronautics Account—Private/Local Appropriation.	\$60,000
20 Multimodal Transportation Account—State	
21 Appropriation.	\$150,000
22 <u>Move Ahead WA Flexible Account—State Appropriation.</u>	<u>\$10,000</u>
23 TOTAL APPROPRIATION.	(\$12,253,000)
24	<u>\$13,265,000</u>

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

27 (1) \$2,888,000 of the aeronautics account—state appropriation is
28 provided solely for the airport aid grant program, which provides
29 competitive grants to public use airports for pavement, safety,
30 maintenance, planning, and security.

31 (2) \$257,000 of the aeronautics account—state appropriation is
32 provided solely for supporting the commercial aviation coordinating
33 commission, pursuant to section 718, chapter 333, Laws of 2021.

34 (3) \$280,000 of the aeronautics account—state appropriation is
35 provided solely for the implementation of chapter 131, Laws of 2021
36 (unpiloted aircraft system state coordinator). If chapter 131, Laws

1 of 2021 is not enacted by June 30, 2021, the amount provided in this
2 subsection lapses.

3 (4) (a) \$150,000 of the multimodal transportation account—state
4 appropriation is provided solely for the aviation program to continue
5 the community engagement associated with the work of the commercial
6 aviation coordinating commission to increase aviation capacity and
7 provide a single preferred location for a new primary commercial
8 aviation facility by June 15, 2023. The work of the commission shall
9 include, but is not limited to, recommendations to the legislature on
10 future Washington state long-range commercial aviation facility needs
11 including possible additional aviation facilities or expansion of
12 current aviation facilities.

13 (b) Community engagement efforts may include:

14 (i) Raising awareness among aviation stakeholders and the public
15 on the complex issues that must be addressed by the commission;

16 (ii) Obtaining input from a representative cross section of the
17 public on the construction of a new airport and the expansion of
18 existing airports to meet future aviation demand;

19 (iii) Keeping people informed as the commission's work
20 progresses, including diverse communities that are often
21 underrepresented in processes to inform decision making;

22 (iv) Providing opportunities for members of the public to provide
23 direct input to the commission during the pandemic that limits
24 opportunities for direct social contact;

25 (v) Using surveys, open houses, focus groups, translation
26 services, informational handouts, advertisements, social media, and
27 other appropriate means of communicating with the public; and

28 (vi) Providing a focus on the demographics or people in the
29 geographical areas most impacted by expanding aviation capacity or
30 developing a new aviation facility.

31 (c) The department may use a communications consultant or
32 community-based organizations to assist with community engagement
33 efforts in (b) of this subsection.

34 (5) \$10,000 of the move ahead WA flexible account—state
35 appropriation is provided solely for the creation of a sustainable
36 aviation grant program for airports. The purpose of the grant program
37 is to support adoption of zero emissions aircraft and sustainable
38 aviation fuels, reduce harmful aviation-related emissions, and reduce
39 the aviation industry's reliance on fossil fuels. Sustainable
40 aviation projects may include, but are not limited to: (a)

1 Sustainable aviation fuel storage; (b) electrification of ground
2 support equipment; (c) electric aircraft charging infrastructure; (d)
3 airport clean power production; or (e) electric vehicle charging
4 stations whose infrastructure also supports ground support equipment
5 and electric aircraft charging. The department must select projects,
6 which may include planning, to propose to the legislature for
7 funding. The department shall submit a report to the transportation
8 committees of the legislature by December 1, 2022, identifying the
9 initial selection of sustainable aviation projects for funding by the
10 legislature and recommended changes to modify and sustain the
11 program.

12 (6) \$1,000,000 of the aeronautics account—state appropriation is
13 provided solely for move ahead WA aviation grants.

14 **Sec. 810.** 2022 c 186 s 214 (uncodified) is amended to read as
15 follows:

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

18 Motor Vehicle Account—State Appropriation.	((\$58,254,000))
	<u>\$57,864,000</u>
19 Motor Vehicle Account—Federal Appropriation.	\$500,000
20 Multimodal Transportation Account—State	
21 Appropriation.	\$758,000
22 TOTAL APPROPRIATION.	((\$59,512,000))
23	<u>\$59,122,000</u>
24	

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

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

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

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

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

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

28 (3) The department shall report to the transportation committees
29 of the legislature by December 1, 2021, on the status of its efforts
30 to consolidate franchises for broadband facilities across the state,
31 including plans for increasing the number of consolidated franchises
32 in the future.

33 (4) During the 2021-2023 biennium, if the department takes
34 possession of the property situated in the city of Edmonds for which
35 a purchase agreement was executed between Unocal and the department
36 in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department
37 confirms that the property is still no longer needed for
38 transportation purposes, the department shall provide the city of
39 Edmonds with the right of first purchase at fair market value in
40 accordance with RCW 47.12.063(3) for the city's intended use of the

1 property to rehabilitate near-shore habitat for salmon and related
2 species.

3 (5) (~~(\$535,000)~~) \$125,000 of the motor vehicle account—state
4 appropriation is provided solely for the implementation of chapter
5 217, Laws of 2021 (noxious weeds).

6 (6) (~~(\$1,026,000)~~) \$526,000 of the motor vehicle account—state
7 appropriation and \$500,000 of the multimodal transportation account—
8 state appropriation (~~(is)~~) are provided solely for the implementation
9 of chapter 314, Laws of 2021 (environmental justice task force).

10 (7) \$2,399,000 of the motor vehicle account—state appropriation
11 is provided solely for contingency funding to address emergent issues
12 related to mitigating negative impacts of the high level of staff
13 vacancies. Potential uses of the funding include, but are not limited
14 to, the following: Increased overtime, travel, and other related
15 costs; increased contracting to maintain adequate service levels; and
16 unanticipated facility and equipment needs. By January 1, 2023, the
17 department must submit a report to the governor and the
18 transportation committees of the legislature detailing the specific
19 expenditures made from the contingency funding provided in this
20 subsection.

21 (8) The department shall offer to sell the northern parcel of
22 site 14 on the Puget Sound Gateway Program SR 509 Completion Project
23 Surplus Property list, located immediately south of S. 216th Street
24 and adjacent to the Barnes Creek Nature Trail in Des Moines, to
25 Seattle Goodwill Industries, a nonprofit organization with tax ID
26 91-05688708, located at 700 Dearborn Place S., Seattle, WA 98144, in
27 accordance with RCW 47.12.063 at fair market value because the
28 legislature finds it in the public interest to do so for the public
29 benefit that will result from Goodwill's redevelopment of the
30 property it owns at Rainier Ave. South and South Dearborn Street to
31 increase the supply of affordable housing.

32 **Sec. 811.** 2022 c 186 s 215 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—**
35 **PROGRAM K**

36	Motor Vehicle Account—State Appropriation.	\$685,000
37	Electric Vehicle Account—State Appropriation.	((\$11,900,000))
38		<u>\$9,164,000</u>

1 ~~district that produces hydrogen in the area to own and/or manage and~~
2 ~~provide technical assistance for the design, planning, permitting,~~
3 ~~construction, maintenance and operation of the hydrogen fueling~~
4 ~~station. The department and public utility district are encouraged to~~
5 ~~collaborate with and seek contributions from additional public and~~
6 ~~private partners for the fueling station.~~

7 ~~(5))~~ \$140,000 of the multimodal transportation account—state
8 appropriation is provided solely for the purpose of conducting an
9 assessment of options for the development, including potential
10 features and costs, for a publicly available mapping and forecasting
11 tool that provides locations and essential information of charging
12 and refueling infrastructure to support forecasted levels of electric
13 vehicle adoption, travel, and usage across Washington state as
14 described in chapter 300, Laws of 2021 (preparedness for a zero
15 emissions transportation future).

16 ~~((6))~~ (5) \$250,000 of the multimodal transportation account—
17 state appropriation is provided solely to fund the design of an
18 electric charging mega-site project at Mount Vernon library commons.

19 (6) \$500,000 of the multimodal transportation account—federal
20 appropriation and \$10,000 of the electric vehicle account—state
21 appropriation are provided solely to implement the national electric
22 vehicle program, established in the federal infrastructure investment
23 and jobs act (P.L. 117-58), as directed by the interagency electric
24 vehicle coordinating council created in chapter 43.392 RCW. The
25 amounts provided in this subsection include staff support for the
26 council. The funding provided in this subsection may be used to
27 support the publicly available mapping and forecasting tool under RCW
28 47.01.520, but only to the extent not funded in the omnibus
29 appropriations act.

30 **Sec. 812.** 2022 c 186 s 216 (uncodified) is amended to read as
31 follows:

32 **FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M**

33 Motor Vehicle Account—State Appropriation.	((505,015,000))
34	<u>\$508,000,000</u>
35 Motor Vehicle Account—Federal Appropriation.	\$7,000,000
36 Motor Vehicle Account— <u>Private/Local</u> Appropriation.	\$17,000
37 State Route Number 520 Corridor Account—State	
38 Appropriation.	\$4,657,000

1	Tacoma Narrows Toll Bridge Account—State	
2	Appropriation.	\$1,560,000
3	Alaskan Way Viaduct Replacement Project Account—	
4	State Appropriation.	\$8,611,000
5	Interstate 405 and State Route Number 167 Express	
6	Toll Lanes Account—State Appropriation.	\$2,594,000
7	Waste Tire Removal Account—State Appropriation.	\$5,000,000
8	<u>Move Ahead WA Account—State Appropriation.</u>	<u>\$47,000,000</u>
9	TOTAL APPROPRIATION.	((\$534,454,000))
10		<u>\$584,439,000</u>

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

13 (1) \$7,529,000 of the motor vehicle account—state appropriation
14 is provided solely for utility fees assessed by local governments as
15 authorized under RCW 90.03.525 for the mitigation of stormwater
16 runoff from state highways. Plan and reporting requirements as
17 required in chapter 435, Laws of 2019 (Local Stormwater Charges)
18 shall be consistent with the January 2012 findings of the Joint
19 Transportation Committee Report for Effective Cost Recovery Structure
20 for WSDOT, Jurisdictions, and Efficiencies in Stormwater Management.

21 (2) \$5,000,000 of the motor vehicle account—state appropriation
22 is provided solely for a contingency pool for snow and ice removal.
23 The department must notify the office of financial management and the
24 transportation committees of the legislature when they have spent the
25 base budget for snow and ice removal and will begin using the
26 contingency pool funding.

27 (3) \$1,025,000 of the motor vehicle account—state appropriation
28 is provided solely for the department to implement safety
29 improvements and debris clean up on department-owned rights-of-way in
30 the city of Seattle at levels above that being implemented as of
31 January 1, 2019, to be administered in conjunction with subsection
32 (9) of this section. The department must maintain a crew dedicated
33 solely to collecting and disposing of garbage, clearing debris or
34 hazardous material, and implementing safety improvements where
35 hazards exist to the traveling public, department employees, or
36 people encamped upon department-owned rights-of-way. The department
37 may request assistance from the Washington state patrol as necessary
38 in order for both agencies to provide enhanced safety-related

1 activities regarding the emergency hazards along state highway
2 rights-of-way in the Seattle area.

3 (4) \$1,015,000 of the motor vehicle account—state appropriation
4 is provided solely for a partnership program between the department
5 and the city of Tacoma, to be administered in conjunction with
6 subsection (9) of this section. The program shall address the safety
7 and public health problems created by homeless encampments on the
8 department's property along state highways within the city limits.
9 \$570,000 is for dedicated department maintenance staff and associated
10 clean-up costs. The department and the city of Tacoma shall enter
11 into a reimbursable agreement to cover up to \$445,000 of the city's
12 expenses for clean-up crews and landfill costs.

13 (5) The department must continue a pilot program for the
14 2021-2023 fiscal biennium at the four highest demand safety rest
15 areas to create and maintain an online calendar for volunteer groups
16 to check availability of weekends for the free coffee program. The
17 calendar must be updated at least weekly and show dates and times
18 that are, or are not, available to participate in the free coffee
19 program. The department must submit a report to the legislature on
20 the ongoing pilot by December 1, 2022, outlining the costs and
21 benefits of the online calendar pilot, and including surveys from the
22 volunteer groups and agency staff to determine its effectiveness.

23 (6) \$686,000 of the motor vehicle account—state appropriation is
24 provided solely for reimbursing the Oregon department of
25 transportation (ODOT) for the department's share of increased
26 maintenance costs of six highway bridges over the Columbia River that
27 are maintained by ODOT.

28 (7) \$8,290,000 of the motor vehicle account—state appropriation
29 is provided solely for increased costs of highway maintenance
30 materials.

31 (8) \$5,816,000 of the motor vehicle account—state appropriation
32 is provided solely for a contingency pool for repairing damages to
33 highways caused by known and unknown third parties. The department
34 must notify the office of financial management and the transportation
35 committees of the legislature when they have spent the base budget
36 for third-party damage repair and will begin using the contingency
37 pool funding.

38 (9) (a) \$3,000,000 of the motor vehicle account—state
39 appropriation and \$5,000,000 of the waste tire removal account—state

1 appropriation are provided solely for the department to address the
2 risks to safety and public health associated with homeless
3 encampments on department owned rights-of-way. The department must
4 coordinate and work with local government officials and social
5 service organizations who provide services and direct people to
6 housing alternatives that are not in highway rights-of-way to help
7 prevent future encampments from forming on highway rights-of-way, and
8 may reimburse the organizations doing this outreach assistance who
9 transition people into treatment or housing or for debris clean up on
10 highway rights-of-way. A minimum of \$2,000,000 of this appropriation
11 must be used to provide more frequent removal of litter on the
12 highway rights-of-way that is generated by unsheltered people and may
13 be used to hire crews specializing in collecting and disposing of
14 garbage, clearing debris or hazardous material, and implementing
15 safety improvements where hazards exist to the traveling public and
16 department employees. The department may use these funds to either
17 reimburse local law enforcement costs or the Washington state patrol
18 if they are providing enhanced safety to department staff during
19 debris cleanup or during efforts to prevent future encampments from
20 forming on highway rights-of-way.

21 (b) Beginning November 1, 2022, and semiannually thereafter, the
22 Washington state patrol and the department of transportation must
23 jointly submit a report to the governor and the house and senate
24 transportation committees of the legislature on the status of these
25 efforts, including:

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

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

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

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

39 (10) (a) \$2,000,000 of the motor vehicle account—state
40 appropriation is provided solely for the department to contract with

1 the city of Fife to address the risks to safety and public health
2 associated with homeless encampments on department-owned rights-of-
3 way along the SR 167/SR 509 Puget Sound Gateway project corridor in
4 and adjacent to the city limits.

5 (b) The city must coordinate and work with the department and
6 local governments and social service organizations who provide
7 services and direct people to housing alternatives that are not in
8 highway rights-of-way to help prevent future encampments from forming
9 on highway rights-of-way. State funds may be used to reimburse the
10 organizations doing this outreach assistance who transition people
11 into treatment or housing that is not on the rights-of-way or for
12 debris clean up on highway rights-of-way.

13 (c) The department may hire crews specializing in collecting and
14 disposing of garbage, clearing debris or hazardous material, and
15 implementing safety improvements where hazards exist to the traveling
16 public and department employees.

17 (d) Funds may also be used to reimburse local law enforcement
18 costs or the Washington state patrol if they are participating as
19 part of a state or local government agreement to provide enhanced
20 safety related activities along state highway rights-of-way.

21 (e) It is the intent of the legislature that the city and
22 collaborating partners should place particular emphasis on utilizing
23 available funds for addressing large scale and multiple homeless
24 encampments that impact public safety and health. Funding for
25 initiatives associated with such encampments may include targeted
26 assistance to local governments and social service organizations,
27 directing moneys toward not only initial efforts to clear
28 encampments, clean up debris and restore sightlines, but to ongoing
29 work, monitoring, and maintenance of efforts to place individuals in
30 housing, treatment and services, and to better ensure individuals
31 experiencing homelessness receive needed assistance while sites
32 remain safe and secure for the traveling public.

