
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: S-2391.3/25 3rd draft

ATTY/TYPIST: AI:roy

BRIEF DESCRIPTION: Concerning transportation resources.

1 AN ACT Relating to transportation resources; amending RCW
2 82.38.030, 46.68.090, 46.17.323, 46.17.324, 46.17.040, 46.17.005,
3 82.08.020, 82.12.020, 70A.205.405, 70A.205.430, 70A.205.425,
4 46.20.161, 46.20.181, 46.68.041, 46.63.200, 46.63.110, 47.46.100,
5 47.56.245, 47.56.850, 47.56.870, 90.58.356, 77.55.181, 49.26.013,
6 36.70A.200, 36.70A.200, 47.04.380, 47.04.430, 47.04.390, 47.01.051,
7 47.01.071, 47.04.280, 81.52.050, 46.63.220, 47.04.350, 47.04.355,
8 47.60.826, 88.16.035, 46.16A.305, 47.60.322, 82.42.090, 43.19.642,
9 and 47.04.035; reenacting and amending RCW 46.20.117, 43.84.092,
10 43.84.092, 70A.65.030, 70A.65.040, 70A.65.230, and 46.16A.030; adding
11 a new section to chapter 47.60 RCW; adding a new section to chapter
12 46.17 RCW; adding a new section to chapter 82.14 RCW; adding a new
13 section to chapter 77.55 RCW; adding new sections to chapter 43.21C
14 RCW; adding a new section to chapter 47.66 RCW; adding a new section
15 to chapter 47.04 RCW; adding a new section to chapter 72.60 RCW;
16 adding a new chapter to Title 82 RCW; adding a new chapter to Title
17 36 RCW; creating new sections; repealing RCW 47.46.110, 47.01.075,
18 46.68.490, and 46.68.500; prescribing penalties; providing effective
19 dates; providing expiration dates; and declaring an emergency.

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

21

PART I

1 (b) Fuel is removed in this state from a refinery if either of
2 the following applies:

3 (i) The removal is by bulk transfer and the refiner or the owner
4 of the fuel immediately before the removal is not a licensed
5 supplier; or

6 (ii) The removal is at the refinery rack unless the removal is to
7 a licensed supplier or distributor for direct delivery to a
8 destination outside of the state, or the removal is to a licensed
9 supplier for direct delivery to an international fuel tax agreement
10 licensee under RCW 82.38.320;

11 (c) Fuel enters into this state for sale, consumption, use, or
12 storage, unless the fuel enters this state for direct delivery to an
13 international fuel tax agreement licensee under RCW 82.38.320, if
14 either of the following applies:

15 (i) The entry is by bulk transfer and the importer is not a
16 licensed supplier; or

17 (ii) The entry is not by bulk transfer;

18 (d) Fuel enters this state by means outside the bulk transfer-
19 terminal system and is delivered directly to a licensed terminal
20 unless the owner is a licensed distributor or supplier;

21 (e) Fuel is sold or removed in this state to an unlicensed entity
22 unless there was a prior taxable removal, entry, or sale of the fuel;

23 (f) Blended fuel is removed or sold in this state by the blender
24 of the fuel. The number of gallons of blended fuel subject to tax is
25 the difference between the total number of gallons of blended fuel
26 removed or sold and the number of gallons of previously taxed fuel
27 used to produce the blended fuel;

28 (g) Dyed special fuel is used on a highway, as authorized by the
29 internal revenue code, unless the use is exempt from the fuel tax;

30 (h) Dyed special fuel is held for sale, sold, used, or is
31 intended to be used in violation of this chapter;

32 (i) Special fuel purchased by an international fuel tax agreement
33 licensee under RCW 82.38.320 is used on a highway; and

34 (j) Fuel is sold by a licensed fuel supplier to a fuel
35 distributor or fuel blender and the fuel is not removed from the bulk
36 transfer-terminal system.

37 **Sec. 102.** RCW 46.68.090 and 2015 3rd sp.s. c 44 s 105 are each
38 amended to read as follows:

1 (1) All moneys that have accrued or may accrue to the motor
2 vehicle fund from the fuel tax must be first expended for purposes
3 enumerated in (a) and (b) of this subsection. The remaining net tax
4 amount must be distributed monthly by the state treasurer in
5 accordance with subsections (2) through (~~(8)~~) (9) of this section.

6 (a) For payment of refunds of fuel tax that has been paid and is
7 refundable as provided by law;

8 (b) For payment of amounts to be expended pursuant to
9 appropriations for the administrative expenses of the offices of
10 state treasurer, state auditor, and the department of licensing of
11 the state of Washington in the administration of the fuel tax, which
12 sums must be distributed monthly.

13 (2) All of the remaining net tax amount collected under RCW
14 82.38.030(1) must be distributed as set forth in (a) through (j) of
15 this subsection.

16 (a) For distribution to the motor vehicle fund an amount equal to
17 44.387 percent to be expended for highway purposes of the state as
18 defined in RCW 46.68.130;

19 (b)(i) For distribution to the special category C account, hereby
20 created in the motor vehicle fund, an amount equal to 3.2609 percent
21 to be expended for special category C projects. Special category C
22 projects are category C projects that, due to high cost only, will
23 require bond financing to complete construction.

24 (ii) The following criteria, listed in order of priority, must be
25 used in determining which special category C projects have the
26 highest priority:

27 (A) Accident experience;

28 (B) Fatal accident experience;

29 (C) Capacity to move people and goods safely and at reasonable
30 speeds without undue congestion; and

31 (D) Continuity of development of the highway transportation
32 network.

33 (iii) Moneys deposited in the special category C account in the
34 motor vehicle fund may be used for payment of debt service on bonds
35 the proceeds of which are used to finance special category C projects
36 under this subsection (2)(b);

37 (c) For distribution to the Puget Sound ferry operations account
38 in the motor vehicle fund an amount equal to 2.3283 percent;

39 (d) For distribution to the Puget Sound capital construction
40 account in the motor vehicle fund an amount equal to 2.3726 percent;

1 (e) For distribution to the transportation improvement account in
2 the motor vehicle fund an amount equal to 7.5597 percent;

3 (f) For distribution to the transportation improvement account in
4 the motor vehicle fund an amount equal to 5.6739 percent and expended
5 in accordance with RCW 47.26.086;

6 (g) For distribution to the cities and towns from the motor
7 vehicle fund an amount equal to 10.6961 percent in accordance with
8 RCW 46.68.110;

9 (h) For distribution to the counties from the motor vehicle fund
10 an amount equal to 19.2287 percent: (i) Out of which there must be
11 distributed from time to time, as directed by the department of
12 transportation, those sums as may be necessary to carry out the
13 provisions of RCW 47.56.725; and (ii) less any amounts appropriated
14 to the county road administration board to implement the provisions
15 of RCW 47.56.725(4), with the balance of such county share to be
16 distributed monthly as the same accrues for distribution in
17 accordance with RCW 46.68.120;

18 (i) For distribution to the county arterial preservation account,
19 hereby created in the motor vehicle fund an amount equal to 1.9565
20 percent. These funds must be distributed by the county road
21 administration board to counties in proportions corresponding to the
22 number of paved arterial lane miles in the unincorporated area of
23 each county and must be used for improvements to sustain the
24 structural, safety, and operational integrity of county arterials.
25 The county road administration board must adopt reasonable rules and
26 develop policies to implement this program and to assure that a
27 pavement management system is used;

28 (j) For distribution to the rural arterial trust account in the
29 motor vehicle fund an amount equal to 2.5363 percent and expended in
30 accordance with RCW 36.79.020.

31 (3) The remaining net tax amount collected under RCW 82.38.030(2)
32 must be distributed to the transportation 2003 account (nickel
33 account).

34 (4) The remaining net tax amount collected under RCW 82.38.030(3)
35 must be distributed as follows:

36 (a) 8.3333 percent must be distributed to the incorporated cities
37 and towns of the state in accordance with RCW 46.68.110;

38 (b) 8.3333 percent must be distributed to counties of the state
39 in accordance with RCW 46.68.120; and

1 (c) The remainder must be distributed to the transportation
2 partnership account created in RCW 46.68.290.

3 (5) The remaining net tax amount collected under RCW 82.38.030(4)
4 must be distributed as follows:

5 (a) 8.3333 percent must be distributed to the incorporated cities
6 and towns of the state in accordance with RCW 46.68.110;

7 (b) 8.3333 percent must be distributed to counties of the state
8 in accordance with RCW 46.68.120; and

9 (c) The remainder must be distributed to the transportation
10 partnership account created in RCW 46.68.290.

11 (6) The remaining net tax amount collected under RCW 82.38.030
12 (5) and (6) must be distributed to the transportation partnership
13 account created in RCW 46.68.290.

14 (7) The remaining net tax amount collected under RCW 82.38.030
15 (7) and ~~((8))~~ (10) must be distributed to the connecting Washington
16 account created in RCW 46.68.395.

17 (8) The remaining net tax amount collected under RCW 82.38.030
18 (8) and (9) must be distributed to the move ahead WA account created
19 in RCW 46.68.510.

20 (9) Nothing in this section or in RCW 46.68.130 may be construed
21 so as to violate any terms or conditions contained in any highway
22 construction bond issues now or hereafter authorized by statute and
23 whose payment is by such statute pledged to be paid from any excise
24 taxes on fuel.

25 **Sec. 103.** RCW 46.17.323 and 2022 c 149 s 1 are each amended to
26 read as follows:

27 (1) Before accepting an application for an annual vehicle
28 registration (~~(renewal)~~) for a vehicle that both (a) uses at least
29 one method of propulsion that is capable of being reenergized by an
30 external source of electricity and (b) is capable of traveling at
31 least 30 miles using only battery power, except for electric
32 motorcycles, the department, county auditor or other agent, or
33 subagent appointed by the director must require the applicant to pay
34 a ~~(($\$100$))~~ $\$150$ fee in addition to any other fees and taxes required
35 by law. The ~~(($\$100$))~~ fee is due ~~((only))~~ at the time of annual
36 registration (~~(renewal)~~).

37 (2) This section only applies to a vehicle that is designed to
38 have the capability to drive at a speed of more than 35 miles per
39 hour.

1 (3) (a) The ~~((fee))~~ fees under this section ~~((is))~~ are imposed to
2 provide funds to mitigate the impact of vehicles on state roads and
3 highways and for the purpose of evaluating the feasibility of
4 transitioning from a revenue collection system based on fuel taxes to
5 a road user assessment system, and ~~((is))~~ are separate and distinct
6 from other vehicle license fees. Proceeds from the ~~((fee))~~ fees must
7 be used for highway purposes, and must be deposited in the motor
8 vehicle fund created in RCW 46.68.070, ~~((subject to (b) of this~~
9 ~~subsection))~~ except as otherwise provided in this section.

10 (b) If in any year the amount of proceeds from the first \$100 of
11 the fee collected under subsection (1) of this section on
12 registration renewals exceeds \$1,000,000, the excess amount over
13 \$1,000,000 must be deposited as follows:

14 (i) Seventy percent to the motor vehicle fund created in RCW
15 46.68.070;

16 (ii) Fifteen percent to the transportation improvement account
17 created in RCW 47.26.084; and

18 (iii) Fifteen percent to the rural arterial trust account created
19 in RCW 36.79.020.

20 (c) The first \$100 of the fee collected under subsection (1) of
21 this section on original registrations must be deposited in the move
22 ahead WA account created in RCW 46.68.510.

23 (d) \$50 of the fee collected under subsection (1) of this section
24 on both original registrations and renewal registrations must be
25 deposited in the move ahead WA account created in RCW 46.68.510.

26 (4) (a) In addition to the fee established in subsection (1) of
27 this section, before accepting an application for an annual vehicle
28 registration ~~((renewal))~~ for a vehicle that both (i) uses at least
29 one method of propulsion that is capable of being reenergized by an
30 external source of electricity and (ii) is capable of traveling at
31 least 30 miles using only battery power, except for electric
32 motorcycles, the department, county auditor or other agent, or
33 subagent appointed by the director must require the applicant to pay
34 a \$50 fee.

35 (b) ~~((The))~~ Except as provided in subsection (7) of this section,
36 the fee required under (a) of this subsection on registration
37 renewals must be distributed as follows:

38 (i) The first \$1,000,000 raised by the fee must be deposited into
39 the multimodal transportation account created in RCW 47.66.070; and

1 (ii) Any remaining amounts must be deposited into the motor
2 vehicle fund created in RCW 46.68.070.

3 (c) Except as provided in subsection (7) of this section, the fee
4 required under (a) of this subsection on original registrations must
5 be deposited in the move ahead WA account created in RCW 46.68.510.

6 (5) Beginning November 1, 2022, before accepting an application
7 for an annual vehicle registration (~~(renewal)~~) for an electric
8 motorcycle that uses propulsion units powered solely by electricity,
9 the department, county auditor or other agent, or subagent appointed
10 by the director must require the applicant to pay a \$30 fee in
11 addition to any other fees and taxes required by law. The \$30 fee is
12 due (~~(only)~~) at the time of annual registration (~~(renewal)~~).

13 (6) (~~(The)~~) (a) Except as provided in subsection (7) of this
14 section, the fees collected pursuant to subsection (5) of this
15 section on registration renewals shall be deposited into the motor
16 vehicle fund created in RCW 46.68.070 and the fees collected pursuant
17 to subsection (5) of this section on original registrations shall be
18 deposited in the move ahead WA account created in RCW 46.68.510.