33 (11) \$12,096,000 of the motor vehicle account—state appropriation
34 is provided solely for contingency funding to address emergent issues
35 related to mitigating negative impacts of the high level of staff
36 vacancies. Potential uses of the funding include, but are not limited
37 to, the following: Increased overtime, travel and other related
38 costs; increased contracting to maintain adequate service levels; and
39 unanticipated facility and equipment needs. By January 1, 2023, the
40 department must submit a report to the governor and the

1 transportation committees of the legislature detailing the specific
2 expenditures made from the contingency funding provided in this
3 subsection.

4 (12) \$5,400,000 of the motor vehicle account—state appropriation
5 is provided solely for replacement of traffic signs and to increase
6 the visibility of road pavement markings. Investments must replace
7 traffic signs that do not meet the department's standards or that are
8 faded, lacking in reflectivity, cracked, illegible, or damaged.
9 Investments must also increase the visibility of road pavement
10 markings during periods of low light conditions and during
11 precipitation with pavement marking products that contain all-weather
12 optical reflectivity capability. The request for proposals and
13 subsequent competitive procurement for the signs shall be performed
14 following state specifications and standards.

15 (13) \$17,000 of the motor vehicle account—local appropriation is
16 provided solely to update existing signs along Interstate 5 in the
17 vicinity of Seattle center. The department must install new Seattle
18 center logos with a redesigned logo that recognizes climate pledge
19 arena, but is not responsible for design or fabrication of the logo
20 or new sign.

21 (14) \$100,000 of the motor vehicle account—state appropriation is
22 provided solely for the department to install fencing to delineate
23 between the privately leased property owned by the department and the
24 public right-of-way property maintained by the city of Seattle. The
25 parameters of the adjacent properties located under the Interstate 5
26 corridor, south of milepost 165, are south Jackson street and south
27 King street going north and south, and 8th avenue south and 9th
28 avenue south going west to east in the international district.

29 (15)(a) \$2,500,000 of the motor vehicle account—state
30 appropriation is provided solely for:

31 (i) Additional resources for operations, maintenance, facility
32 replacements, security, and upgrades to safety rest areas to ensure
33 that safety rest areas owned and operated by the department are open
34 for use except for seasonal closures or cleaning, maintenance, and
35 repair; and

36 (ii) Reconfiguration of maintenance operations pursuant to
37 chapter 262, Laws of 2022 (safety rest areas).

38 (b) The department may use the funds for additional labor,
39 services, materials, or equipment needed to allow commercial vehicle

1 parking stalls to remain open when rest areas might otherwise be
2 closed.

3 (c) It is the intent of the legislature that these funds are
4 additional resources for the department and not meant to supplant
5 underlying resources for the maintenance and operations of safety
6 rest areas.

7 (d) The department must make a report to the transportation
8 committees of the legislature regarding the additional operations and
9 maintenance activities made at safety rest areas to ensure that rest
10 areas stayed open by January 15, 2023. The report must include the
11 status per safety rest area of openings and closures that were
12 impacted by the additional activities; the additional activities,
13 including security efforts, that were performed at the rest areas;
14 and an update on the status and a review of the safety rest area
15 strategic plan.

16 (16) (a) \$50,000 of the motor vehicle account—state appropriation
17 is provided solely for the department to install and inspect monthly
18 human trafficking informational posters in every rest room in every
19 safety rest area owned and operated by the department.

20 (b) In developing the informational posters, the department shall
21 consult with human trafficking victim advocates to determine content.

22 (c) The posters must:

23 (i) Be printed in a variety of languages;

24 (ii) Include contact information for seeking help, which may
25 include toll-free telephone numbers a person may call for assistance,
26 including the number for the national human trafficking resource
27 center and the number for the Washington state office of crime
28 victims advocacy; and

29 (iii) Be made of durable material and permanently affixed.

30 (d) The department shall install the informational posters in
31 every restroom at every safety rest area owned and operated by the
32 department by December 31, 2022.

33 (e) Beginning January 1, 2023, or one month after installation of
34 informational posters, whichever is sooner, the department shall
35 inspect the informational posters as part of its monthly maintenance
36 activities to ensure that the posters are in fair condition and
37 remain legible.

38 (f) The department must make a report to the transportation
39 committees of the legislature regarding the installation of
40 informational posters at safety rest areas by January 15, 2023. The

1 report must include the number of informational posters installed,
2 the location of the poster installations, and the completion date of
3 the poster installations.

4 **Sec. 813.** 2022 c 186 s 217 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
7 **OPERATING**

8	Motor Vehicle Account—State Appropriation.	((\$73,760,000))
9		<u>\$73,968,000</u>
10	Motor Vehicle Account—Federal Appropriation.	\$2,050,000
11	Motor Vehicle Account—Private/Local Appropriation.	\$295,000
12	State Route Number 520 Corridor Account—State	
13	Appropriation.	\$225,000
14	Tacoma Narrows Toll Bridge Account—State	
15	Appropriation.	\$40,000
16	Alaskan Way Viaduct Replacement Project Account—	
17	State Appropriation.	\$1,112,000
18	Interstate 405 and State Route Number 167 Express	
19	Toll Lanes Account—State Appropriation.	\$20,000
20	Agency Financial Transaction Account—State	
21	Appropriation.	\$100,000
22	<u>Move Ahead WA Account—State Appropriation.</u>	<u>\$1,850,000</u>
23	TOTAL APPROPRIATION.	((\$77,602,000))
24		<u>\$79,660,000</u>

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

27 (1) \$6,000,000 of the motor vehicle account—state appropriation
28 is provided solely for low-cost enhancements. The department shall
29 give priority to low-cost enhancement projects that improve safety or
30 provide congestion relief. By December 15th of each odd-numbered
31 year, the department shall provide a report to the legislature
32 listing all low-cost enhancement projects completed in the prior
33 fiscal biennium.

34 (2) (a) During the 2021-2023 fiscal biennium, the department shall
35 continue a pilot program that expands private transportation
36 providers' access to high occupancy vehicle lanes. Under the pilot
37 program, when the department reserves a portion of a highway based on
38 the number of passengers in a vehicle, the following vehicles must be

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

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

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

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

1 based on the number of passengers in a vehicle, wheelchair-accessible
2 taxicabs that are clearly and identifiably marked as such on all
3 sides of the vehicle are considered public transportation vehicles
4 and must be authorized to use the reserved portion of the highway.

5 (e) The department shall expand the high occupancy vehicle lane
6 access pilot program to for hire nonemergency medical transportation
7 vehicles, when in use for medical purposes, as described in section
8 208, chapter 333, Laws of 2021. Under the pilot program, when the
9 department reserves a portion of a highway based on the number of
10 passengers in a vehicle, nonemergency medical transportation vehicles
11 that meet the requirements identified in section 208, chapter 333,
12 Laws of 2021 must be authorized to use the reserved portion of the
13 highway.

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

17 (3) \$2,574,000 of the motor vehicle account—state appropriation
18 is provided solely for contingency funding to address emergent issues
19 related to mitigating negative impacts of the high level of staff
20 vacancies. Potential uses of the funding include, but are not limited
21 to, the following: Increased overtime, travel, and other related
22 costs; increased contracting to maintain adequate service levels; and
23 unanticipated facility and equipment needs. By January 1, 2023, the
24 department must submit a report to the governor and the
25 transportation committees of the legislature detailing the specific
26 expenditures made from the contingency funding provided in this
27 subsection.

28 (4) The appropriations in this section assume implementation of
29 additional cost recovery mechanisms to recoup at least \$100,000 in
30 credit card and other financial transaction costs related to the
31 collection of fees imposed under RCW 46.44.0941 for driver and
32 vehicle fee transactions beginning January 1, 2023. The department
33 may recover transaction fees incurred through credit card
34 transactions. At the direction of the office of financial management,
35 the department shall develop a method of tracking the additional
36 amount of credit card and other financial cost-recovery revenues. In
37 consultation with the office of financial management, the department
38 shall notify the office of the state treasurer of these amounts and
39 the state treasurer must deposit these revenues in the agency
40 financial transaction account created in RCW 46.01.385 on a quarterly

1 basis. The department shall also submit, as part of its 2023-2025
2 budget submittal, an overview of the credit card cost recovery
3 approach, including fee rates and the amount of revenue expected to
4 be generated in the 2021-2023 and 2023-2025 biennia.

5 (5) The department shall promote safety messages encouraging
6 drivers to slow down and move over and pay attention when emergency
7 lights are flashing on the side of the road and other suitable safety
8 messages on electronic message boards the department operates across
9 the state. The messages must be promoted multiple times each month
10 through June 30, 2023. The department may coordinate such messaging
11 with any statewide public awareness campaigns being developed by the
12 department of licensing or the Washington state traffic safety
13 commission or both.

14 (6) \$1,850,000 of the move ahead WA—state appropriation is
15 provided solely for traffic operations enhancements. It is the intent
16 of the legislature, over the 16-year move ahead WA investment
17 program, to provide \$30,000,000 for this purpose.

18 **Sec. 814.** 2022 c 186 s 218 (uncodified) is amended to read as
19 follows:

20 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND**
21 **SUPPORT—PROGRAM S**

22 Motor Vehicle Account—State Appropriation.	((\$37,365,000))
23	<u>\$37,371,000</u>
24 Motor Vehicle Account—Federal Appropriation.	\$780,000
25 Motor Vehicle Account—Private/Local Appropriation.	\$500,000
26 Puget Sound Ferry Operations Account—State	
27 Appropriation.	\$266,000
28 Multimodal Transportation Account—State	
29 Appropriation.	\$5,129,000
30 State Route Number 520 Corridor Account—State	
31 Appropriation.	\$186,000
32 Tacoma Narrows Toll Bridge Account—State	
33 Appropriation.	\$150,000
34 Alaskan Way Viaduct Replacement Project Account—	
35 State Appropriation.	\$121,000
36 Interstate 405 and State Route Number 167 Express	
37 Toll Lanes Account—State Appropriation.	\$77,000
38 <u>Move Ahead WA Flexible Account—State Appropriation.</u>	<u>\$2,000,000</u>

1 TOTAL APPROPRIATION. (~~(\$44,574,000)~~)
2 \$46,580,000

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

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

26 (2) \$1,446,000 of the motor vehicle account—state appropriation
27 is provided solely for contingency funding to address emergent issues
28 related to mitigating negative impacts of the high level of staff
29 vacancies. Potential uses of the funding include, but are not limited
30 to, the following: Increased overtime, travel, and other related
31 costs; increased contracting to maintain adequate service levels; and
32 unanticipated facility and equipment needs. By January 1, 2023, the
33 department must submit a report to the governor and the
34 transportation committees of the legislature detailing the specific
35 expenditures made from the contingency funding provided in this
36 subsection.

37 (3) \$774,000 of the motor vehicle account—state appropriation and
38 \$266,000 of the Puget Sound ferry operations account—state
39 appropriation are provided solely for the department to hire a

1 workforce development consultant to develop, track, and monitor the
2 progress of community workforce agreements, and to hire staff to
3 assist with the development and implementation of internal diversity,
4 equity, and inclusion efforts and serve as subject matter experts on
5 federal and state civil rights provisions. The department shall
6 engage with relevant stakeholders, and provide a progress report on
7 the implementation of efforts under this subsection to the
8 transportation committees of the legislature and the governor by
9 December 1, 2022.

10 (4) For Washington state department of transportation small works
11 roster projects under RCW 39.04.155, the department may only allow
12 firms certified as small business enterprises, under 49 C.F.R. 26.39,
13 to bid on the contract, unless the department determines there would
14 be insufficient bidders for a particular project. The department
15 shall report on the effectiveness of this policy to the
16 transportation committees of the legislature by January 31, 2023.

17 (5) \$2,000,000 of the move ahead WA flexible account—state
18 appropriation is provided solely for efforts to increase diversity in
19 the transportation construction and maritime workforce. Of this
20 amount:

21 (a) \$500,000 of the move ahead WA flexible account—state
22 appropriation is provided solely for: (i) The preapprenticeship
23 support services (PASS) program, which aims to increase diversity in
24 the highway construction workforce and prepare individuals interested
25 in entering the highway construction workforce. In addition to the
26 services allowed by RCW 47.01.435, the PASS program may provide
27 housing assistance for youth aging out of the foster care and
28 juvenile rehabilitation systems in order to support the participation
29 of these youth in a transportation-related preapprenticeship program;
30 and (ii) assisting minority and women-owned businesses to perform
31 work in the highway construction industry. This assistance shall
32 include technical assistance, business training, counseling,
33 guidance, prime to subcontractor relationship building, and a
34 capacity building mentorship program.

35 (b) \$1,500,000 of the move ahead WA flexible account—state
36 appropriation is provided solely for expansion of the PASS program to
37 support apprenticeships and workforce development in the maritime
38 industry through preapprenticeship training for inland waterways

1 trades and support services to obtain necessary documents and coast
2 guard certification.

3 **Sec. 815.** 2022 c 186 s 219 (uncodified) is amended to read as
4 follows:

5 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA,**
6 **AND RESEARCH—PROGRAM T**

7	Motor Vehicle Account—State Appropriation.	((\$26,483,000))
8		<u>\$27,102,000</u>
9	Motor Vehicle Account—Federal Appropriation.	\$34,865,000
10	Motor Vehicle Account—Private/Local Appropriation.	\$400,000
11	Multimodal Transportation Account—State	
12	Appropriation.	((\$1,902,000))
13		<u>\$1,322,000</u>
14	Multimodal Transportation Account—Federal	
15	Appropriation.	\$2,809,000
16	Multimodal Transportation Account—Private/Local	
17	Appropriation.	\$100,000
18	State Route Number 520 Corridor Account—State	
19	Appropriation.	\$451,000
20	Interstate 405 and State Route Number 167 Express	
21	Toll Lanes Account—State Appropriation.	\$2,879,000
22	<u>Move Ahead WA Flexible Account—State Appropriation.</u>	<u>\$1,500,000</u>
23	<u>Move Ahead WA Flexible Account—Federal Appropriation.</u>	<u>\$1,000,000</u>
24	TOTAL APPROPRIATION.	((\$69,889,000))
25		<u>\$72,428,000</u>

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

28 (1) \$4,080,000 of the motor vehicle account—federal appropriation
29 is provided solely for the Forward Drive road usage charge research
30 project overseen by the transportation commission using a portion of
31 the amount of the federal grant award. The purpose of the Forward
32 Drive road usage charge research project is to advance research in
33 key policy areas related to road usage charge including assessing
34 impacts of future mobility shifts on road usage charge revenues,
35 conducting an equity analysis, updating and assessing emerging
36 mileage reporting methods, determining opportunities to reduce cost
37 of collection, conducting small-scale pilot tests, and identifying a
38 long-term, detailed phase-in plan.

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

4 (3) \$500,000 of the multimodal transportation account—state
5 appropriation is provided solely for the department to partner with
6 the department of commerce in developing vehicle miles traveled
7 targets for the counties in Washington state with (a) a population
8 density of at least 100 people per square mile and a population of at
9 least 200,000; or (b) a population density of at least 75 people per
10 square mile and an annual growth rate of at least 1.75 percent as
11 determined by the office of financial management. Given land use
12 patterns are key factors in travel demand and should be taken into
13 consideration when developing the targets, the department and the
14 department of commerce shall partner with local jurisdictions,
15 regional transportation planning organizations and other stakeholders
16 to inventory existing laws and rules that promote transportation and
17 land use, identify gaps and make recommendations for changes in laws,
18 rules and agency guidance, and establish a framework for considering
19 underserved and rural communities in the evaluation. The department
20 and the department of commerce shall provide an initial technical
21 report by December 31, 2021, an interim report by June 22, 2022, and
22 a final report to the governor and appropriate committees of the
23 legislature by June 30, 2023, that includes a process for
24 establishing vehicle miles traveled reduction targets, a recommended
25 suite of options for local jurisdictions to achieve the targets, and
26 funding requirements for state and local jurisdictions.