19 (7) Beginning July 1, 2026, and on July 1st of each year
20 thereafter, the fees under subsections (1), (4), and (5) of this
21 section must be increased by an additional inflation adjustment
22 factor. The additional inflation adjustment factor is the fee rate as
23 of June 30th of the immediately preceding fiscal year increased by
24 two percent. The result must be rounded to the nearest 20th of \$1.
25 The entire amount of the proceeds from the additional inflation
26 adjustment factor under this subsection must be deposited in the move
27 ahead WA account created in RCW 46.68.510.

28 (8) This section applies to annual vehicle (~~(registration~~
29 ~~renewals)~~) registrations until the effective date of enacted
30 legislation that imposes a vehicle miles traveled fee or tax.

31 **Sec. 104.** RCW 46.17.324 and 2019 c 287 s 23 are each amended to
32 read as follows:

33 (~~To realize the environmental benefits of electrification of the~~
34 ~~transportation system it is necessary to support the adoption of~~
35 ~~electric vehicles and other electric technology in the state by~~
36 ~~incentivizing the purchase of these vehicles, building out the~~
37 ~~charging infrastructure, developing greener transit options, and~~
38 ~~supporting clean alternative fuel infrastructure. Therefore, it is~~
39 ~~the intent of the legislature to support these activities through the~~

1 ~~imposition of new transportation electrification fees in this~~
2 ~~section.)~~)

3 (1) A vehicle that both (a) uses at least one method of
4 propulsion that is capable of being reenergized by an external source
5 of electricity and (b) is capable of traveling at least (~~thirty~~) 30
6 miles using only battery power, is subject to an annual (~~seventy-~~
7 ~~five-dollar~~) \$75 transportation electrification fee to be collected
8 by the department, county auditor, or other agent or subagent
9 appointed by the director, in addition to any other fees and taxes
10 required by law. For administrative efficiencies, the transportation
11 electrification fee must be collected at the same time as an annual
12 vehicle registration (~~renewals and may only be collected for~~
13 ~~vehicles that are renewing an annual vehicle registration~~)).

14 (2) Beginning October 1, 2019, in lieu of the fee in subsection
15 (1) of this section for a hybrid or alternative fuel vehicle that is
16 not required to pay the fees established in RCW 46.17.323 (1) and
17 (4), the department, county auditor, or other agent or subagent
18 appointed by the director must require that the applicant for the
19 annual vehicle registration (~~renewal~~) of such hybrid or alternative
20 fuel vehicle pay a (~~seventy-five-dollar~~) \$100 hybrid vehicle
21 transportation electrification fee, in addition to any other fees and
22 taxes required by law.

23 (3) The (~~fees required under this section must be deposited in~~
24 ~~the electric vehicle account created in RCW 82.44.200, until July 1,~~
25 ~~2025, when the fee~~) first \$75 of the fees on renewal registrations
26 required under this section must be deposited in the motor vehicle
27 account. The remaining amounts on registration renewals and all of
28 the fees on original registrations must be deposited in the move
29 ahead WA account created in RCW 46.68.510.

30 (4) Beginning July 1, 2026, and on July 1st of each year
31 thereafter, the fees under this section must be increased by an
32 additional inflation adjustment factor. The additional inflation
33 adjustment factor is the fee rate as of June 30th of the immediately
34 preceding fiscal year increased by two percent. The result must be
35 rounded to the nearest 20th of \$1. The entire amount of the proceeds
36 from the additional inflation adjustment factor under this subsection
37 must be deposited in the move ahead WA account created in RCW
38 46.68.510.

1 (5) This section only applies to a vehicle that is designed to
2 have the capability to drive at a speed of more than (~~thirty-five~~)
3 35 miles per hour.

4 **Sec. 105.** RCW 46.17.040 and 2019 c 417 s 2 are each amended to
5 read as follows:

6 (1) The department, county auditor or other agent, or subagent
7 appointed by the director shall collect a service fee of:

8 (a) (~~Fifteen dollars~~) \$18 for changes in a certificate of
9 title, changes in ownership for nontitled vehicles, or for
10 verification of record and preparation of an affidavit of lost title
11 other than at the time of the certificate of title application or
12 transfer, in addition to any other fees or taxes due at the time of
13 application; and

14 (b) (~~Eight dollars~~) \$11 for a registration renewal, issuing a
15 transit permit, or any other service under this section, in addition
16 to any other fees or taxes due at the time of application.

17 (2) Service fees collected under this section by the department
18 or county auditor or other agent appointed by the director must be
19 credited to the capital vessel replacement account under RCW
20 47.60.322.

21 **Sec. 106.** RCW 46.17.005 and 2019 c 417 s 3 are each amended to
22 read as follows:

23 (1) A person who applies for a vehicle registration or for any
24 other right to operate a vehicle on the highways of this state shall
25 pay a (~~four dollar and fifty cent~~) \$6 filing fee in addition to any
26 other fees and taxes required by law.

27 (2) A person who applies for a certificate of title shall pay a
28 (~~five dollar and fifty cent~~) \$6.50 filing fee in addition to any
29 other fees and taxes required by law.

30 (3) The filing fees established in this section must be
31 distributed under RCW 46.68.400.

32 NEW SECTION. **Sec. 107.** Sections 105 and 106 of this act apply
33 to registrations that are due or become due on or after January 1,
34 2026, and certificate of title transactions that are processed on or
35 after January 1, 2026.

1 PART II

2 LUXURY TAX ON EXPENSIVE MOTOR VEHICLES, RENTAL CAR TAX, TIRE DISPOSAL
3 FEE, AND ELECTRIC BICYCLE SURCHARGE

4 Sec. 201. RCW 82.08.020 and 2022 c 16 s 145 are each amended to
5 read as follows:

6 (1) There is levied and collected a tax equal to six and five-
7 tenths percent of the selling price on each retail sale in this state
8 of:

9 (a) Tangible personal property, unless the sale is specifically
10 excluded from the RCW 82.04.050 definition of retail sale;

11 (b) Digital goods, digital codes, and digital automated services,
12 if the sale is included within the RCW 82.04.050 definition of retail
13 sale;

14 (c) Services, other than digital automated services, included
15 within the RCW 82.04.050 definition of retail sale;

16 (d) Extended warranties to consumers; and

17 (e) Anything else, the sale of which is included within the RCW
18 82.04.050 definition of retail sale.

19 (2) (a) There is levied and collected an additional tax on each
20 retail car rental, regardless of whether the vehicle is licensed in
21 this state, equal to ~~((five and nine-tenths percent of the selling
22 price. The revenue collected under))~~:

23 (i) Eleven and nine-tenths percent of the selling price from
24 January 1, 2026, through December 31, 2026; and

25 (ii) (A) Nine and nine-tenths percent of the selling price
26 beginning January 1, 2027.

27 (B) The revenue collected from the first five and nine-tenths
28 percent of the selling price under (a) of this subsection must be
29 deposited in the multimodal transportation account created in RCW
30 47.66.070 with the remainder deposited in the move ahead WA flexible
31 account created in RCW 46.68.520.

32 (b) (i) There is levied and collected an additional tax on peer-
33 to-peer car sharing transactions equal to the selling price
34 multiplied by the rate of tax imposed in (a) of this subsection. The
35 revenue collected under this subsection (2) (b) must be deposited in
36 the move ahead WA flexible account created in RCW 46.68.520.

1 (ii) For purposes of this subsection (2)(b), "peer-to-peer car
2 sharing" has the same meaning as in RCW 46.74A.010. "Peer-to-peer car
3 sharing" does not mean:

4 (A) "Retail car rental" as defined in RCW 82.08.011; or

5 (B) "Rental car" as defined in RCW 46.04.465 or 48.115.005.

6 (3) Beginning July 1, 2003, there is levied and collected an
7 additional tax of three-tenths of one percent of the selling price on
8 each retail sale of a motor vehicle in this state, other than retail
9 car rentals taxed under subsection (2) of this section. The revenue
10 collected under this subsection must be deposited in the multimodal
11 transportation account created in RCW 47.66.070.

12 (4)(a) In addition to the taxes imposed in subsections (1) and
13 (3) of this section, there is levied and collected an additional 10
14 percent luxury vehicle tax on the sale of a passenger motor vehicle
15 if:

16 (i) The selling price of the passenger motor vehicle exceeds
17 \$100,000; or

18 (ii) In the case of a lease requiring periodic payments, the fair
19 market value of the passenger motor vehicle exceeds \$100,000 at the
20 inception of the lease.

21 (b) The additional tax imposed in this subsection applies to
22 passenger motor vehicles not used exclusively for a business purpose.

23 (c) The additional tax imposed in this subsection only applies to
24 the portion of the selling price in excess of \$100,000, or in the
25 case of a lease requiring periodic payments, the fair market value of
26 the passenger motor vehicle in excess of \$100,000 at the inception of
27 the lease.

28 (d) For purposes of this subsection, "passenger motor vehicle"
29 means any motor vehicle that is designed for carrying 10 or fewer
30 passengers, including passenger cars, light trucks, limousines,
31 motorcycles, motor homes, passenger vans, and sport utility vehicles.
32 For purposes of this subsection (4), the definitions in chapter 46.04
33 RCW apply.

34 (e) The revenue collected under this subsection must be deposited
35 in the move ahead WA flexible account created in RCW 46.68.520.

36 (5) For purposes of subsection (3) of this section, "motor
37 vehicle" has the meaning provided in RCW 46.04.320, but does not
38 include:

1 (a) Farm tractors or farm vehicles as defined in RCW 46.04.180
2 and 46.04.181, unless the farm tractor or farm vehicle is for use in
3 the production of cannabis;

4 (b) Off-road vehicles as defined in RCW 46.04.365;

5 (c) Nonhighway vehicles as defined in RCW 46.09.310; and

6 (d) Snowmobiles as defined in RCW 46.04.546.

7 ((+5)) (6) Beginning on December 8, 2005, 0.16 percent of the
8 taxes collected under subsection (1) of this section must be
9 dedicated to funding comprehensive performance audits required under
10 RCW 43.09.470. The revenue identified in this subsection must be
11 deposited in the performance audits of government account created in
12 RCW 43.09.475.

13 ((+6)) (7) The taxes imposed under this chapter apply to
14 successive retail sales of the same property.

15 ((+7)) (8) The rates provided in this section apply to taxes
16 imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

17 **Sec. 202.** RCW 82.12.020 and 2017 c 323 s 520 are each amended to
18 read as follows:

19 (1) There is levied and collected from every person in this state
20 a tax or excise for the privilege of using within this state as a
21 consumer any:

22 (a) Article of tangible personal property acquired by the user in
23 any manner, including tangible personal property acquired at a casual
24 or isolated sale, and including by-products used by the manufacturer
25 thereof, except as otherwise provided in this chapter, irrespective
26 of whether the article or similar articles are manufactured or are
27 available for purchase within this state;

28 (b) Prewritten computer software, regardless of the method of
29 delivery, but excluding prewritten computer software that is either
30 provided free of charge or is provided for temporary use in viewing
31 information, or both;

32 (c) Services defined as a retail sale in RCW 82.04.050 (2) (a) or
33 (g) or (6)(c), excluding services defined as a retail sale in RCW
34 82.04.050(6)(c) that are provided free of charge;

35 (d) Extended warranty; or

36 (e)(i) Digital good, digital code, or digital automated service,
37 including the use of any services provided by a seller exclusively in
38 connection with digital goods, digital codes, or digital automated
39 services, whether or not a separate charge is made for such services.

1 (ii) With respect to the use of digital goods, digital automated
2 services, and digital codes acquired by purchase, the tax imposed in
3 this subsection (1)(e) applies in respect to:

4 (A) Sales in which the seller has granted the purchaser the right
5 of permanent use;

6 (B) Sales in which the seller has granted the purchaser a right
7 of use that is less than permanent;

8 (C) Sales in which the purchaser is not obligated to make
9 continued payment as a condition of the sale; and

10 (D) Sales in which the purchaser is obligated to make continued
11 payment as a condition of the sale.

12 (iii) With respect to digital goods, digital automated services,
13 and digital codes acquired other than by purchase, the tax imposed in
14 this subsection (1)(e) applies regardless of whether or not the
15 consumer has a right of permanent use or is obligated to make
16 continued payment as a condition of use.

17 (2) The provisions of this chapter do not apply in respect to the
18 use of any article of tangible personal property, extended warranty,
19 digital good, digital code, digital automated service, or service
20 taxable under RCW 82.04.050 (2) (a) or (g) or (6)(c), if the sale to,
21 or the use by, the present user or the present user's bailor or donor
22 has already been subjected to the tax under chapter 82.08 RCW or this
23 chapter and the tax has been paid by the present user or by the
24 present user's bailor or donor.

25 (3)(a) Except as provided in this section, payment of the tax
26 imposed by this chapter or chapter 82.08 RCW by one purchaser or user
27 of tangible personal property, extended warranty, digital good,
28 digital code, digital automated service, or other service does not
29 have the effect of exempting any other purchaser or user of the same
30 property, extended warranty, digital good, digital code, digital
31 automated service, or other service from the taxes imposed by such
32 chapters.