27 (4) \$451,000 of the state route number 520 corridor account—state
28 appropriation is provided solely for the department to contract with
29 the University of Washington department of mechanical engineering, to
30 study measures to reduce noise impacts from the state route number
31 520 bridge expansion joints. The field testing shall be scheduled
32 during existing construction, maintenance, or other scheduled
33 closures to minimize impacts. The testing must also ensure safety of
34 the traveling public. The study shall examine testing methodologies
35 and project timelines and costs. A draft report must be submitted to
36 the transportation committees of the legislature and the governor by
37 March 1, 2022. A final report must be submitted to the transportation
38 committees of the legislature and the governor by December 31, 2022.

1 (5) \$5,900,000 of the motor vehicle account—federal appropriation
2 and \$400,000 of the motor vehicle account—private/local appropriation
3 are provided solely for delivery of the department's state planning
4 and research work program and pooled fund research projects.

5 (6) \$800,000 of the motor vehicle account—state appropriation is
6 provided solely for WSDOT to do a corridor study of SR 302 (Victor
7 Area) to recommend safety and infrastructure improvements to address
8 current damage and prevent future roadway collapse and landslides
9 that have caused road closures.

10 (7) \$1,000,000 of the motor vehicle account—state appropriation
11 is provided solely for a study on the need for additional
12 connectivity in the area between SR 161, SR 7, SR 507, and I-5 in
13 South Pierce County.

14 (8) \$1,654,000 of the motor vehicle account—state appropriation
15 and \$108,000 of the multimodal transportation account—state
16 appropriation are provided solely for contingency funding to address
17 emergent issues related to mitigating negative impacts of the high
18 level of staff vacancies. Potential uses of the funding include, but
19 are not limited to, the following: Increased overtime, travel, and
20 other related costs; increased contracting to maintain adequate
21 service levels; and unanticipated facility and equipment needs. By
22 January 1, 2023, the department must submit a report to the governor
23 and the transportation committees of the legislature detailing the
24 specific expenditures made from the contingency funding provided in
25 this subsection.

26 (9) \$450,000 of the motor vehicle account—state appropriation is
27 provided solely for the department to complete a performance-based
28 project evaluation model based on the initial work done for section
29 218(7), chapter 219, Laws of 2020, in a way that operationalizes the
30 six transportation policy goals in RCW 47.04.280. This work should
31 first include clarification of the transportation policy goals
32 through development of objectives and criteria that reflect system
33 priorities based on outcomes of community engagement. After a
34 framework is established by which goals can be more directly related
35 to outcomes, the project evaluation model should leverage the
36 department's existing experts and best practices used for
37 prioritizing programmatic funds to develop procedures by which
38 evaluators could consistently score and rank all types of projects.
39 The department must issue a report by June 30, 2023, summarizing the

1 new project evaluation model, and provide recommendations for how
2 this process could be implemented in coordination with the
3 legislative work cycle.

4 (10) (a) (~~(\$250,000)~~) \$70,000 of the multimodal transportation
5 account—state appropriation is provided solely for Thurston regional
6 planning council (TRPC) to conduct a study examining options for
7 multimodal high capacity transportation (HCT) to serve travelers on
8 the I-5 corridor between central Thurston county (Olympia area) and
9 Pierce county.

10 (b) The study will include an assessment of travelsheds and
11 ridership potential and identify and provide an evaluation of options
12 to enhance connectivity and accessibility for the greater south Puget
13 Sound region with an emphasis on linking to planned or existing
14 commuter or regional light rail. The study must account for previous
15 and ongoing efforts by transit agencies and the department. The study
16 will emphasize collaboration with a diverse community of interests,
17 including but not limited to transit, business, public agencies,
18 tribes, and providers and users of transportation who because of age,
19 income, or ability may face barriers and challenges. TRPC will
20 provide to the transportation committees of the legislature a study
21 outline and recommendations of deliverables by December 1, 2022.

22 (11) (~~(\$600,000)~~) \$200,000 of the multimodal transportation
23 account—state appropriation is provided solely for the city of
24 Seattle's office of planning and community development to support an
25 equitable development initiative to reconnect the South Park
26 neighborhood, currently divided by State Route 99.

27 (a) The support work must include:

28 (i) A public engagement and visioning process led by a
29 neighborhood-based, community organization; and

30 (ii) A feasibility study of decommissioning SR 99 in the South
31 Park neighborhood to include, but not be limited to, traffic studies,
32 environmental impact analysis, and development of alternatives,
33 including the transfer of the land to a neighborhood-led community
34 land trust.

35 (b) The support work must be conducted in coordination and
36 partnership with neighborhood residents, neighborhood industrial and
37 commercial representatives, the state department of transportation,
38 and other entities and neighborhoods potentially impacted by changes
39 to the operation of SR 99.

1 (c) The city must provide a report on the plan that includes
2 recommendations to the Seattle city council, state department of
3 transportation, and the transportation committees of the legislature
4 by January 1, 2025.

5 (12) \$1,500,000 of the move ahead WA flexible account—state
6 appropriation and \$1,000,000 of the move ahead WA flexible account—
7 federal appropriation are provided solely for an Interstate 5
8 planning and environmental linkage study. This study will serve as a
9 next step toward a statewide Interstate 5 master plan, building upon
10 existing work underway in the corridor. It is the intent of the
11 legislature to direct \$40,000,000 to complete the planning and
12 environmental linkage study over the course of the 16-year move ahead
13 WA investment program.

14 (a) The study must meet planning and environmental linkages
15 requirements to assess strategies and actions to address preservation
16 and safety needs; climate change; improve corridor efficiency and
17 person-throughput; and operate managed lanes effectively in the long-
18 term. The study must include a robust public engagement program; and
19 must assess multimodal transportation system impacts as well as
20 economic, revenue and equity considerations. The outcome of this work
21 will provide a basis for preliminary project planning, design, and
22 environmental work.

23 (b) The department shall conduct initial stakeholder listening
24 sessions and submit an interim report on the Interstate 5 planning
25 and environmental linkage study to the joint transportation committee
26 by June 30, 2023. The interim report will set study limits; outline
27 milestones and deliverables for environmental analysis; define
28 committee structure and equitable engagement approaches; define
29 subsequent phases of the study; and determine final scope, budget,
30 and workforce needs.

31 (c) As an initial element of the study, the department must
32 identify and prepare recommendations for near-term actions to improve
33 HOV lane system-wide performance. The study should identify steps
34 required to convert HOV lanes to a different managed lane operating
35 concept such as express toll lanes, including detailed analysis and
36 environmental process. The recommendations must include the planning,
37 design, environmental review, equity considerations, community
38 engagement, traffic and revenue analysis, rate setting, and related
39 engineering considerations necessary for a full I-5 HOV system
40 conversion. The department shall submit an interim report on near-

1 term recommendations to the legislative transportation committees by
2 June 30, 2023.

3 (d) By December 1, 2022, the department must also submit a
4 recommended approach and funding request to:

5 (i) Assess the seismic risk of the I-5 causeway from Boeing field
6 to Lake City Way; and

7 (ii) Recommendations for future work to mitigate seismic risk on
8 the causeway, including estimated costs.

9 **Sec. 816.** 2022 c 186 s 221 (uncodified) is amended to read as
10 follows:

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

12 State Vehicle Parking Account—State Appropriation. \$784,000

13 Regional Mobility Grant Program Account—State

14 Appropriation. ((\$115,488,000))

15 \$83,488,000

16 Rural Mobility Grant Program Account—State

17 Appropriation. \$33,283,000

18 Multimodal Transportation Account—State

19 Appropriation. ((\$134,754,000))

20 \$129,245,000

21 Multimodal Transportation Account—Federal

22 Appropriation. \$3,574,000

23 Multimodal Transportation Account—Private/Local

24 Appropriation. \$100,000

25 Climate Transit Programs Account—State

26 Appropriation. \$53,436,000

27 TOTAL APPROPRIATION. ((\$287,983,000))

28 \$303,910,000

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

31 (1) \$67,821,000 of the multimodal transportation account—state
32 appropriation is provided solely for a grant program for special
33 needs transportation provided by transit agencies and nonprofit
34 providers of transportation. Of this amount:

35 (a) \$15,568,000 of the multimodal transportation account—state
36 appropriation is provided solely for grants to nonprofit providers of
37 special needs transportation. Grants for nonprofit providers must be
38 based on need, including the availability of other providers of

1 service in the area, efforts to coordinate trips among providers and
2 riders, and the cost effectiveness of trips provided. Fuel type may
3 not be a factor in the grant selection process.

4 (b) \$52,253,000 of the multimodal transportation account—state
5 appropriation is provided solely for grants to transit agencies to
6 transport persons with special transportation needs. To receive a
7 grant, the transit agency must, to the greatest extent practicable,
8 have a maintenance of effort for special needs transportation that is
9 no less than the previous year's maintenance of effort for special
10 needs transportation. Grants for transit agencies must be prorated
11 based on the amount expended for demand response service and route
12 deviated service in calendar year 2019 as reported in the "Summary of
13 Public Transportation - 2019" published by the department of
14 transportation. No transit agency may receive more than thirty
15 percent of these distributions. Fuel type may not be a factor in the
16 grant selection process.

17 (2) \$33,283,000 of the rural mobility grant program account—state
18 appropriation is provided solely for grants to aid small cities in
19 rural areas as prescribed in RCW 47.66.100. Fuel type may not be a
20 factor in the grant selection process.

21 (3) \$2,000,000 of the multimodal transportation account—state
22 appropriation is provided solely for a public transit rideshare grant
23 program for: (a) Public transit agencies to add or replace rideshare
24 vehicles; and (b) incentives and outreach to increase rideshare use.
25 The grant program for public transit agencies may cover capital costs
26 only; operating costs for public transit agencies are not eligible
27 for funding under this grant program. Additional employees may not be
28 hired from the funds provided in this section for the vanpool grant
29 program, and supplanting of transit funds currently funding vanpools
30 is not allowed. The department shall encourage grant applicants and
31 recipients to leverage funds other than state funds. Fuel type may
32 not be a factor in the grant selection process.

33 (4) \$37,809,000 of the regional mobility grant program account—
34 state appropriation is reappropriated and provided solely for the
35 regional mobility grant projects identified in LEAP Transportation
36 Document ((2022-2)) 2023-2 ALL PROJECTS as developed March ((9,
37 2022)) 29, 2023, Program - Public Transportation Program (V).

38 (5) (a) ((\$77,679,000)) \$45,679,000 of the regional mobility grant
39 program account—state appropriation is provided solely for the

1 regional mobility grant projects identified in LEAP Transportation
2 Document ((2022-2)) 2023-2 ALL PROJECTS as developed March ((9,
3 2022)) 29, 2023, Program - Public Transportation Program (V). The
4 department shall review all projects receiving grant awards under
5 this program at least semiannually to determine whether the projects
6 are making satisfactory progress. Any project that has been awarded
7 funds, but does not report activity on the project within one year of
8 the grant award, must be reviewed by the department to determine
9 whether the grant should be terminated. The department shall promptly
10 close out grants when projects have been completed, and any remaining
11 funds must be used only to fund projects identified in the LEAP
12 transportation document referenced in this subsection. The department
13 shall provide annual status reports on December 15, 2021, and
14 December 15, 2022, to the office of financial management and the
15 transportation committees of the legislature regarding the projects
16 receiving the grants. It is the intent of the legislature to
17 appropriate funds through the regional mobility grant program only
18 for projects that will be completed on schedule. A grantee may not
19 receive more than twenty-five percent of the amount appropriated in
20 this subsection. Additionally, when allocating funding for the
21 2023-2025 biennium, no more than thirty percent of the total grant
22 program may directly benefit or support one grantee unless all other
23 funding is awarded. The department shall not approve any increases or
24 changes to the scope of a project for the purpose of a grantee
25 expending remaining funds on an awarded grant. Fuel type may not be a
26 factor in the grant selection process.

27 (b) In order to be eligible to receive a grant under (a) of this
28 subsection during the 2021-2023 fiscal biennium, a transit agency
29 must establish a process for private transportation providers to
30 apply for the use of park and ride facilities. For purposes of this
31 subsection, (i) "private transportation provider" means: An auto
32 transportation company regulated under chapter 81.68 RCW; a passenger
33 charter carrier 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; a private nonprofit
36 transportation provider regulated under chapter 81.66 RCW; or a
37 private employer transportation service provider; and (ii) "private
38 employer transportation service" means regularly scheduled, fixed-
39 route transportation service that is offered by an employer for the
40 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) \$6,500,000 of the multimodal transportation account—state
5 appropriation and \$784,000 of the state vehicle parking account—state
6 appropriation are provided solely for CTR grants and activities. Fuel
7 type may not be a factor in the grant selection process. Of this
8 amount:

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

18 (b) \$800,000 of the multimodal transportation account—state
19 appropriation is provided solely for continuation of the first mile/
20 last mile connections grant program. Eligible grant recipients
21 include cities, businesses, nonprofits, and transportation network
22 companies with first mile/last mile solution proposals. Transit
23 agencies are not eligible. The commute trip reduction board shall
24 develop grant parameters, evaluation criteria, and evaluate grant
25 proposals. The commute trip reduction board shall provide the
26 transportation committees of the legislature a report on the
27 effectiveness of this grant program and best practices for continuing
28 the program.

29 (8) (a) Except as provided otherwise in this subsection,
30 (~~(\$29,030,000)~~) \$25,352,000 of the multimodal transportation account—
31 state appropriation is provided solely for connecting Washington
32 transit projects identified in LEAP Transportation Document
33 (~~(2022-2)~~) 2023-2 ALL PROJECTS as developed March (~~(9, 2022)~~) 29,
34 2023. It is the intent of the legislature that entities identified to
35 receive funding in the LEAP transportation document referenced in
36 this subsection receive the amounts specified in the time frame
37 specified in that LEAP document. If an entity has already completed a
38 project in the LEAP transportation document referenced in this
39 subsection before the time frame identified, the entity may

1 substitute another transit project or projects that cost a similar or
2 lesser amount.

3 (b) Within the amount provided in this subsection, (~~(\$900,000)~~)
4 \$150,000 of the multimodal transportation account—state appropriation
5 is provided solely to complete work on Martin Luther King Way,
6 Rainier Ave improvements (G2000040).

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

9 (10) (~~(\$23,349,000)~~) \$20,849,000 of the multimodal transportation
10 account—state appropriation is provided solely for the green
11 transportation capital grant program established in chapter 287, Laws
12 of 2019 (advancing green transportation adoption).

13 (11) \$555,000 of the multimodal transportation account—state
14 appropriation is provided solely for an interagency transfer to the
15 Washington State University extension energy program to establish and
16 administer a technical assistance and education program for public
17 agencies on the use of alternative fuel vehicles. The Washington
18 State University extension energy program shall prepare a report
19 regarding the utilization of the program and provide this report to
20 the transportation committees of the legislature by November 15,
21 2021.

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

26 (13) \$150,000 of the multimodal transportation account—state
27 appropriation is provided solely for Intercity Transit for the Dash
28 shuttle program.

29 (14)(a) \$500,000 of the multimodal transportation account—state
30 appropriation is provided solely for King county metro to develop a
31 pilot program to place teams including human services personnel along
32 routes that are enduring significant public safety issues and various
33 disruptive behavior in south King county. The team would be available
34 to deescalate disruptions, provide immediate access to transit
35 resources, and refer customers to community resources to break cycles
36 of inappropriate behavior. The teams must be individuals trained in
37 deescalation and outreach. The function and duties should be
38 cocreated with community stakeholders.

1 (b) King county metro must provide a report to the transportation
2 committees of the legislature by June 30, 2023, regarding the
3 effectiveness of the program, any suggestions for improving its
4 efficacy, and any modifications that might be necessary for other
5 transit providers to institute similar programs.

6 (c) If King county metro does not provide at least \$500,000 to
7 develop the pilot program funded by this subsection, the amount
8 provided in this subsection lapses.