33 (b) The tax imposed by this chapter does not apply:

34 (i) If the sale to, or the use by, the present user or his or her
35 bailor or donor has already been subjected to the tax under chapter
36 82.08 RCW or this chapter and the tax has been paid by the present
37 user or by his or her bailor or donor;

38 (ii) In respect to the use of any article of tangible personal
39 property acquired by bailment and the tax has once been paid based on
40 reasonable rental as determined by RCW 82.12.060 measured by the

1 value of the article at time of first use multiplied by the tax rate
2 imposed by chapter 82.08 RCW or this chapter as of the time of first
3 use;

4 (iii) In respect to the use of any article of tangible personal
5 property acquired by bailment, if the property was acquired by a
6 previous bailee from the same bailor for use in the same general
7 activity and the original bailment was prior to June 9, 1961; or

8 (iv) To the use of digital goods or digital automated services,
9 which were obtained through the use of a digital code, if the sale of
10 the digital code to, or the use of the digital code by, the present
11 user or the present user's bailor or donor has already been subjected
12 to the tax under chapter 82.08 RCW or this chapter and the tax has
13 been paid by the present user or by the present user's bailor or
14 donor.

15 (4) (a) Except as provided in (b) of this subsection (4), the tax
16 is levied and must be collected in an amount equal to the value of
17 the article used, value of the digital good or digital code used,
18 value of the extended warranty used, or value of the service used by
19 the taxpayer, multiplied by the applicable rates in effect for the
20 retail sales tax under RCW 82.08.020.

21 (b) In the case of a seller required to collect use tax from the
22 purchaser, the tax must be collected in an amount equal to the
23 purchase price multiplied by the applicable rate in effect for the
24 retail sales tax under RCW 82.08.020.

25 (5) For purposes of the tax imposed in this section, "person"
26 includes anyone within the definition of "buyer," "purchaser," and
27 "consumer" in RCW 82.08.010.

28 (6) (a) The tax imposed in this section at the rate provided in
29 RCW 82.08.020(4) applies to the use of a passenger motor vehicle as
30 defined in RCW 82.08.020(4) on the value of the passenger motor
31 vehicle in excess of \$100,000 at the time that it is first used in
32 this state by the consumer.

33 (b) "Value of the passenger motor vehicle" means the fair market
34 value of the passenger motor vehicle. In the case of a leased
35 passenger motor vehicle in which the consumer is required to make
36 periodic lease payments, "value of the passenger motor vehicle" means
37 the fair market value of the passenger motor vehicle at the inception
38 of the lease.

39 (c) The revenue collected under this subsection must be deposited
40 in the move ahead WA flexible account created in RCW 46.68.520.

1 NEW SECTION. **Sec. 203.** The additional sales and use tax imposed
2 in sections 201 and 202 of this act applies only to passenger motor
3 vehicles acquired by the purchaser on or after January 1, 2026. In
4 the case of leased passenger motor vehicles, the additional sales and
5 use tax imposed in sections 201 and 202 of this act applies only with
6 respect to leases entered into by the lessee on or after January 1,
7 2026.

8 NEW SECTION. **Sec. 204.** (1)(a) In addition to taxes required
9 under chapters 82.08 and 82.12 RCW, there is levied and collected an
10 electric bicycle surcharge equal to 10 percent of the selling price
11 on each retail sale in this state of new electric bicycles.

12 (b) All electric bicycle surcharge amounts shall be reported and
13 remitted to the department in a manner and frequency consistent with
14 the reporting and remittance of state sales taxes, and on such forms
15 as the department shall prescribe and approve.

16 (c) The tax collected by the electric bicycle retailer is deemed
17 to be held in trust until paid to the department. Any electric
18 bicycle retailer who appropriates or converts the tax collected to
19 the dealer's own use or to any use other than the payment of the tax
20 to the extent that the money required to be collected is not
21 available for payment on the due date as prescribed in this chapter
22 is guilty of a gross misdemeanor.

23 (2) The definitions in this subsection apply throughout this
24 chapter, unless the context clearly requires otherwise.

25 (a) "Electric bicycle" has the same meaning as "electric-assisted
26 bicycle" as provided in RCW 46.04.169.

27 (b) "Selling price" has the same meaning as provided in RCW
28 82.08.010.

29 NEW SECTION. **Sec. 205.** The revenue collected under this chapter
30 must be deposited in the move ahead WA flexible account created in
31 RCW 46.68.520.

32 NEW SECTION. **Sec. 206.** Chapter 82.32 RCW applies to the
33 administration of the electric bicycle surcharge authorized in this
34 chapter.

35 NEW SECTION. **Sec. 207.** (1) The electric bicycle surcharge
36 authorized in this chapter does not apply to any transaction that the

1 state is prohibited from taxing under the Constitution of this state
2 or the Constitution or laws of the United States.

3 (2) There are no other exemptions from this tax.

4 NEW SECTION. **Sec. 208.** Sections 204 through 207 of this act
5 constitute a new chapter in Title 82 RCW.

6 **Sec. 209.** RCW 70A.205.405 and 2020 c 20 s 1190 are each amended
7 to read as follows:

8 (1) There is levied a (~~one-dollar~~) \$5 per tire fee on the
9 retail sale of new replacement vehicle tires. The fee imposed in this
10 section must be paid by the buyer to the seller, and each seller
11 shall collect from the buyer the full amount of the fee. The fee
12 collected from the buyer by the seller less the (~~ten-percent~~)
13 amount retained by the seller as provided in RCW 70A.205.430(1) must
14 be paid to the department of revenue in accordance with RCW
15 82.32.045.

16 (2) The department of revenue shall incorporate into the agency's
17 regular audit cycle a reconciliation of the number of tires sold and
18 the amount of revenue collected by the businesses selling new
19 replacement vehicle tires at retail. The department of revenue shall
20 collect on the business excise tax return from the businesses selling
21 new replacement vehicle tires at retail:

22 (a) The number of tires sold; and

23 (b) The fee levied in this section.

24 (3) All other applicable provisions of chapter 82.32 RCW have
25 full force and application with respect to the fee imposed under this
26 section. The department of revenue shall administer this section.

27 (4) For the purposes of this section, "new replacement vehicle
28 tires" means tires that are newly manufactured for vehicle purposes
29 and does not include retreaded vehicle tires.

30 **Sec. 210.** RCW 70A.205.430 and 2020 c 20 s 1193 are each amended
31 to read as follows:

32 (1) Every person engaged in making retail sales of new
33 replacement vehicle tires in this state shall retain (~~ten percent of~~
34 ~~the collected one dollar fee~~) 25 cents for each tire subject to the
35 fee imposed under RCW 70A.205.405. The moneys retained may be used
36 for costs associated with the proper management of the waste vehicle
37 tires by the retailer.

1 (2) The department of ecology will administer the funds for the
2 purposes specified in RCW 70A.205.010(6) including, but not limited
3 to:

4 (a) Making grants to local governments for pilot demonstration
5 projects for on-site shredding and recycling of tires from
6 unauthorized dump sites;

7 (b) Grants to local government for enforcement programs;

8 (c) Implementation of a public information and education program
9 to include posters, signs, and informational materials to be
10 distributed to retail tire sales and tire service outlets;

11 (d) Product marketing studies for recycled tires and alternatives
12 to land disposal.