9 (15)(a) \$250,000 of the multimodal transportation account—state
10 appropriation is provided solely for the department, in consultation
11 with the joint transportation committee, to conduct a study of
12 statewide transit service benchmarks. Elements of the study include:

13 (i) Development of definitions of frequent fixed route transit
14 and accessible frequent fixed route transit; and

15 (ii) Identification of, to the extent possible using existing
16 data, current gaps in frequent fixed route transit and accessible
17 walking routes to frequent fixed route transit stops.

18 (b) An initial report is due by December 15, 2022, that proposes
19 a definition of frequent transit and documents how many people in
20 Washington live within one half mile walk of frequent transit. A
21 final report is due by June 30, 2023, that identifies gaps in
22 accessible frequent transit, analyzed for disparities in race, age,
23 and disability, and develops funding scenarios to address the
24 identified gaps.

25 (16) Within existing resources, the department shall prepare a
26 report regarding the funding, implementation, and operation of the
27 grant management system or systems utilized by the public
28 transportation division. In preparing this report, the department
29 must survey and report on all grant recipients experience with the
30 operation of this system or systems. The department shall provide
31 this report to the transportation committees of the legislature by
32 November 15, 2022.

33 (17) \$14,120,000 of the climate transit programs account—state
34 appropriation is provided solely for newly selected special needs
35 grants. Of this amount:

36 (a) \$3,248,000 of the climate transit programs account—state
37 appropriation is provided solely for grants to nonprofit providers of
38 special needs transportation. Grants for nonprofit providers must be
39 based on need, including the availability of other providers of

1 service in the area, efforts to coordinate trips among providers and
2 riders, and the cost-effectiveness of trips provided.

3 (b) \$10,872,000 of the climate transit programs account—state
4 appropriation is provided solely for grants to transit agencies to
5 transport persons with special transportation needs. To receive a
6 grant, the transit agency must, to the greatest extent practicable,
7 have a maintenance of effort for special needs transportation that is
8 no less than the previous year's maintenance of effort for special
9 needs transportation. Grants for transit agencies must be prorated
10 based on the amount expended for demand response service and route
11 deviated service in calendar year 2019 as reported in the "Summary of
12 Public Transportation - 2019" published by the department of
13 transportation. No transit agency may receive more than 30 percent of
14 these distributions.

15 (18) \$33,606,000 of the climate transit programs account—state
16 appropriation is provided solely for transit support grants. To be
17 eligible for transit support grant distribution, transit agencies
18 must submit documentation of fare-free policy for 18 years and under
19 by October 1, 2022, to be eligible for the 2023-2025 biennium.
20 Transit agencies that submit fare policy documentation following the
21 October 1, 2022, deadline shall become eligible for the next biennial
22 distribution.

23 (19) \$4,710,000 of the climate transit programs account—state
24 appropriation is provided solely for newly selected green
25 transportation grants.

26 (20) \$1,000,000 of the climate transit programs account—state
27 appropriation is provided solely for newly selected transit
28 coordination grants. The department shall give priority to grant
29 proposals that promote the formation of joint partnerships between
30 transit agencies or merge service delivery across entities.

31 (21) It is the intent of the legislature that \$520,000 will be
32 provided for the Sauk-Suiattle Commuter Bus Project (L1000318) in the
33 2023-2025 fiscal biennium.

34 **Sec. 817.** 2022 c 186 s 222 (uncodified) is amended to read as
35 follows:

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

37 Multimodal Transportation Account—State

38 Appropriation. \$9,000

1	Puget Sound Ferry Operations Account—State	
2	Appropriation.	((\$430,388,000))
3		<u>\$444,949,000</u>
4	Puget Sound Ferry Operations Account—Federal	
5	Appropriation.	((\$156,789,000))
6		<u>\$155,934,000</u>
7	Puget Sound Ferry Operations Account—Private/Local	
8	Appropriation.	\$121,000
9	TOTAL APPROPRIATION.	((\$587,298,000))
10		<u>\$601,013,000</u>

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

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

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) \$32,905,000 of the Puget Sound ferry operations account—
28 federal appropriation and ((~~\$53,794,000~~)) \$65,539,000 of the Puget
29 Sound ferry operations account—state appropriation are provided
30 solely for auto ferry vessel operating fuel in the 2021-2023 fiscal
31 biennium, which reflect cost savings from a reduced biodiesel fuel
32 requirement and, therefore, is contingent upon the enactment of
33 section 703 of this act. The amount provided in this subsection
34 represents the fuel budget for the purposes of calculating any ferry
35 fare fuel surcharge. The department shall review future use of
36 alternative fuels and dual fuel configurations, including hydrogen.

37 (4) \$500,000 of the Puget Sound ferry operations account—state
38 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 and \$2,000,000 of the Puget Sound ferry operations
5 account—federal appropriation are (~~provided solely~~) for staffing
6 and overtime expenses incurred by engine and deck crewmembers. The
7 department must provide updated staffing cost estimates for fiscal
8 years 2022 and 2023 with its annual budget submittal and updated
9 estimates by January 1, 2022.

10 (6) \$688,000 of the Puget Sound ferry operations account—state
11 appropriation and \$697,000 of the Puget Sound ferry operations
12 account—federal appropriation are (~~provided solely~~) for new
13 employee training. The department must work to increase its outreach
14 and recruitment of populations underrepresented in maritime careers
15 and continue working to expand apprenticeship and internship
16 programs, with an emphasis on programs that are shown to improve
17 recruitment for positions with the state ferry system.

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

21 (8) \$484,000 of the Puget Sound ferry operations account—federal
22 is (~~provided solely~~) for the department to contract for additional
23 traffic control assistance at the Kingston ferry terminal during peak
24 ferry travel times, with a particular focus on Sundays and holiday
25 weekends. Traffic control methods should include, but not be limited
26 to, holding traffic on the shoulder at Lindvog Road until space opens
27 for cars at the tollbooths and dock, and management of traffic on
28 Highway 104 in order to ensure Kingston residents and business owners
29 have access to businesses, roads, and driveways.

30 (9) \$336,000 of the Puget Sound ferry operations account—state
31 appropriation is (~~provided solely~~) for evacuation slide training.

32 (10) \$336,000 of the Puget Sound ferry operations account—state
33 appropriation is (~~provided solely~~) for fall restraint labor and
34 industries inspections.

35 (11) \$735,000 of the Puget Sound ferry operations account—state
36 appropriation and \$410,000 of the Puget Sound ferry operations
37 account—federal appropriation are (~~provided solely~~) for
38 familiarization for new assignments of engine crew and terminal
39 staff.

1 (12) \$160,000 of the Puget Sound ferry operations account—state
2 appropriation is (~~provided solely~~) for electronic navigation
3 training.

4 (13) (~~(\$250,000)~~) \$75,000 of the Puget Sound ferry operations
5 account—state appropriation is (~~provided solely~~) for Washington
6 State Ferries to conduct a study of passenger demographics. The study
7 must include:

8 (a) Information on age, race, gender, income level of passengers
9 by route in summer and winter seasons;

10 (b) Composition of passengers by travel purpose, such as commute,
11 tourism, or commerce; and

12 (c) Frequency of passenger trips by mode and fare products
13 utilized.

14 The study may be included as part of a larger origin and
15 destination study. The department shall report study results to the
16 transportation committees of the legislature by December 1, 2023.

17 (14)(a) \$8,419,000 of the Puget Sound ferry operations account—
18 federal appropriation is (~~provided solely~~) for Washington state
19 ferries to:

20 (i) Continuously recruit and hire deck, engine, and terminal
21 staff;

22 (ii) Contract with an external recruitment firm to increase
23 recruitment efforts both locally and nationally with an emphasis on
24 attracting maritime workers from communities underrepresented in the
25 ferry system;

26 (iii) Enhance employee retention by standardizing on-call worker
27 schedules;

28 (iv) Increase training and development opportunities for
29 employees; and

30 (v) Make improvements to hiring processes by establishing
31 additional positions to support timely hiring of employees.

32 (b) It is the intent of the legislature to continue funding for
33 the activities outlined in this section as part of the move ahead WA
34 package.

35 (15) \$248,000 of the Puget Sound ferry operations account—federal
36 appropriation is (~~provided solely~~) for labor at the Vashon
37 terminal.

1 (16) \$194,000 of the Puget Sound ferry operations account—federal
2 appropriation is (~~provided solely~~) for operating costs at the
3 Mukilteo terminal.

4 (17) \$294,000 of the Puget Sound ferry operations account—federal
5 appropriation is (~~provided solely~~) for deck and engine internships.

6 (18) By December 1, 2022, the department must report on the
7 status of efforts to increase training and development opportunities
8 for employees. The report must include a description of the new
9 training and career advancement programs for able-bodied sailors,
10 mates, and engineers; the numbers of employees participating in each
11 program; the number of employees completing each program; the number
12 of open positions that the program is designed to fill; and the
13 anticipated number of employee promotions as a result of program
14 completion. The department must provide the report to the office of
15 financial management and the transportation committees of the
16 legislature.

17 (19) For the Mukilteo multimodal terminal, the department must
18 submit a report showing for a 12-month period, on a monthly basis,
19 how much electricity is generated by solar power generated on-site,
20 electricity usage, and actual electricity cost savings. The report is
21 due to the transportation committees of the legislature by June 30,
22 2023.

23 (20) \$93,000 of the Puget Sound ferry operations account—state
24 appropriation is (~~provided solely~~) for Washington state ferries to
25 partner with local community colleges and universities to secure
26 housing for workforce training sessions and to pay in advance for the
27 costs of transportation worker identification credentials for
28 incoming ferry system employees and trainees.

29 (21)(a) \$300,000 of the Puget Sound ferry operations account—
30 state appropriation is (~~provided solely~~) for the department, in
31 consultation with the joint transportation committee, to oversee a
32 consultant study to identify and recommend cost-effective strategies
33 to maximize walk-on passenger ridership of the Anacortes - San Juan
34 ferry routes. The study must also identify available public funding
35 sources to support these strategies. Reducing the need for passengers
36 to bring their cars on the ferries will increase the capacity of each
37 ferry run to transport more people.

38 (b) The evaluated options may include, but not be limited to:

1 (i) Increased public funding or other support for transit or
2 shuttle service between ferry landings on Orcas, Lopez, San Juan, and
3 Anacortes and nearby major town centers or connecting transit hubs;

4 (ii) Options to increase availability of taxi and rideshare
5 services at each of the landings;

6 (iii) Short-term electric vehicle rentals at ferry landings,
7 including electric bicycles and scooters;

8 (iv) Public funding or other support to increase the available
9 locations for additional parking and reduce the cost for short-term
10 parking near each landing;

11 (v) Marketing of the availability of options through the
12 Washington state ferries reservation system website, on ferries and
13 at ferry landings and ticketing facilities.

14 (c) Outreach for the study, including on the feasibility and
15 effectiveness of each strategy evaluated, must include outreach to
16 representatives of:

17 (i) Washington state ferries;

18 (ii) San Juan county council;

19 (iii) Anacortes and San Juan Islands ferry advisory committee
20 members;

21 (iv) San Juan economic development council;

22 (v) City of Anacortes;

23 (vi) City of Friday Harbor;

24 (vii) Skagit transit;

25 (viii) Skagit RTPPO;

26 (ix) Eastsound;

27 (x) Lopez Village;

28 (xi) Transit dependent populations; and

29 (xii) Others as deemed appropriate by the committee.

30 (d) A report with recommendations on the most feasible and cost-
31 effective strategies to maximize walk-on passenger ridership of the
32 Anacortes - San Juan and Anacortes - Sidney ferry routes is due to
33 the transportation committees of the legislature by January 6, 2023.

34 (22)(a) During negotiations of the 2023-2025 collective
35 bargaining agreements, the department must conduct a review and
36 analysis of the collective bargaining agreements governing state
37 ferry employees, to identify provisions that create barriers for, or
38 contribute to creating a disparate impact on, newly hired ferry
39 employees, including those who are women, people of color, veterans,
40 and other employees belonging to communities that have historically

1 been underrepresented in the workforce. The review and analysis must
2 include, but not be limited to, provisions regarding seniority, work
3 assignments, and work shifts. The review and analysis must also
4 include consultation with the governor's office of labor relations,
5 the governor's office of equity, and the attorney general's office.

6 (b) For future negotiations or modifications of the collective
7 bargaining agreements, it is the intent of the legislature that the
8 collective bargaining representatives for the state and ferry
9 employee organizations may consider the findings of the review and
10 analysis required in (a) of this subsection and negotiate in a manner
11 to remove identified barriers and address identified impacts so as
12 not to perpetuate negative impacts.

13 (23) To the extent that an activity funded by federal funds in
14 this section is not eligible for federal reimbursement, the
15 department may transfer expenditure authority between state and
16 federal appropriations provided in this section.

17 **Sec. 818.** 2022 c 186 s 223 (uncodified) is amended to read as
18 follows:

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

20	Multimodal Transportation Account—State	
21	Appropriation.	((\$68,430,000))
22		<u>\$68,431,000</u>
23	Multimodal Transportation Account—Private/Local	
24	Appropriation.	\$46,000
25	Multimodal Transportation Account—Federal	
26	Appropriation.	\$500,000
27	TOTAL APPROPRIATION.	((\$68,976,000))
28		<u>\$68,977,000</u>

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

31 (1) The department is directed to continue to pursue efforts to
32 reduce costs, increase ridership, and review Amtrak Cascades fares
33 and fare schedules. Within thirty days of each annual cost/revenue
34 reconciliation under the Amtrak service contract, the department
35 shall report annual credits to the office of financial management and
36 the legislative transportation committees. Annual credits from Amtrak
37 to the department including, but not limited to, credits due to
38 higher ridership, reduced level of service, and fare or fare schedule

1 adjustments, must be used to offset corresponding amounts of the
2 multimodal transportation account—state appropriation, which must be
3 placed in reserve.

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

20 (3) \$4,000,000 of the multimodal transportation account—state
21 appropriation is provided solely for the continued coordination,
22 engagement, and planning for a new ultra high-speed ground
23 transportation corridor with participation from Washington, Oregon,
24 and British Columbia. This funding is contingent on meaningful
25 financial contributions for this effort by Oregon or British
26 Columbia. "Ultra high-speed" means a maximum testing speed of at
27 least 250 miles per hour. These efforts are to support and advance
28 activities and must abide by the memorandum of understanding signed
29 by the governors of Washington and Oregon, and the premier of the
30 province of British Columbia in November 2021. The department shall
31 establish a policy committee with participation from Washington,
32 Oregon, and British Columbia, including representation from the two
33 largest caucuses of each chamber of the Washington state legislature,
34 and coordinate the activities of the policy committee to include:

35 (a) Developing an organizational framework that facilitates input
36 in decision-making from all parties;

37 (b) Developing a public engagement approach with a focus on
38 equity, inclusion, and meaningful engagement with communities,

1 businesses, federal, state, provincial, and local governments
2 including indigenous communities;

3 (c) Developing and leading a collaborative approach to prepare
4 and apply for potential future federal, state, and provincial funding
5 opportunities, including development of strategies for incorporating
6 private sector participation and private sector contributions to
7 funding, including through the possible use of public-private
8 partnerships;

9 (d) Beginning work on scenario analysis addressing advanced
10 transportation technologies, land use and growth assumptions, and an
11 agreed to and defined corridor vision statement; and

12 (e) Developing a recommendation on the structure and membership
13 of a formal coordinating entity that will be responsible for
14 advancing the project through the project initiation stage to project
15 development and recommended next steps for establishment of the
16 coordinating entity. Project development processes must include
17 consideration of negative and positive impacts on communities of
18 color, low-income households, indigenous peoples, and other
19 disadvantaged communities.

20 By June 30, 2023, the department shall provide to the governor
21 and the transportation committees of the legislature a report
22 detailing the work conducted by the policy committee and
23 recommendations for establishing a coordinating entity. The report
24 must also include an assessment of current activities and results
25 relating to stakeholder engagement, planning, and any federal funding
26 application. As applicable, the assessment should also be sent to the
27 executive and legislative branches of government in Oregon and
28 appropriate government bodies in the province of British Columbia.

29 (4) The department shall consider applying for federal grant
30 opportunities that support the development of the Amtrak Cascades
31 service. Grant submittals must align with the department's federally
32 required service development plan and state rail plans and
33 partnership agreements with Amtrak as the service provider and BNSF
34 Railway as the host railroad.

35 **Sec. 819.** 2022 c 186 s 224 (uncodified) is amended to read as
36 follows:

37 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**
38 **OPERATING**

39 Motor Vehicle Account—State Appropriation. (~~(\$12,451,000)~~)

1		<u>\$12,454,000</u>
2	Motor Vehicle Account—Federal Appropriation.	\$2,567,000
3	Multiuse Roadway Safety Account—State Appropriation.	\$900,000
4	Multimodal Transportation Account—State	
5	Appropriation.	\$250,000
6	TOTAL APPROPRIATION.	((\$16,168,000))
7		<u>\$16,171,000</u>

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

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

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

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

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

22 (2) \$1,023,000 of the motor vehicle account—state appropriation
23 is provided solely for the department, from amounts set aside out of
24 statewide fuel taxes distributed to counties according to RCW
25 46.68.120(3), to contract with the Washington state association of
26 counties to:

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

30 (b) Streamline and update the county road administration board's
31 data dashboard, county reporting systems, and program management
32 software to provide a more detailed, more transparent, and user-
33 friendly platform for data management, reporting, and research by the
34 public and other interested parties; and

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

(End of part)

1 **TRANSPORTATION AGENCIES—CAPITAL**

2 **Sec. 901.** 2022 c 186 s 301 (uncodified) is amended to read as
3 follows:

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

5 Freight Mobility Investment Account—State
6 Appropriation. ((\$17,769,000))
7 \$10,206,000
8 Freight Mobility Multimodal Account—State
9 Appropriation. ((\$14,004,000))
10 \$6,206,000
11 TOTAL APPROPRIATION. ((\$31,773,000))
12 \$16,412,000

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

15 (1) Except as otherwise provided in this section, the entire
16 appropriations in this section are provided solely for the projects
17 by amount, as listed in the LEAP Transportation Document ((2022-2))
18 2023-2 ALL PROJECTS as developed March ((9, 2022)) 29, 2023, Freight
19 Mobility Strategic Investment Board (FMSIB).

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

22 (3) It is the intent of the legislature to continue to make
23 strategic investments in a statewide freight mobility transportation
24 system with the help of the freight mobility strategic investment
25 board, including projects that mitigate the impact of freight
26 movement on local communities. To that end, and in coordination with
27 WSDOT as it updates its federally-compliant freight plan, the board
28 is directed to identify the highest priority freight investments for
29 the state, across freight modes, state and local jurisdictions, and
30 regions of the state. By December 1, 2021, the board must submit a
31 preliminary report providing a status update on the process and
32 methodology for identifying and prioritizing investments. By December
33 1, 2022, the board must submit a prioritized list of freight
34 investments that are geographically balanced across the state and can
35 proceed to construction in a timely manner. The prioritized freight
36 project list for the state portion of national highway freight
37 program funds must first address shortfalls in funding for connecting
38 Washington act projects.

1 (4) (a) For the 2021-2023 project appropriations, unless otherwise
2 provided in this act, the director of the office of financial
3 management may authorize a transfer of appropriation authority
4 between projects managed by the freight mobility strategic investment
5 board in order for the board to manage project spending and support
6 the efficient and timely delivery of all projects in the program. The
7 office of financial management may authorize a transfer of
8 appropriation authority between projects under the following
9 conditions and limitations:

10 (i) Transfers from a project may not be made as a result of the
11 reduction of the scope of a project or be made to support increases
12 in the scope of a project;

13 (ii) Each transfer between projects may only occur if the
14 director of the office of financial management finds that any
15 resulting change will not hinder the completion of the projects on
16 LEAP Transportation Document (~~(2022-2)~~) 2023-2 ALL PROJECTS as
17 developed March (~~(9, 2022)~~) 29, 2023;

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

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

27 (b) At the time the board submits a request to transfer funds
28 under this section, a copy of the request must be submitted to the
29 chairs and ranking members of the transportation committees of the
30 legislature.

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

36 (d) No fewer than 10 days after the receipt of a project transfer
37 request, the director of the office of financial management must
38 provide written notification to the board of any decision regarding
39 project transfers, with copies submitted to the transportation
40 committees of the legislature.

1 TOTAL APPROPRIATION. ((~~\$101,137,000~~))
2 \$105,030,000

3 The appropriation in this section is subject to the following
4 conditions and limitations: The entire move ahead WA account—state
5 appropriation is provided solely for additional preservation funding
6 allocations to counties through the county arterial preservation
7 program.

8 **Sec. 904.** 2021 c 333 s 304 (uncodified) is amended to read as
9 follows:

10 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

11 Small City Pavement and Sidewalk Account—State
12 Appropriation \$4,100,000
13 Transportation Improvement Account—State
14 Appropriation ((~~\$201,000,000~~))
15 \$171,000,000
16 Complete Streets Grant Program Account—State
17 Appropriation \$14,670,000
18 Move Ahead WA Account—State Appropriation. \$10,000,000
19 Climate Active Transportation Account—State
20 Appropriation. \$3,000,000
21 TOTAL APPROPRIATION. ((~~\$219,770,000~~))
22 \$202,770,000

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

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

1		<u>\$173,980,000</u>
2	Motor Vehicle Account—State Appropriation.	((\$246,948,000))
3		<u>\$233,944,000</u>
4	Motor Vehicle Account—Federal Appropriation.	((\$251,835,000))
5		<u>\$263,446,000</u>
6	Coronavirus State Fiscal Recovery Fund—Federal	
7	Appropriation.	((\$400,000,000))
8		<u>\$100,000,000</u>
9	Motor Vehicle Account—Private/Local Appropriation.	((\$56,192,000))
10		<u>\$88,263,000</u>
11	Connecting Washington Account—State Appropriation.	((\$2,063,783,000))
12		<u>\$1,705,138,000</u>
13	Special Category C Account—State Appropriation.	((\$86,198,000))
14		<u>\$71,102,000</u>
15	Multimodal Transportation Account—State	
16	Appropriation.	((\$10,792,000))
17		<u>\$4,779,000</u>
18	Puget Sound Gateway Facility Account—State	
19	Appropriation.	\$8,400,000
20	State Route Number 520 Corridor Account—State	
21	Appropriation.	\$70,886,000
22	Interstate 405 and State Route Number 167 Express	
23	Toll Lanes Account—State Appropriation.	((\$217,282,000))
24		<u>\$34,028,000</u>
25	Move Ahead WA Account—State Appropriation.	((\$10,771,000))
26		<u>\$60,793,000</u>
27	Move Ahead WA Account—Federal Appropriation.	((\$7,200,000))
28		<u>\$52,312,000</u>
29	TOTAL APPROPRIATION.	((\$3,663,335,000))
30		<u>\$2,867,557,000</u>

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

33 (1) Except as provided otherwise in this section, the entire
34 connecting Washington account—state appropriation and the entire
35 transportation partnership account—state appropriation are provided
36 solely for the projects and activities as listed by fund, project,
37 and amount in LEAP Transportation Document ((2022-1)) 2023-1 as
38 developed March ((9, 2022)) 29, 2023, Program - Highway Improvements
39 Program (I). However, limited transfers of specific line-item project

1 appropriations may occur between projects for those amounts listed
2 subject to the conditions and limitations in section 601(~~(7—chapter~~
3 ~~333, Laws of 2021)~~) of this act.

4 (2) Except as provided otherwise in this section, the entire
5 motor vehicle account—state appropriation and motor vehicle account—
6 federal appropriation are provided solely for the projects and
7 activities listed in LEAP Transportation Document ((~~2022-2~~) 2023-2
8 ALL PROJECTS as developed March ((~~9, 2022~~) 29, 2023, Program -
9 Highway Improvements Program (I). Any federal funds gained through
10 efficiencies, adjustments to the federal funds forecast, or the
11 federal funds redistribution process must then be applied to highway
12 and bridge preservation activities or fish passage barrier
13 corrections (OBI4001) (~~(, as long as the application of the funds is~~
14 ~~not inconsistent with subsection (26) of this section)~~).

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

25 (4) (~~(The connecting Washington account state appropriation~~
26 ~~includes up to \$326,594,000 in proceeds from the sale of bonds~~
27 ~~authorized in RCW 47.10.889.~~

28 ~~(5))~~ The special category C account—state appropriation includes
29 up to \$51,460,000 in proceeds from the sale of bonds authorized in
30 RCW 47.10.812.

31 ((~~6~~)) (5) The transportation partnership account—state
32 appropriation includes up to ((~~\$124,629,000~~) \$32,000,000 in proceeds
33 from the sale of bonds authorized in RCW 47.10.873.

34 ((~~7~~)—~~\$161,792,000~~) (6) \$106,947,000 of the transportation
35 partnership account—state appropriation, \$3,882,000 of the motor
36 vehicle account—private/local appropriation, ((~~\$9,000,000~~)
37 \$4,880,000 of the motor vehicle account—state appropriation, ((~~\$1,000~~
38 ~~of the transportation 2003 account (nickel account) state~~
39 ~~appropriation,~~) and ((~~\$985,000~~) \$987,000 of the multimodal

1 transportation account—state appropriation are provided solely for
2 the SR 99/Alaskan Way Viaduct Replacement project (809936Z). It is
3 the intent of the legislature that any legal damages paid to the
4 state as a result of a lawsuit related to contractual provisions for
5 construction and delivery of the Alaskan Way viaduct replacement
6 project be used to repay project cost increases paid from the
7 transportation partnership account—state funds and motor vehicle
8 account—state funds.

9 ~~((8) — \$186,820,000)~~ (7) \$168,662,000 of the connecting
10 Washington account—state appropriation, \$1,000 of the Special
11 Category C account—state appropriation, and \$488,000 of the motor
12 vehicle account—local appropriation are provided solely for the US
13 395 North Spokane Corridor project (M00800R). If the department
14 expects the original scope of this project to be completed under
15 budget when a final design is approved for the interchange with I-90
16 and nearby on ramp access, then the scope of work for this project
17 must also include constructing a land bridge in the vicinity of
18 Liberty Park in Spokane, if appropriations are sufficient. It is the
19 intent of the legislature, consistent with the move ahead WA
20 proposal, to advance future funding for this project in order to
21 accelerate delivery by up to two years.

22 ~~((9))~~ (8) (a) (\$177,982,000) \$20,962,000 of the Interstate 405
23 and state route number 167 express toll lanes account—state
24 appropriation is provided solely for the I-405/SR 522 to I-5 Capacity
25 Improvements project (L2000234) for activities related to adding
26 capacity on Interstate 405 between state route number 522 and
27 Interstate 5, with the goals of increasing vehicle throughput and
28 aligning project completion with the implementation of bus rapid
29 transit in the vicinity of the project.

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

1 the corridor in the 2023-2025 biennium. The department shall report
2 back to the transportation committees of the legislature on this work
3 by September 15, 2021.

4 ~~((10))~~ (9) (a) ~~((\$329,681,000))~~ \$309,774,000 of the connecting
5 Washington account—state appropriation, \$70,886,000 of the state
6 route number 520 corridor account—state appropriation, and
7 ~~((\$1,021,000))~~ \$1,411,000 of the motor vehicle account—private/local
8 appropriation are provided solely for the SR 520 Seattle Corridor
9 Improvements - West End project (M00400R).

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

15 (c) Of the amounts provided in this subsection ~~((10))~~ (9),
16 \$100,000 of the state route number 520 corridor account—state
17 appropriation is provided solely for noise mitigation activities.
18 ~~((It is the intent of the legislature to provide an additional
19 \$1,000,000 for noise mitigation activities over the course of the 16-
20 year move ahead WA funding package.~~

21 ~~(11)~~ ~~\$361,296,000~~) (10) \$296,965,000 of the connecting
22 Washington account—state appropriation, ~~((\$4,800,000))~~ \$2,145,000 of
23 the multimodal transportation account—state appropriation,
24 ~~((\$13,725,000))~~ \$4,242,000 of the motor vehicle account—private/local
25 appropriation, \$4,000 of the motor vehicle account—state
26 appropriation, \$7,200,000 of the move ahead WA account—federal
27 appropriation, \$8,400,000 of the Puget Sound Gateway facility account
28 —state appropriation, and ~~((\$85,015,000))~~ \$84,515,000 of the motor
29 vehicle account—federal appropriation are provided solely for the SR
30 167/SR 509 Puget Sound Gateway project (M00600R).

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

33 (b) In making budget allocations to the Puget Sound Gateway
34 project, the department shall implement the project's construction as
35 a single corridor investment. The department shall continue to
36 collaborate with the affected stakeholders as it implements the
37 corridor construction and implementation plan for state route number
38 167 and state route number 509. Specific funding allocations must be
39 based on where and when specific project segments are ready for

1 construction to move forward and investments can be best optimized
2 for timely project completion. Emphasis must be placed on avoiding
3 gaps in fund expenditures for either project.

4 (c) It is the legislature's intent that the department shall
5 consult with the joint executive committee and joint steering
6 committee to determine the most appropriate interchange at the
7 junction of state route number 161 (Meridian avenue) and state route
8 number 167.

9 ~~((d) Of the amounts provided in this subsection, \$2,300,000 of~~
10 ~~the multimodal transportation account state appropriation is provided~~
11 ~~solely for the design phase of the Puyallup to Tacoma multiuse trail~~
12 ~~along the SR 167 right-of-way acquired for the project to connect a~~
13 ~~network of new and existing trails from Mount Rainier to Point~~
14 ~~Defiance Park.~~

15 ~~(e) Of the amounts provided in this subsection, \$2,500,000 of the~~
16 ~~multimodal transportation account state appropriation is provided~~
17 ~~solely for segment 2 of the state route number 167 completion project~~
18 ~~shared-use path to provide connections to the interchange of state~~
19 ~~route number 167 at 54th to the intersection of state route number~~
20 ~~509 and Taylor Way in Tacoma.~~

21 ~~(12))~~ (11) (a) ((\$25,378,000)) \$25,379,000 of the motor vehicle
22 account—state appropriation, \$10,000,000 of the move ahead WA account
23 —state appropriation, and ((\$413,000)) \$36,414,000 of the motor
24 vehicle account—private/local appropriation are provided solely to
25 support a project office and the continued work toward the I-5
26 Interstate Bridge Replacement project ((L2000370)) (L400054). The
27 legislature finds that the replacement of the I-5 Columbia river
28 bridge is a project of national significance and is critical for the
29 movement of freight. One span is now 104 years old, at risk for
30 collapse in the event of a major earthquake, and no longer satisfies
31 the needs of commerce and travel. Replacing the aging interstate
32 bridge with a modern, seismically resilient, multimodal structure
33 that provides improved mobility for people, goods, and services is a
34 high priority. Therefore, the legislature intends to support the
35 replacement of the I-5 Columbia river bridge with an investment of
36 \$1,000,000,000 over the 16-year move ahead WA investment program.

37 (b) The project office must also study the possible different
38 governance structures for a bridge authority that would provide for
39 the joint administration of the bridges over the Columbia river

1 between Oregon and Washington. As part of this study, the project
2 office must examine the feasibility and necessity of an interstate
3 compact in conjunction with the national center for interstate
4 compacts.

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

7 (i) Conduct all work necessary to prepare and publish a draft
8 SEIS;

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

11 (iii) Identify a locally preferred alternative; and

12 (iv) Begin preparing a final SEIS.