13 **Sec. 211.** RCW 70A.205.425 and 2020 c 20 s 1192 are each amended
14 to read as follows:

15 (1) ~~((All receipts from))~~ The first \$600,000 of the receipts from
16 the tire fees imposed under RCW 70A.205.405 ~~((, except as provided in~~
17 ~~subsection (2) of this section,))~~ each fiscal year must be deposited
18 in the waste tire removal account created under RCW 70A.205.415 with
19 remainder distributed as provided in subsection (2) of this section.
20 Moneys in the account may be spent only after appropriation.
21 Expenditures from the account may be used for the cleanup of
22 unauthorized waste tire piles and measures that prevent future
23 accumulation of unauthorized waste tire piles.

24 (2) ~~((On September 1st of odd-numbered years, the state treasurer~~
25 ~~must transfer any cash balance in excess of one million dollars from~~
26 ~~the waste tire removal account created under RCW 70A.205.415 to))~~ (a)
27 After making the deposit required under subsection (1) of this
28 section, \$4,750,000 of the remaining net receipts from the tire fee
29 imposed under RCW 70A.205.405 each fiscal year must be deposited in
30 the motor vehicle fund for the purpose of road wear related
31 maintenance on state and local public highways.

32 (b) All remaining receipts from the tire fee imposed under RCW
33 70A.205.405 each fiscal year must be deposited in the move ahead WA
34 flexible account created in RCW 46.68.520.

35 NEW SECTION. **Sec. 212.** LARGE EVENT TRANSPORTATION ASSESSMENT.

36 (1) Beginning January 1, 2026, a large event transportation
37 assessment is imposed on large events occurring at a large event

1 facility. The amount of the assessment is \$1 per attendee of the
2 large event.

3 (2) The large event transportation assessment is a legal
4 obligation of the large event facility operator, but may be
5 separately listed for informational purposes on customer ticket or
6 billing documents. If a large event is canceled or postponed, the
7 large event assessment is not due and payable until after the large
8 event has occurred. For an event occurring over multiple days, the
9 large event transportation assessment is assessed for each day the
10 event constitutes a large event.

11 (3) The large event transportation assessment does not apply to
12 the area fairs, county fairs, community fairs, or youth shows and
13 fairs described in RCW 15.76.120 or any state fair.

14 (4) For the purposes of this chapter, the following definitions
15 apply unless the context clearly requires otherwise.

16 (a) "Attendee" means an individual admitted or attending a large
17 event by paying an admission charge, purchasing a ticket including
18 season tickets, subscription, or admitted to the large event free of
19 charge, at a reduced rate, or based on a complimentary admission. An
20 attendee also includes individuals working at the large event or
21 providing contracted services on the premises, including assisting
22 with parking.

23 (b) "Event day" means each day that a sports contest, concert,
24 trade convention, or any other similar activity, takes place.

25 (c) "Large event" means any sports contest, concert, trade
26 convention, or any other similar activity, which draws at least
27 20,000 attendees on an event day. "Large event" does not include any
28 state or local fairs, including youth shows and fairs described in
29 RCW 15.76.120.

30 (d) "Large event facility" means a facility described under RCW
31 82.29A.130 (14) or (15). "Large event facility" also includes a
32 convention center, amusement park, or any other sports facility,
33 concert venue, or similar public entertainment or spectator venue
34 that is specifically designed to accommodate or seat at least 20,000
35 attendees per event day.

36 (e) "Large event facility operator" means the owner or operator
37 of a large event facility.

1 administer the provisions of this chapter. To the extent applicable,
2 chapter 82.32 RCW applies to the large event transportation
3 assessment imposed in this chapter.

4 NEW SECTION. **Sec. 214.** Revenues collected under this chapter
5 must be deposited in the move ahead WA flexible account created in
6 RCW 46.68.520.

7 NEW SECTION. **Sec. 215.** The provisions of RCW 82.32.805 and
8 82.32.808 do not apply to sections 212 through 214 of this act.

9 NEW SECTION. **Sec. 216.** Sections 212 through 214 of this act
10 constitute a new chapter in Title 82 RCW.

11 **PART III**
12 **DRIVER'S LICENSE FEES, WORK ZONE VIOLATIONS, TRAFFIC INFRACTIONS,**
13 **VEHICLE REGISTRATION SYSTEM FOR TRANSIT, AND CREDIT CARD SURCHARGES**
14 **FOR FERRY RIDERS**

15 **Sec. 301.** RCW 46.20.161 and 2024 c 146 s 29 are each amended to
16 read as follows:

17 (1) (a) The department, upon receipt of a fee of (~~seventy-two~~
18 ~~dollars~~) \$80, unless the driver's license is issued for a period
19 other than eight years, in which case the fee shall be (~~nine~~
20 ~~dollars~~) \$10 for each year that the license is issued, which
21 includes the fee for the required photograph, shall issue to every
22 qualifying applicant a driver's license.

23 (b) Beginning July 1, 2026, and on July 1st of each year
24 thereafter, the fee under (a) of this subsection must be increased by
25 an additional inflation adjustment factor. The additional inflation
26 adjustment factor is the fee rate as of June 30th of the immediately
27 preceding fiscal year increased by two percent. The result must be
28 rounded to the nearest 20th of \$1.

29 (c) A driver's license issued to a person under the age of
30 (~~eighteen~~) 18 is an intermediate license, subject to the
31 restrictions imposed under RCW 46.20.075, until the person reaches
32 the age of eighteen.

33 (2) The license must include:

34 (a) A distinguishing number assigned to the licensee;

35 (b) The name of record;

1 (c) Date of birth;
2 (d) Washington residence address;
3 (e) Photograph;
4 (f) A brief description of the licensee;
5 (g) Either a facsimile of the signature of the licensee or a
6 space upon which the licensee shall write the licensees' usual
7 signature with pen and ink immediately upon receipt of the license;
8 (h) If applicable, the person's status as a veteran as provided
9 in subsection (4) of this section; and
10 (i) If applicable, a medical alert designation as provided in
11 subsection (5) of this section.
12 (3) No license is valid until it has been signed by the licensee.
13 (4)(a) A veteran, as defined in RCW 41.04.007, may apply to the
14 department to obtain a veteran designation on a driver's license
15 issued under this section by providing:
16 (i) A United States department of veterans affairs identification
17 card or proof of service letter;
18 (ii) A United States department of defense discharge document, DD
19 Form 214 or DD Form 215, as it exists on June 7, 2018, or such
20 subsequent date as may be provided by the department by rule,
21 consistent with the purposes of this section, or equivalent or
22 successor discharge paperwork, that establishes the person's service
23 in the armed forces of the United States and qualifying discharge as
24 defined in RCW 73.04.005;
25 (iii) A national guard state-issued report of separation and
26 military service, NGB Form 22, as it exists on June 7, 2018, or such
27 subsequent date as may be provided by the department by rule,
28 consistent with the purposes of this section, or equivalent or
29 successor discharge paperwork, that establishes the person's active
30 duty or reserve service in the national guard and qualifying
31 discharge as defined in RCW 73.04.005; or
32 (iv) A United States uniformed services identification card, DD
33 Form 2, that displays on its face that it has been issued to a
34 retired member of any of the armed forces of the United States,
35 including the national guard and armed forces reserves.
36 (b) The department may permit a veteran, as defined in RCW
37 41.04.007, to submit alternate forms of documentation to apply to
38 obtain a veteran designation on a driver's license.
39 (5) Any person may apply to the department to obtain a medical
40 alert designation, a developmental disability designation, or a