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

16 (~~((13))~~) (12) (a) (~~(\$400,000,000)~~) \$100,000,000 of the coronavirus
17 state fiscal recovery fund—federal appropriation, (~~(\$25,327,000)~~)
18 \$167,194,000 of the connecting Washington account—state
19 appropriation, \$35,263,000 of the motor vehicle account—federal
20 appropriation, \$45,112,000 of the move ahead WA account—federal
21 appropriation, \$5,618,000 of the motor vehicle account—local
22 appropriation, \$9,016,000 of the transportation partnership account—
23 state appropriation, \$38,021,000 of the move ahead WA account—state
24 appropriation, and \$149,776,000 of the motor vehicle account—state
25 appropriation are provided solely for the Fish Passage Barrier
26 Removal project (OBI4001) with the intent of fully complying with the
27 federal *U.S. v. Washington* court injunction by 2030.

28 (b) The department shall coordinate with the Brian Abbott fish
29 passage barrier removal board to use a watershed approach by
30 replacing both state and local culverts guided by the principle of
31 providing the greatest fish habitat gain at the earliest time. The
32 department shall deliver high habitat value fish passage barrier
33 corrections that it has identified, guided by the following factors:
34 Opportunity to bundle projects, tribal priorities, ability to
35 leverage investments by others, presence of other barriers, project
36 readiness, culvert conditions, other transportation projects in the
37 area, and transportation impacts. The department and Brian Abbott
38 fish barrier removal board must provide updates on the implementation

1 of the statewide culvert remediation plan to the legislature by
2 November 1, 2021, and June 1, 2022.

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

6 (d) Of the amount provided in this subsection, \$142,923,000 of
7 the motor vehicle account—federal appropriation reflects the
8 department's portion of the unrestricted funds from the coronavirus
9 response and relief supplemental appropriations act of 2021. If the
10 final amount from this act changes while the legislature is not in
11 session, the department shall follow the existing unanticipated
12 receipt process and adjust the list referenced in subsection (1) of
13 this section accordingly, supplanting state funds with federal funds
14 if possible as directed in section 601, chapter 333, Laws of 2021.

15 (~~((14) \$14,367,000)~~) (13) \$13,542,000 of the connecting
16 Washington account—state appropriation (~~(, \$311,000 of the motor
17 vehicle account—state appropriation,~~) and (~~(\$3,149,000)~~) \$4,285,000
18 of the motor vehicle account—private/local appropriation are provided
19 solely for the I-90/Barker to Harvard - Improve Interchanges & Local
20 Roads project (L2000122). The connecting Washington account
21 appropriation for the improvements that fall within the city of
22 Liberty Lake may only be expended if the city of Liberty Lake agrees
23 to cover any project costs within the city of Liberty Lake above the
24 \$20,900,000 of state appropriation provided for the total project on
25 the list referenced in subsection (1) of this section.

26 (~~((15) \$16,984,000)~~) (14) \$17,071,000 of the motor vehicle
27 account—federal appropriation, (~~(\$269,000)~~) \$177,000 of the motor
28 vehicle account—state appropriation, \$1,700,000 of the transportation
29 partnership account—state appropriation, \$5,000 of the motor vehicle
30 account—private/local appropriation, and (~~(\$17,900,000)~~) \$13,666,000
31 of the Interstate 405 and state route number 167 express toll lanes
32 account—state appropriation are provided solely for the SR 167/SR 410
33 to SR 18 - Congestion Management project (316706C).

34 (~~((16) \$18,915,000)~~) (15) \$17,019,000 of the Special Category C
35 account—state appropriation is provided solely for the SR 18 Widening
36 - Issaquah/Hobart Rd to Raging River project (L1000199) for improving
37 and widening state route number 18 to four lanes from Issaquah-Hobart
38 Road to Raging River.

1 ~~((17) \$2,500,000))~~ (16) \$500,000 of the connecting Washington
2 account—state appropriation is provided solely for the North Lewis
3 County transportation study. The study shall examine new, alternate
4 routes for vehicular and truck traffic at the Harrison interchange
5 (Exit 82) in North Centralia and shall allow for a site and
6 configuration to be selected and feasibility to be conducted for
7 final design, permitting, and construction of the I-5/North Lewis
8 county Interchange project (L2000204). It is the intent of the
9 legislature to advance future funding for this project to accelerate
10 delivery by up to two years.

11 ~~((18) \$1,237,000))~~ (17) \$148,000 of the motor vehicle account—
12 state appropriation is provided solely for the US 101/East Sequim
13 Corridor Improvements project (L2000343).

14 ~~((19) \$2,197,000))~~ (18) \$873,000 of the motor vehicle account—
15 state appropriation ~~((and \$749,000 of the connecting Washington~~
16 ~~account—state appropriation are))~~ is provided solely for the SR 522/
17 Paradise Lk Rd Interchange & Widening on SR 522 (Design/Engineering)
18 project (NPARADI).

19 ~~((20) \$1,455,000))~~ (19) \$1,382,000 of the motor vehicle account—
20 federal appropriation ~~((is))~~ and \$73,000 of the motor vehicle account
21 —State appropriation are provided solely for the US 101/Morse Creek
22 Safety Barrier project (L1000247).

23 ~~((21) \$1,000,000))~~ (20) \$780,000 of the motor vehicle account—
24 state appropriation is provided solely for the SR 162/410 Interchange
25 Design and Right of Way project (L1000276).

26 ~~((22) \$7,185,000))~~ (21) \$1,892,000 of the connecting Washington
27 account—state appropriation ~~((is))~~, \$2,000 of the motor vehicle
28 account—private/local appropriation, and \$7,000 of the motor vehicle
29 account—state appropriation are provided solely for the US Hwy 2
30 Safety project (N00200R).

31 ~~((23))~~ (22) The department shall itemize all future requests
32 for the construction of buildings on a project list and submit them
33 through the transportation executive information system as part of
34 the department's annual budget submittal. It is the intent of the
35 legislature that new facility construction must be transparent and
36 not appropriated within larger highway construction projects.

37 ~~((24))~~ (23) Any advisory group that the department convenes
38 during the 2021-2023 fiscal biennium must consider the interests of
39 the entire state of Washington.

1 ~~((25))~~ (24) The legislature continues to prioritize the
2 replacement of the state's aging infrastructure and recognizes the
3 importance of reusing and recycling construction aggregate and
4 recycled concrete materials in our transportation system. To
5 accomplish Washington state's sustainability goals in transportation
6 and in accordance with RCW 70.95.805, the legislature reaffirms its
7 determination that recycled concrete aggregate and other
8 transportation building materials are natural resource construction
9 materials that are too valuable to be wasted and landfilled, and are
10 a commodity as defined in WAC 173-350-100.

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

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

26 ~~((26))~~ (25) \$2,738,000 of the motor vehicle account—state
27 appropriation is provided solely for the US 97 Wildlife Crossing
28 Improvements project (L2021117). It is the intent of the legislature
29 that, to the extent possible, the department use this funding as
30 match for competitive federal funding to make additional wildlife
31 crossing improvements on the corridor. The department must report to
32 the transportation committees of the legislature with additional
33 corridors that could benefit from wildlife crossing improvements and
34 that are likely to successfully compete for federal funding.

35 ~~((27) \$12,635,000)~~ (26) \$2,830,000 of the connecting Washington
36 account—state appropriation is provided solely for the SR 3 Freight
37 Corridor (T30400R) project. The legislature intends to provide a
38 total of \$78,910,000 for this project, including an increase of
39 \$12,000,000 in future biennia to safeguard against inflation and
40 supply/labor interruptions and ensure that:

1 (a) The northern terminus remains at Lake Flora Road and the
2 southern terminus at the intersection of SR 3/SR 302;

3 (b) Multimodal safety improvements at the southern terminus
4 remain in the project to provide connections to North Mason school
5 district and provide safe routes to schools; and

6 (c) Intersections on the freight corridor are constructed at
7 Romance Hill and Log Yard road.

8 ~~((28) \$450,000 of the motor vehicle account state appropriation
9 is provided solely for the SR 900 Safety Improvements project
10 (L2021118). The department must: (a) Work in collaboration with King
11 county and Skyway coalition to align community assets, transportation
12 infrastructure needs, and initial design for safety improvements
13 along SR 900; and (b) work with the Skyway coalition to lead
14 community planning engagement and active transportation activities.~~

15 ~~(29) \$5,694,000))~~ (27) \$3,686,000 of the connecting Washington
16 account—state appropriation is provided solely for the I-5/Chamber
17 Way Interchange Vicinity Improvements project (L2000223).

18 ~~((30) \$500,000))~~ (28) \$166,000 of the motor vehicle account—
19 state appropriation is provided solely for SR 162/SR 161 Additional
20 Connectivity in South Pierce County project (L1000312) to conduct a
21 study on the need for additional connectivity in the area between SR
22 162, south of Military Road East and north of Orting, and SR 161 in
23 South Pierce county.

24 (29) Except as otherwise provided in this section, the entire
25 move ahead WA account—state appropriation is provided solely for the
26 state highway projects and activities as listed in LEAP
27 Transportation Document 2023-1 as developed March 29, 2023, Program -
28 Highway Improvements Program (I).

29 (30)(a) It is the intent of the legislature, over the 16-year
30 move ahead WA investment program, to provide \$2,435,000,000 for fish
31 passage barrier removal with the intent of fully complying with the
32 federal *U.S. v. Washington* court injunction by 2030. Furthermore, it
33 is the intent of the legislature that appropriations for this purpose
34 may be used to jointly leverage state and local funds for match
35 requirements in applying for competitive federal aid grants provided
36 in the infrastructure investment and jobs act for removals of fish
37 passage barriers under the national culvert removal, replacement, and
38 restoration program. State funds used for the purpose described in

1 this subsection must not compromise fully complying with the court
2 injunction by 2030.

3 (b) The department shall coordinate with the Brian Abbott fish
4 passage barrier removal board and local governments to use a
5 watershed approach by replacing both state and local culverts guided
6 by the principle of providing the greatest fish habitat gain at the
7 earliest time. The department shall deliver high habitat value fish
8 passage barrier corrections that it has identified, guided by the
9 following factors: Opportunity to bundle projects, tribal priorities,
10 ability to leverage investments by others, presence of other
11 barriers, project readiness, culvert conditions, other transportation
12 projects in the area, and transportation impacts.

13 (31) \$3,000,000 of the move ahead WA—state appropriation is
14 provided solely for the US 2 Trestle Capacity Improvements &
15 Westbound Trestle Replacement project (L4000056). It is the intent of
16 the legislature, over the 16-year move ahead WA investment program,
17 to provide \$210,541,000 for planning, design, right-of-way
18 acquisition, interim improvements, and initial construction. It is
19 the further intent of the legislature that this project enhance
20 multimodal mobility options on the US 2 Trestle. The planning, design
21 and engineering work must consider options to enhance transit and
22 multimodal mobility, including bus rapid transit. The department must
23 report to the legislature with its preliminary analysis of these
24 options by June 30, 2023.

25 (32) It is the intent of the legislature, over the 16-year move
26 ahead WA investment program, to provide \$74,298,000 for the SR 3/
27 Gorst Area - Widening project (L4000017). Tribal consultation with
28 the Suquamish Tribe must begin at the earliest stage of planning,
29 including without limitation on all funding decisions and funding
30 programs, to provide a government-to-government mechanism for the
31 tribe to evaluate, identify, and expressly notify governmental
32 entities of any potential impacts to tribal cultural resources,
33 archaeological sites, sacred sites, fisheries, or other rights and
34 interests in tribal lands and lands within which the tribe possesses
35 rights reserved or protected by federal treaty, statute, or executive
36 order. The consultation is independent of, and in addition to, any
37 public participation process required by state law, or by a state
38 agency, including the requirements of Executive Order 21-02 related
39 to archaeological and cultural resources, and regardless of whether
40 the agency receives a request for consultation from the Suquamish

1 Tribe. Regularly scheduled tribal consultation meetings with the
2 Suquamish Tribe must continue throughout the duration of any funding
3 program and proposed project approval.

4 **Sec. 907.** 2022 c 186 s 306 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION—PRESERVATION—PROGRAM P**

7	Recreational Vehicle Account—State Appropriation.	\$1,520,000
8	Transportation 2003 Account (Nickel Account)—State	
9	Appropriation.	\$53,911,000
10	Transportation Partnership Account—State	
11	Appropriation.	((\$21,441,000))
12		<u>\$23,038,000</u>
13	Motor Vehicle Account—State Appropriation.	((\$111,174,000))
14		<u>\$121,099,000</u>
15	Motor Vehicle Account—Federal Appropriation.	((\$545,560,000))
16		<u>\$583,466,000</u>
17	Motor Vehicle Account—Private/Local Appropriation.	((\$13,735,000))
18		<u>\$13,734,000</u>
19	Connecting Washington Account—State Appropriation.	((\$224,342,000))
20		<u>\$112,845,000</u>
21	State Route Number 520 Corridor Account—State	
22	Appropriation.	((\$2,143,000))
23		<u>\$812,000</u>
24	Tacoma Narrows Toll Bridge Account—State	
25	Appropriation.	((\$5,676,000))
26		<u>\$3,578,000</u>
27	Alaskan Way Viaduct Replacement Project Account—	
28	State Appropriation.	((\$391,000))
29		<u>\$251,000</u>
30	Interstate 405 and State Route Number 167 Express	
31	Toll Lanes Account—State Appropriation.	((\$12,830,000))
32		<u>\$9,216,000</u>
33	TOTAL APPROPRIATION.	((\$992,723,000))
34		<u>\$923,470,000</u>

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

37 (1) Except as provided otherwise in this section, the entire
38 connecting Washington account—state appropriation and the entire

1 transportation partnership account—state appropriation are provided
2 solely for the projects and activities as listed by fund, project,
3 and amount in LEAP Transportation Document ((2022-1)) 2023-1 as
4 developed March ((9, 2022)) 29, 2023, Program - Highway Preservation
5 Program (P). However, limited transfers of specific line-item project
6 appropriations may occur between projects for those amounts listed
7 subject to the conditions and limitations in section 601(~~(, chapter~~
8 ~~333, Laws of 2021)) of this act.~~

9 (2) Except as provided otherwise in this section, the entire
10 motor vehicle account—state appropriation and motor vehicle account—
11 federal appropriation are provided solely for the projects and
12 activities listed in LEAP Transportation Document ((2022-2)) 2023-2
13 ALL PROJECTS as developed March ((9, 2022)) 29, 2023, Program -
14 Highway Preservation Program (P). Any federal funds gained through
15 efficiencies, adjustments to the federal funds forecast, or the
16 federal funds redistribution process must then be applied to highway
17 and bridge preservation activities or fish passage barrier
18 corrections (0BI4001)(~~(, as long as the application of the funds is~~
19 ~~not inconsistent with subsection (10) of this section))~~.

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

30 (4) \$8,531,000 of the connecting Washington account—state
31 appropriation is provided solely for the land mobile radio upgrade
32 (G2000055) and is subject to the conditions, limitations, and review
33 provided in section 701, chapter 333, Laws of 2021. The land mobile
34 radio project is subject to technical oversight by the office of the
35 chief information officer. The department, in collaboration with the
36 office of the chief information officer, shall identify where
37 existing or proposed mobile radio technology investments should be
38 consolidated, identify when existing or proposed mobile radio
39 technology investments can be reused or leveraged to meet multiagency

1 needs, increase mobile radio interoperability between agencies, and
2 identify how redundant investments can be reduced over time. The
3 department shall also provide quarterly reports to the technology
4 services board on project progress.

5 (5) \$5,000,000 of the motor vehicle account—state appropriation
6 is provided solely for extraordinary costs incurred from litigation
7 awards, settlements, or dispute mitigation activities not eligible
8 for funding from the self-insurance fund (L2000290). The amount
9 provided in this subsection must be held in unallotted status until
10 the department submits a request to the office of financial
11 management that includes documentation detailing litigation-related
12 expenses. The office of financial management may release the funds
13 only when it determines that all other funds designated for
14 litigation awards, settlements, and dispute mitigation activities
15 have been exhausted. No funds provided in this subsection may be
16 expended on any legal fees related to the SR 99/Alaskan Way viaduct
17 replacement project (809936Z).

18 (6) \$11,679,000 of the motor vehicle account—federal
19 appropriation is provided solely for preservation projects within
20 project L1100071 that ensure the reliable movement of freight on the
21 national highway freight system. The department shall give priority
22 to those projects that can be advertised by September 30, 2021.

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

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

34 ~~((9) \$1,700,000 of the motor vehicle account—state appropriation
35 is provided solely for the SR 109/88 Corner Roadway project
36 (G2000106).))~~

37 **Sec. 908.** 2022 c 186 s 307 (uncodified) is amended to read as
38 follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
2 **CAPITAL**

3	Motor Vehicle Account—State Appropriation.	((\$9,618,000))
4		<u>\$9,473,000</u>
5	Motor Vehicle Account—Federal Appropriation.	\$11,215,000
6	Motor Vehicle Account—Private/Local Appropriation.	\$500,000
7	Interstate 405 and State Route Number 167 Express	
8	Toll Lanes Account—State Appropriation.	\$900,000
9	<u>Move Ahead WA Account—State Appropriation.</u>	<u>\$611,000</u>
10	TOTAL APPROPRIATION.	((\$22,233,000))
11		<u>\$22,699,000</u>

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

14 (1) ((~~\$579,000~~)) \$580,000 of the motor vehicle account—state
15 appropriation is provided solely for the SR 99 Aurora Bridge ITS
16 project (L2000338).

17 (2) \$1,001,000 of the motor vehicle account—state appropriation,
18 \$611,000 of the move ahead WA account—state appropriation, and
19 ((~~\$2,060,000~~)) \$2,018,000 of the motor vehicle account—federal
20 appropriation are provided solely for the Challenge Seattle project
21 (000009Q). The department shall provide a progress report on this
22 project to the transportation committees of the legislature by
23 January 15, 2022.

24 **Sec. 909.** 2022 c 186 s 308 (uncodified) is amended to read as
25 follows:

26 **FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES**
27 **CONSTRUCTION—PROGRAM W**

28	Puget Sound Capital Construction Account—State	
29	Appropriation.	((\$167,533,000))
30		<u>\$143,776,000</u>
31	Puget Sound Capital Construction Account—Federal	
32	Appropriation.	((\$180,571,000))
33		<u>\$154,634,000</u>
34	Puget Sound Capital Construction Account—	
35	Private/Local Appropriation.	((\$2,181,000))
36		<u>\$1,844,000</u>
37	Transportation Partnership Account—State	
38	Appropriation.	((\$9,432,000))

1		<u>\$3,759,000</u>
2	Connecting Washington Account—State Appropriation.	((\$99,141,000))
3		<u>\$97,904,000</u>
4	Capital Vessel Replacement Account—State	
5	Appropriation.	((\$45,668,000))
6		<u>\$5,769,000</u>
7	((Motor Vehicle Account—State Appropriation.	\$1,000))
8	Transportation 2003 Account (Nickel Account)—State	
9	Appropriation.	\$987,000
10	TOTAL APPROPRIATION.	((\$505,514,000))
11		<u>\$408,673,000</u>

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 appropriations in this section are provided solely for the projects
16 and activities as listed in LEAP Transportation Document ((2022-2))
17 2023-2 ALL PROJECTS as developed March ((9, 2022)) 29, 2023, Program
18 - Washington State Ferries Capital Program (W).

19 (2) For the 2021-2023 biennium, the marine division shall provide
20 to the office of financial management and the legislative
21 transportation committees the following reports on ferry capital
22 projects:

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

- 26 (i) Anticipated cost increases and cost savings;
- 27 (ii) Anticipated cash flow and schedule changes; and
- 28 (iii) Explanations for the changes.

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

- 32 (i) What work has been done;
- 33 (ii) How have schedules shifted; and
- 34 (iii) Associated changes in funding among projects, accompanied
35 by explanations for the changes.

36 (c) On an annual basis the report must include an update on the
37 implementation of the maintenance management system with
38 recommendations for using the system to improve the efficiency of
39 project reporting under this subsection.

1 (3) (~~(\$12,232,000)~~) \$19,940,000 of the Puget Sound capital
2 construction account—state appropriation is provided solely for
3 emergency capital repair costs (999910K). Funds may only be spent
4 after approval by the office of financial management.

5 (4) (~~(\$2,385,000)~~) \$2,384,000 of the Puget Sound capital
6 construction account—state appropriation is provided solely for the
7 ORCA card next generation project (L2000300). The ferry system shall
8 work with Washington technology solutions and the tolling division on
9 the development of a new, interoperable ticketing system.

10 (5) (~~(\$28,134,000)~~) \$3,656,000 of the Puget Sound capital
11 construction account—state appropriation is provided solely for the
12 conversion of up to two Jumbo Mark II vessels to electric hybrid
13 propulsion (G2000084). The department shall seek additional funds for
14 the purposes of this subsection. The department may spend from the
15 Puget Sound capital construction account—state appropriation in this
16 section only as much as the department receives in Volkswagen
17 settlement funds for the purposes of this subsection.

18 (6) (~~(\$45,668,000)~~) \$5,769,000 of the capital vessel replacement
19 account—state appropriation is provided solely for the acquisition of
20 a 144-car hybrid-electric vessel (L2000329). In 2019 the legislature
21 amended RCW 47.60.810 to direct the department to modify an existing
22 vessel construction contract to provide for an additional five
23 ferries. As such, it is the intent of the legislature that the
24 department award the contract for the hybrid electric Olympic class
25 vessel #5(L2000329) in a timely manner. In addition, the legislature
26 intends to minimize costs and maximize construction efficiency by
27 providing sufficient funding for construction of all five vessels,
28 including funding for long lead time materials procured at the lowest
29 possible prices. The commencement of construction of new vessels for
30 the ferry system is important not only for safety reasons, but also
31 to keep skilled marine construction jobs in the Puget Sound region
32 and to sustain the capacity of the region to meet the ongoing
33 construction and preservation needs of the ferry system fleet of
34 vessels. The legislature has determined that the current vessel
35 procurement process must move forward with all due speed, balancing
36 the interests of both the taxpayers and shipyards. To accomplish
37 construction of vessels in accordance with RCW 47.60.810, the
38 prevailing shipbuilder, for vessels initially funded after July 1,
39 2020, is encouraged to follow the historical practice of

1 subcontracting the construction of ferry superstructures to a
 2 separate nonaffiliated contractor located within the Puget Sound
 3 region, that is qualified in accordance with RCW 47.60.690. If the
 4 department elects not to execute a new modification to an existing
 5 option contract for one or more additional 144-auto ferries under RCW
 6 47.60.810(4), the department shall proceed with development of a new
 7 design-build request for proposals in accordance with RCW 47.60.810,
 8 47.60.812, 47.60.814, 47.60.815, 47.60.816, 47.60.818, 47.60.820,
 9 47.60.822, 47.60.824, and 47.60.8241. Of the amounts provided in this
 10 section, \$200,000 is provided solely for hiring an independent
 11 owner's representative to perform quality oversight, manage the
 12 change order process, and ensure contract compliance.

13 ~~(7) ((The capital vessel replacement account state appropriation~~
 14 ~~includes up to \$45,468,000 in proceeds from the sale of bonds~~
 15 ~~authorized in RCW 47.10.873.~~

16 ~~(8) \$4,200,000))~~ \$2,838,000 of the connecting Washington account—
 17 state appropriation is provided solely for ferry vessel and terminal
 18 preservation (L2000110). The funds provided in this subsection must
 19 be used for unplanned preservation needs before shifting funding from
 20 other preservation projects.

21 **Sec. 910.** 2022 c 186 s 309 (uncodified) is amended to read as
 22 follows:

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

24	Essential Rail Assistance Account—State	
25	Appropriation.	\$1,108,000
26	Transportation Infrastructure Account—State	
27	Appropriation.	(((\$6,218,000))
28		<u>\$6,219,000</u>
29	Multimodal Transportation Account—State	
30	Appropriation.	(((\$118,320,000))
31		<u>\$57,518,000</u>
32	Multimodal Transportation Account—Federal	
33	Appropriation.	(((\$6,567,000))
34		<u>\$7,885,000</u>
35	Multimodal Transportation Account—Private/Local	
36	Appropriation.	\$13,000
37	Motor Vehicle Account—State Appropriation.	\$1,810,000
38	TOTAL APPROPRIATION.	(((\$134,036,000))

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ((2022-2)) 2023-2 ALL PROJECTS as developed March ((~~9-2022~~)) 29, 2023, Program - Rail Program (Y).

(2) \$5,089,000 of the transportation infrastructure account—state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program. The department shall issue FRIB program loans with a repayment period of no more than ten years, and charge only so much interest as is necessary to recoup the department's costs to administer the loans. The department shall report annually to the transportation committees of the legislature and the office of financial management on all FRIB loans issued. FRIB program loans may be recommended by the department for 2022 supplemental transportation appropriations up to the amount provided in this appropriation that has not been provided for the projects listed in 2021-2 ALL PROJECTS, as referenced in subsection (1) of this section. The department shall submit a prioritized list for any loans recommended to the office of financial management and the transportation committees of the legislature by November 15, 2021.

(3) \$7,041,000 of the multimodal transportation account—state appropriation is provided solely for new statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in subsection (1) of this section.

(4) \$367,000 of the transportation infrastructure account—state appropriation and \$1,100,000 of the multimodal transportation account—state appropriation are provided solely to reimburse Highline Grain, LLC for approved work completed on Palouse River and Coulee City (PCC) railroad track in Spokane county between the BNSF Railway Interchange at Cheney and Geiger Junction and must be administered in a manner consistent with freight rail assistance program projects. The value of the public benefit of this project is expected to meet or exceed the cost of this project in: Shipper savings on transportation costs; jobs saved in rail-dependent industries; and/or reduced future costs to repair wear and tear on state and local

1 highways due to fewer annual truck trips (reduced vehicle miles
2 traveled). The amounts provided in this subsection are not a
3 commitment for future legislatures, but it is the legislature's
4 intent that future legislatures will work to approve biennial
5 appropriations until the full \$7,337,000 cost of this project is
6 reimbursed.

7 (5) (a) \$1,008,000 of the essential rail assistance account—state
8 appropriation is provided solely for the purpose of the
9 rehabilitation and maintenance of the Palouse river and Coulee City
10 railroad line (F01111B).

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

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

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

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

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

29 (7) (~~(\$32,996,000)~~) \$672,000 of the multimodal transportation
30 account—state appropriation is provided solely for Passenger Rail
31 Equipment Replacement (project 700010C). The appropriation in this
32 subsection include insurance proceeds received by the state. The
33 department must use these funds only to purchase replacement
34 equipment that has been competitively procured and for service
35 recovery needs and corrective actions related to the December 2017
36 derailment.

37 (8) It is the intent of the legislature to encourage the
38 department to pursue federal grant opportunities leveraging up to
39 \$6,696,000 in connecting Washington programmed funds to be used as a

1 state match to improve the state-owned Palouse river and Coulee City
2 system. The amount listed in this subsection is not a commitment for
3 future legislatures, but is the legislature's intent that future
4 legislatures will work to approve biennial appropriations up to a
5 state match share not to exceed \$6,696,000 of a grant award.

6 (9) \$500,000 of the multimodal transportation account—state
7 appropriation is provided solely for the Chelatchie Prairie railroad
8 for track improvement activities on the northern part of the railroad
9 (L1000311).

10 **Sec. 911.** 2022 c 186 s 310 (uncodified) is amended to read as
11 follows:

12 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**
13 **CAPITAL**

14	Highway Infrastructure Account—State Appropriation.	\$1,744,000
15	Highway Infrastructure Account—Federal Appropriation	
16	\$2,935,000
17	Transportation Partnership Account—State	
18	Appropriation.	(\$1,000,000)
19		<u>\$500,000</u>
20	Motor Vehicle Account—State Appropriation.	(\$25,101,000)
21		<u>\$21,631,000</u>
22	Motor Vehicle Account—Federal Appropriation.	(\$79,306,000)
23		<u>\$44,945,000</u>
24	Motor Vehicle Account—Private/Local Appropriation.	\$6,600,000
25	Connecting Washington Account—State Appropriation.	(\$178,464,000)
26		<u>\$140,293,000</u>
27	Multimodal Transportation Account—State	
28	Appropriation.	(\$96,975,000)
29		<u>\$62,362,000</u>
30	<u>Move Ahead WA Account—State Appropriation.</u>	<u>\$5,000,000</u>
31	<u>Move Ahead WA Flexible Account—State Appropriation.</u>	<u>\$3,000,000</u>
32	<u>Climate Active Transportation Account—State</u>	
33	<u>Appropriation.</u>	<u>\$12,182,000</u>
34	TOTAL APPROPRIATION.	(\$392,125,000)
35		<u>\$301,192,000</u>

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

1 (1) Except as provided otherwise in this section, the entire
2 appropriations in this section are provided solely for the projects
3 and activities as listed by project and amount in LEAP Transportation
4 Document ((2022-2)) 2023-2 ALL PROJECTS as developed March ((97-
5 2022)) 29, 2023, Program - Local Programs Program (Z).

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

9 (a) (i) ((~~\$46,163,000~~)) \$29,870,000 of the multimodal
10 transportation account—state appropriation is provided solely for
11 pedestrian and bicycle safety program projects (L2000188).

12 (ii) The state route 99/Aurora Avenue North Planning Study funded
13 in this subsection (2)(a) must prioritize designs that ensure slow
14 vehicle speeds and systematic improvement to the quality of
15 multimodal access, and must be fully completed by September 30, 2023,
16 in order to ensure construction of improvements begin no later than
17 March 1, 2024.

18 (b) ((~~\$26,086,000~~)) \$18,349,000 of the motor vehicle account—
19 federal appropriation and ((~~\$21,656,000~~)) \$16,562,000 of the
20 multimodal transportation account—state appropriation are provided
21 solely for safe routes to school projects (L2000189). The department
22 may consider the special situations facing high-need areas, as
23 defined by schools or project areas in which the percentage of the
24 children eligible to receive free and reduced-price meals under the
25 national school lunch program is equal to, or greater than, the state
26 average as determined by the department, when evaluating project
27 proposals against established funding criteria while ensuring
28 continued compliance with federal eligibility requirements.

29 (3) The department shall submit a report to the transportation
30 committees of the legislature by December 1, 2021, and December 1,
31 2022, on the status of projects funded as part of the pedestrian
32 safety/safe routes to school grant program. The report must include,
33 but is not limited to, a list of projects selected and a brief
34 description of each project's status. In its December 1, 2021, report
35 the department must also include recommended changes to the
36 pedestrian safety/safe routes to school grant program application and
37 selection processes to increase utilization by a greater diversity of
38 jurisdictions.

1 (4) (~~(\$11,987,000)~~) \$9,537,000 of the multimodal transportation
2 account—state appropriation is provided solely for bicycle and
3 pedestrian projects listed in the LEAP transportation document
4 referenced in subsection (1) of this section.

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

8 (6) (~~(\$17,438,000)~~) \$16,438,000 of the motor vehicle account—
9 federal appropriation is provided solely for national highway freight
10 network projects identified on the project list submitted in
11 accordance with section 218(4)(b), chapter 14, Laws of 2016 on
12 October 31, 2016 (L1000169).

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

26 (8) (~~(\$35,411,000)~~) \$10,137,000 of the motor vehicle account—
27 federal appropriation is provided solely for acceleration of local
28 preservation projects that ensure the reliable movement of freight on
29 the national highway freight system (G2000100). The department will
30 identify projects through its current national highway system asset
31 management call for projects with applications due in February 2021.
32 The department shall give priority to those projects that can be
33 obligated by September 30, 2021.