1 deafness designation on a driver's license issued under this chapter
2 by providing:

3 (a) Self-attestation that the individual:

4 (i) Has a medical condition that could affect communication or
5 account for a driver health emergency;

6 (ii) Is deaf or hard of hearing; or

7 (iii) Has a developmental disability as defined in RCW
8 71A.10.020;

9 (b) A statement from the person that they have voluntarily
10 provided the self-attestation and other information verifying the
11 condition; and

12 (c) For persons under (~~eighteen~~) 18 years of age or who have a
13 developmental disability, the signature of a parent or legal
14 guardian.

15 (6) A self-attestation or data contained in a self-attestation
16 provided under this section:

17 (a) Shall not be disclosed;

18 (b) Is for the confidential use of the director, the chief of the
19 Washington state patrol, and law enforcement and emergency medical
20 service providers as designated by law; and

21 (c) Is subject to the privacy protections of the driver's privacy
22 protection act, 18 U.S.C. Sec. 2725.

23 **Sec. 302.** RCW 46.20.181 and 2021 c 158 s 8 are each amended to
24 read as follows:

25 (1) Except as provided in subsection (4) or (5) of this section,
26 every driver's license expires on the eighth anniversary of the
27 licensee's birthdate following the issuance of the license.

28 (2) (a) A person may renew a license on or before the expiration
29 date by submitting an application as prescribed by the department and
30 paying a fee of (~~seventy-two dollars~~) \$80.

31 (b) Beginning July 1, 2026, and on July 1st of each year
32 thereafter, the fee under (a) of this subsection must be increased by
33 an additional inflation adjustment factor. The additional inflation
34 adjustment factor is the fee rate as of June 30th of the immediately
35 preceding fiscal year increased by two percent. The result must be
36 rounded to the nearest 20th of \$1.

37 (c) This fee includes the fee for the required photograph.

38 (3) A person renewing a driver's license more than (~~sixty~~) 60
39 days after the license has expired shall pay a penalty fee of (~~ten~~

1 ~~dollars~~) \$10 in addition to the renewal fee, unless the license
2 expired when:

3 (a) The person was outside the state and the licensee renews the
4 license within (~~sixty~~) 60 days after returning to this state; or

5 (b) The person was incapacitated and the licensee renews the
6 license within (~~sixty~~) 60 days after the termination of the
7 incapacity.

8 (4) (a) The department may issue or renew a driver's license for a
9 period other than eight years, or may extend by mail or electronic
10 commerce a license that has already been issued. The fee for a
11 driver's license issued or renewed for a period other than eight
12 years, or that has been extended by mail or electronic commerce, is
13 (~~nine dollars~~) \$10 for each year that the license is issued,
14 renewed, or extended.

15 (b) Beginning July 1, 2026, and on July 1st of each year
16 thereafter, the fee under (a) of this subsection must be increased by
17 an additional inflation adjustment factor. The additional inflation
18 adjustment factor is the fee rate as of June 30th of the immediately
19 preceding fiscal year increased by two percent. The result must be
20 rounded to the nearest 20th of \$1.

21 (c) The department must offer the option to issue or renew a
22 driver's license for six years in addition to the eight year
23 issuance. The department may adopt any rules as are necessary to
24 carry out this subsection.

25 (5) A driver's license that includes a hazardous materials
26 endorsement under chapter 46.25 RCW may expire on an anniversary of
27 the licensee's birthdate other than the eighth year following
28 issuance or renewal of the license in order to match, as nearly as
29 possible, the validity of certification from the federal
30 transportation security administration that the licensee has been
31 determined not to pose a security risk. The fee for a driver's
32 license issued or renewed for a period other than eight years is
33 (~~nine dollars~~) \$9 for each year that the license is issued or
34 renewed, not including any endorsement fees. The department may
35 adjust the expiration date of a driver's license that has previously
36 been issued to conform to the provisions of this subsection if a
37 hazardous materials endorsement is added to the license subsequent to
38 its issuance. If the validity of the driver's license is extended,
39 the licensee must pay a fee of (~~nine dollars~~) \$9 for each year that
40 the license is extended.

1 (6) The department may adopt any rules as are necessary to carry
2 out this section.

3 **Sec. 303.** RCW 46.20.117 and 2024 c 315 s 4 and 2024 c 162 s 3
4 are each reenacted and amended to read as follows:

5 (1) **Issuance.** The department shall issue an identicard,
6 containing a picture, if the applicant:

7 (a) Does not hold a valid Washington driver's license;

8 (b) Proves the applicant's identity as required by RCW 46.20.035;
9 and

10 (c) Pays the required fee. Except as provided in subsection (7)
11 of this section, the fee is (~~(\$72)~~) \$80, unless an applicant is:

12 (i) A recipient of continuing public assistance grants under
13 Title 74 RCW, or a participant in the Washington women, infants, and
14 children program. Any applicant under this subsection must be
15 verified by documentation sufficient to demonstrate eligibility;

16 (ii) Under the age of 25 and does not have a permanent residence
17 address as determined by the department by rule; or

18 (iii) An individual who is scheduled to be released from an
19 institution as defined in RCW 13.40.020, a community facility as
20 defined in RCW 72.05.020, a correctional facility as defined in RCW
21 72.09.015, or other juvenile rehabilitation facility operated by the
22 department of social and health services or the department of
23 children, youth, and families; or an individual who has been released
24 from such an institution or facility within 30 calendar days before
25 the date of the application.

26 For those persons under (c)(i) through (iii) of this subsection,
27 the fee must be the actual cost of production of the identicard.

28 (2)(a) **Design and term.** The identicard must:

29 (i) Be distinctly designed so that it will not be confused with
30 the official driver's license; and

31 (ii) Except as provided in subsection (7) of this section, expire
32 on the eighth anniversary of the applicant's birthdate after
33 issuance.

34 (b) The identicard may include the person's status as a veteran,
35 consistent with RCW 46.20.161(4).

36 (c) If applicable, the identicard may include a medical alert
37 designation as provided in subsection (5) of this section.