34 (9) (~~(\$400,000)~~) \$300,000 of the multimodal transportation
35 account—state appropriation is provided solely for a grant to the
36 Northwest Seaport Alliance (NWSA) to lead the creation and
37 coordination of a multistakeholder zero emissions truck collaborative
38 that will: (a) Facilitate the development and implementation of one
39 or more zero-emissions drayage truck demonstration projects in

1 Washington state; and (b) develop a roadmap for transitioning the
2 entire fleet of approximately 4,500 drayage trucks that serve the
3 NWSA cargo gateway to zero-emissions vehicles by 2050 or sooner.

4 (10) (~~(\$8,524,000)~~) \$2,900,000 of the connecting Washington
5 account—state appropriation is provided solely for the I-5/Mellen
6 Street Connector project.

7 (11) (~~(\$500,000)~~) \$100,000 of the motor vehicle account—state
8 appropriation is provided solely for the 166th/SR 410 Interchange.

9 (12) (~~(\$1,063,000)~~) \$263,000 of the motor vehicle account—state
10 appropriation is provided solely for repairs and rehabilitation of
11 the Pierce county ferry landings at Anderson Island and Steilacoom.

12 (13) (~~(\$300,000)~~) \$150,000 of the motor vehicle account—state
13 appropriation is provided solely for the city of Spokane for
14 preliminary engineering of the US 195/Inland Empire Way project.
15 Funds may be used for predesign environmental assessment work,
16 community engagement, design, and project cost estimation.

17 (14) \$6,686,000 of the climate active transportation account—
18 state appropriation is provided solely for newly selected safe routes
19 to school grants.

20 (15) \$5,496,000 of the climate active transportation account—
21 state appropriation is provided solely for newly selected pedestrian
22 and bicycle grants.

23 (16) It is the intent of the legislature that up to \$14,000,000
24 will be provided for the Guemes Ferry Boat Replacement project
25 (L4000124).

26 (17) \$3,000,000 of the move ahead WA flexible account—state
27 appropriation is provided solely for railroad crossing grant awards
28 which match federal funds for city and county projects which
29 eliminate at-grade highway-rail crossings.

30 (18) It is the intent of the legislature that \$25,000,000 will be
31 provided as part of the move ahead WA investment package in a future
32 biennium, as indicated on the list identified in subsection (1) of
33 this section, for the Ballard and Magnolia Bridge project (L4000123).
34 As part of the project, the Seattle department of transportation
35 (SDOT) must consult with an independent engineering firm to verify
36 that the costs for the type, size, and location preliminary design
37 report (TS&L), environmental impact statement (EIS), and 60 percent
38 design work are within industry cost range standards in advance of
39 moving forward with construction. SDOT must ensure that funds are

1 maximized by limiting the percentage for TS&L, EIS, and 60 percent
2 design work to 10 percent of the total cost of the project. Of the
3 \$25,000,000, \$12,500,000 must remain in unallotted status, and may be
4 distributed to SDOT only upon determination by the office of
5 financial management that SDOT's cost estimates have been verified by
6 an independent engineering firm as within industry cost range
7 standards, and SDOT has secured the additional matching funding
8 needed to complete the TS&L, EIS, and 60 percent design work.

9 (19) (a) It is the intent of the legislature, over the first five
10 years of the move ahead WA program, that \$50,000,000 will be provided
11 to SDOT to implement Aurora Avenue North Safety Improvements
12 (L4000154). Under this program, SDOT will be required to implement
13 strategic transportation investments for the Aurora Ave N Corridor
14 from N 90th St to N 105th St that ensure slow vehicle speeds,
15 walkability, multimodal mobility, safe routes to local schools, and
16 safety for residents, which will demonstrate the benefits of similar
17 transportation investments for other locations along Aurora Avenue
18 and elsewhere. SDOT must convene a neighborhood oversight board
19 consisting of residents of communities of the Aurora Ave N Corridor
20 to prioritize investments and monitor project implementation. The
21 oversight board should be composed of an equitable representation of
22 local communities along the Aurora Ave N Corridor, including
23 residents with disabilities. SDOT will ensure that the oversight
24 board is consulted on a bimonthly basis during the prioritization
25 process.

26 (b) The legislature intends, upon completion of the State Route
27 99/Aurora Avenue North Planning Study, that projects recommended in
28 the study will be funded by this program. A specific focus must be on
29 access management to consolidate driveways and improve safety for
30 vulnerable users. This work must also include installation of full
31 curb and sidewalks to improve safety, mobility, transit ridership,
32 equity, and work towards the goals set forth in vision zero, target
33 zero, and the Washington state active transportation plan. SDOT must
34 ensure the design and implementation of an accessible sidewalk
35 network to support users with mobility limitations, convenient and
36 accessible transit stops, all-ages-and-abilities bicycle facilities,
37 and safe pedestrian-activated crosswalks that puts safety over speed,
38 balances the needs of different modes, reduces the level of traffic
39 stress experienced by pedestrians and cyclists, connects to existing
40 bicycle and transit networks, creates safe walking and bicycling

1 routes to local schools including crosswalks, improves human and
2 environmental health, and supports the surrounding neighborhoods.
3 SDOT must coordinate with the Washington state department of
4 transportation and King county metro in implementing the investments.
5 SDOT must ensure that funds are maximized by limiting the percentage
6 for planning, predesign, design, permitting, and environmental review
7 to 10 percent of the total cost of each project.

8 (c) The legislature intends that all Aurora Avenue North Safety
9 Improvement projects funded in this program be completed by December
10 31, 2029, and that no funds may be expended for this purpose after
11 this date.

12 (20) \$800,000 of the motor vehicle account—state appropriation is
13 provided solely for the SR 109/88 Corner Roadway project (G2000106).

14 (21) The entire move ahead WA account—state appropriation is
15 provided solely for the Move Ahead WA - Road and Highway Projects as
16 listed in LEAP Transportation Document 2023-2 ALL PROJECTS as
17 developed March 29, 2023.

(End of part)

1 TRANSFERS AND DISTRIBUTIONS

2 Sec. 1001. 2022 c 186 s 401 (uncodified) is amended to read as
3 follows:

4 FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING
5 BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND
6 DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND
7 REVENUE

8	Transportation Partnership Account—State	
9	Appropriation.	((\$794,000))
10		<u>\$273,000</u>
11	((Connecting Washington Account—State Appropriation.	\$1,633,000))
12	Special Category C Account—State Appropriation.	((\$257,000))
13		<u>\$74,000</u>
14	Highway Bond Retirement Account—State Appropriation	((\$1,408,622,000))
15		<u>\$1,406,513,000</u>
16	Ferry Bond Retirement Account—State Appropriation.	\$17,150,000
17	Transportation Improvement Board Bond Retirement	
18	Account—State Appropriation.	((\$18,152,000))
19		<u>\$18,055,000</u>
20	Nondebt-Limit Reimbursable Bond Retirement Account—	
21	State Appropriation.	((\$26,278,000))
22		<u>\$29,238,000</u>
23	Toll Facility Bond Retirement Account—State	
24	Appropriation.	\$76,376,000
25	TOTAL APPROPRIATION.	((\$1,542,811,000))
26		<u>\$1,547,679,000</u>

27 The appropriations in this section are subject to the following
28 conditions and limitations: \$6,451,550 of the transportation
29 improvement board bond retirement account—state appropriation is
30 provided solely for the prepayment of certain outstanding bonds and
31 debt service.

32 Sec. 1002. 2022 c 186 s 402 (uncodified) is amended to read as
33 follows:

34 FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING
35 BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND
36 FISCAL AGENT CHARGES

37 Transportation Partnership Account—State

1	Appropriation.	((\$150,000))
2		<u>\$51,000</u>
3	((Connecting Washington Account—State Appropriation.	\$327,000))
4	Special Category C Account—State Appropriation.	((\$51,000))
5		<u>\$18,000</u>
6	Transportation Improvement Account—State	
7	Appropriation.	\$20,000
8	TOTAL APPROPRIATION.	((\$548,000))
9		<u>\$89,000</u>

10 **Sec. 1003.** 2022 c 186 s 403 (uncodified) is amended to read as
11 follows:

12 **FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

13	Motor Vehicle Account—State Appropriation: For motor	
14	vehicle fuel tax statutory distributions to	
15	cities and counties.	((\$474,003,000))
16		<u>\$467,037,000</u>

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

22 **Sec. 1004.** 2022 c 186 s 404 (uncodified) is amended to read as
23 follows:

24 **FOR THE STATE TREASURER—TRANSFERS**

25	Motor Vehicle Account—State Appropriation: For motor	
26	vehicle fuel tax refunds and statutory	
27	transfers.	((\$2,000,419,000))
28		<u>\$1,971,401,000</u>

29 **Sec. 1005.** 2022 c 186 s 405 (uncodified) is amended to read as
30 follows:

31 **FOR THE DEPARTMENT OF LICENSING—TRANSFERS**

32	Motor Vehicle Account—State Appropriation: For motor	
33	vehicle fuel tax refunds and transfers.	((\$240,330,000))
34		<u>\$264,160,000</u>

1 Transportation Account—State. \$3,000,000
2 (9) (a) State Route Number 520 Civil Penalties
3 Account—State Appropriation: For transfer to the
4 Motor Vehicle Account—State. \$2,000,000
5 (b) The transfer in this subsection is to repay moneys loaned to
6 the state route number 520 civil penalties account in the 2019-2021
7 fiscal biennium.
8 (10) State Route Number 520 Civil Penalties
9 Account—State Appropriation: For transfer to the
10 State Route Number 520 Corridor Account—State. (~~(\$1,532,000)~~)
11 \$1,508,000
12 (11) Capital Vessel Replacement Account—State
13 Appropriation: For transfer to the Connecting
14 Washington Account—State. \$35,000,000
15 (12) (a) Capital Vessel Replacement Account—State
16 Appropriation: For transfer to the Transportation
17 Partnership Account—State. \$35,547,000
18 (b) The amount transferred in this subsection represents proceeds
19 from the sale of bonds authorized in the 2019-2021 biennium in RCW
20 47.10.873.
21 (13) Multimodal Transportation Account—State
22 Appropriation: For transfer to the Complete Streets
23 Grant Program Account—State. \$14,670,000
24 (14) Multimodal Transportation Account—State
25 Appropriation: For transfer to the Connecting
26 Washington Account—State. \$200,000,000
27 (15) Multimodal Transportation Account—State
28 Appropriation: For transfer to the Freight Mobility
29 Multimodal Account—State. \$4,011,000
30 (16) Multimodal Transportation Account—State
31 Appropriation: For transfer to the Ignition Interlock
32 Device Revolving Account—State. \$600,000
33 (17) Multimodal Transportation Account—State
34 Appropriation: For transfer to the Pilotage
35 Account—State. \$2,000,000
36 (18) Multimodal Transportation Account—State
37 Appropriation: For transfer to the Puget Sound
38 Capital Construction Account—State. (~~(\$816,700,000)~~)
39 \$190,000,000

1 (19) Multimodal Transportation Account—State
 2 Appropriation: For transfer to the Regional Mobility
 3 Grant Program Account—State. \$27,679,000
 4 (20) Multimodal Transportation Account—State
 5 Appropriation: For transfer to the Rural Mobility
 6 Grant Program Account—State. \$15,223,000
 7 (21)(a) Alaskan Way Viaduct Replacement Project
 8 Account—State Appropriation: For transfer to the
 9 Transportation Partnership Account—State. \$22,884,000
 10 (b) The amount transferred in this subsection represents
 11 repayment of debt service incurred for the construction of the SR 99/
 12 Alaskan Way Viaduct Replacement project (809936Z).
 13 (22) Tacoma Narrows Toll Bridge Account—State
 14 Appropriation: For transfer to the Motor Vehicle
 15 Account—State. \$950,000
 16 (23) Puget Sound Ferry Operations Account—State
 17 Appropriation: For transfer to the Puget Sound
 18 Capital Construction Account—State. \$60,000,000
 19 (24)(a) General Fund Account—State
 20 Appropriation: For transfer to the State Patrol
 21 Highway Account—State. \$625,000
 22 (b) The state treasurer shall transfer the funds only after
 23 receiving notification from the Washington state patrol under section
 24 207(2), chapter 333, Laws of 2021.
 25 ~~(25) ((Motor Vehicle Account—State~~
 26 ~~Appropriation: For transfer to the Puget Sound~~
 27 ~~Capital Construction Account—State. \$30,000,000~~
 28 ~~(26))~~ Multimodal Transportation Account—State
 29 Appropriation: For transfer to the I-405 and SR 167
 30 Express Toll Lanes Account—State. \$268,433,000
 31 ~~((27))~~ (26) Multimodal Transportation Account—
 32 State Appropriation: For transfer to the Move Ahead
 33 WA Account—State. \$874,081,000
 34 ~~((28))~~ (27) Multimodal Transportation Account—State
 35 Appropriation: For transfer to the State Route
 36 Number 520 Corridor Account—State. \$70,786,000
 37 ~~((29) Motor Vehicle Account—State~~
 38 ~~Appropriation: For transfer to the Connecting Washington~~
 39 ~~Account—State. \$80,000,000~~

1	FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING	
2	BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY	
3	STATUTORILY PRESCRIBED REVENUE	
4	Toll Facility Bond Retirement Account—Federal	
5	Appropriation	((\$199,129,000))
6		<u>\$199,040,000</u>
7	Toll Facility Bond Retirement Account—State	
8	Appropriation	\$25,372,000
9	TOTAL APPROPRIATION.	((\$224,501,000))
10		<u>\$224,412,000</u>

(End of part)

MISCELLANEOUS 2021-2023 FISCAL BIENNIUM

NEW SECTION. Sec. 1101. A new section is added to 2022 c 186 (uncodified) to read as follows:

The appropriations to the department of transportation in chapter 333, Laws of 2021, chapters 186 and 187, Laws of 2022, and this act must be expended for the programs and in the amounts specified in chapter 333, Laws of 2021, chapters 186 and 187, Laws of 2022, and this act. However, after May 1, 2023, unless specifically prohibited, the department may transfer state appropriations authority for the 2021-2023 fiscal biennium among operating programs upon approval by the director of the office of financial management. However, the department shall not transfer state moneys that are provided solely for a specific purpose. The department shall not transfer appropriations authority, and the director of the office of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds and not federal funds. The director of the office of financial management shall notify the appropriate transportation committees of the legislature before approving any allotment modifications or transfers under this section.

NEW SECTION. Sec. 1102. The following acts or parts of acts are each repealed:

- (1) 2022 c 187 s 201 (uncodified);
(2) 2022 c 187 s 202 (uncodified);
(3) 2022 c 187 s 203 (uncodified);
(4) 2022 c 187 s 204 (uncodified);
(5) 2022 c 187 s 205 (uncodified);
(6) 2022 c 187 s 206 (uncodified);
(7) 2022 c 187 s 207 (uncodified);
(8) 2022 c 187 s 208 (uncodified);
(9) 2022 c 187 s 209 (uncodified);
(10) 2022 c 187 s 210 (uncodified);
(11) 2022 c 187 s 211 (uncodified);
(12) 2022 c 187 s 301 (uncodified);
(13) 2022 c 187 s 302 (uncodified);
(14) 2022 c 187 s 303 (uncodified);
(15) 2022 c 187 s 304 (uncodified);

- 1 (16) 2022 c 187 s 305 (uncodified);
- 2 (17) 2022 c 187 s 306 (uncodified);
- 3 (18) 2022 c 187 s 307 (uncodified);
- 4 (19) 2022 c 187 s 308 (uncodified); and
- 5 (20) 2022 c 187 s 401 (uncodified).

(End of part)

1 **MISCELLANEOUS**

2 NEW SECTION. **Sec. 1201.** If any provision of this act or its
3 application to any person or circumstance is held invalid, the
4 remainder of the act or the application of the provision to other
5 persons or circumstances is not affected.

6 NEW SECTION. **Sec. 1202.** This act is necessary for the immediate
7 preservation of the public peace, health, or safety, or support of
8 the state government and its existing public institutions, and takes
9 effect immediately.

(End of part)

(End of Bill)

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--- **END** ---