38 (3) **Renewal.** An application for identicard renewal may be
39 submitted by means of:

1 (a) Personal appearance before the department;

2 (b) Mail or electronic commerce, if permitted by rule of the
3 department and if the applicant did not renew the identicard by mail
4 or by electronic commerce when it last expired; or

5 (c) From January 1, 2022, to June 30, 2024, electronic commerce,
6 if permitted by rule of the department.

7 An identicard may not be renewed by mail or by electronic
8 commerce unless the renewal issued by the department includes a
9 photograph of the identicard holder.

10 (4) **Cancellation.** The department may cancel an identicard if the
11 holder of the identicard used the card or allowed others to use the
12 card in violation of RCW 46.20.0921.

13 (5) Any person may apply to the department to obtain a medical
14 alert designation, a developmental disability designation, or a
15 deafness designation on an identicard issued under this chapter by
16 providing:

17 (a) Self-attestation that the individual:

18 (i) Has a medical condition that could affect communication or
19 account for a health emergency;

20 (ii) Is deaf or hard of hearing; or

21 (iii) Has a developmental disability as defined in RCW
22 71A.10.020;

23 (b) A statement from the person that they have voluntarily
24 provided the self-attestation and other information verifying the
25 condition; and

26 (c) For persons under 18 years of age or who have a developmental
27 disability, the signature of a parent or legal guardian.

28 (6) A self-attestation or data contained in a self-attestation
29 provided under this section:

30 (a) Shall not be disclosed; and

31 (b) Is for the confidential use of the director, the chief of the
32 Washington state patrol, and law enforcement and emergency medical
33 service providers as designated by law.

34 (7) **Alternative issuance/renewal/extension.** The department may
35 issue or renew an identicard for a period other than eight years, or
36 may extend by mail or electronic commerce an identicard that has
37 already been issued. The fee for an identicard issued or renewed for
38 a period other than eight years, or that has been extended by mail or
39 electronic commerce, is (~~(\$9)~~) \$10 for each year that the identicard
40 is issued, renewed, or extended. The department must offer the option

1 to issue or renew an identicard for six years in addition to the
2 eight year issuance. The department may adopt any rules as are
3 necessary to carry out this subsection.

4 (8) Identicard photos must be updated in the same manner as
5 driver's license photos under RCW 46.20.120(5).

6 (9) Beginning July 1, 2026, and on July 1st of each year
7 thereafter, the fees under subsections (1) and (7) of this section
8 must be increased by an additional inflation adjustment factor. The
9 additional inflation adjustment factor is the fee rate as of June
10 30th of the immediately preceding fiscal year increased by two
11 percent. The result must be rounded to the nearest 20th of \$1.

12 **Sec. 304.** RCW 46.68.041 and 2022 c 182 s 210 are each amended to
13 read as follows:

14 (1) Except as provided in subsections (2) (~~and (3)~~) through (5)
15 of this section, the department must forward all funds accruing under
16 the provisions of chapter 46.20 RCW together with a proper
17 identifying, detailed report to the state treasurer who must deposit
18 such moneys to the credit of the highway safety fund.

19 (2) Fifty-six percent of each fee collected by the department
20 under RCW 46.20.311 (1)(e)(ii), (2)(b)(ii), and (3)(b) must be
21 deposited in the impaired driving safety account.

22 (3) Fifty percent of the revenue from the fees imposed under RCW
23 46.20.200(2) must be deposited in the move ahead WA flexible account
24 created in RCW 46.68.520.

25 (4) Ten percent of the revenue collected from the fees imposed
26 under the following must be deposited in the move ahead WA flexible
27 account created in RCW 46.68.520:

28 (a) RCW 46.20.117 (1) and (7);

29 (b) RCW 46.20.161(1)(a); and

30 (c) RCW 46.20.181 (2)(a) and (4)(a).

31 (5) All revenue generated from the additional inflation
32 adjustment factor under the following must be deposited in the move
33 ahead WA flexible account created in RCW 46.68.520:

34 (a) RCW 42.20.161(1)(b);

35 (b) RCW 42.20.181 (2)(b) and (4)(b); and

36 (c) RCW 46.20.117(9).

37 **Sec. 305.** RCW 46.63.200 and 2024 c 308 s 4 are each amended to
38 read as follows:

1 (1) This section applies to the use of speed safety camera
2 systems in state highway work zones.

3 (2) Nothing in this section prohibits a law enforcement officer
4 from issuing a notice of infraction to a person in control of a
5 vehicle at the time a violation occurs under RCW 46.63.030(1) (a),
6 (b), or (c).

7 (3)(a) The department of transportation is responsible for all
8 actions related to the operation and administration of speed safety
9 camera systems in state highway work zones including, but not limited
10 to, the procurement and administration of contracts necessary for the
11 implementation of speed safety camera systems, the mailing of notices
12 of infraction, and the development and maintenance of a public-facing
13 website for the purpose of educating the traveling public about the
14 use of speed safety camera systems in state highway work zones. Prior
15 to the use of a speed safety camera system to capture a violation
16 established in this section for enforcement purposes, the department
17 of transportation, in consultation with the Washington state patrol,
18 department of licensing, office of administrative hearings,
19 Washington traffic safety commission, and other organizations
20 committed to protecting civil rights, must adopt rules addressing
21 such actions and take all necessary steps to implement this section.

22 (b) The Washington state patrol is responsible for all actions
23 related to the enforcement and adjudication of speed violations under
24 this section including, but not limited to, notice of infraction
25 verification and issuance authorization, and determining which types
26 of emergency vehicles are exempt from being issued notices of
27 infraction under this section. Prior to the use of a speed safety
28 camera system to capture a violation established in this section for
29 enforcement purposes, the Washington state patrol, in consultation
30 with the department of transportation, department of licensing,
31 office of administrative hearings, Washington traffic safety
32 commission, and other organizations committed to protecting civil
33 rights, must adopt rules addressing such actions and take all
34 necessary steps to implement this section.

35 (c) When establishing rules under this subsection (3), the
36 department of transportation and the Washington state patrol may also
37 consult with other public and private agencies that have an interest
38 in the use of speed safety camera systems in state highway work
39 zones.

1 (4) (a) No person may drive a vehicle in a state highway work zone
2 at a speed greater than that allowed by traffic control devices.

3 (b) A notice of infraction may only be issued under this section
4 if a speed safety camera system captures a speed violation in a state
5 highway work zone when workers are present.

6 (5) The penalty for a speed safety camera system violation is:
7 (a) (~~(\$0)~~) \$125 for the first violation; and (b) \$248 for the second
8 violation, and for each violation thereafter.

9 (6) During the 30-day period after the first speed safety camera
10 system is put in place, the department is required to conduct a
11 public awareness campaign to inform the public of the use of speed
12 safety camera systems in state highway work zones.

13 (7) (a) A notice of infraction issued under this section may be
14 mailed to the registered owner of the vehicle within 30 days of the
15 violation, or to the renter of a vehicle within 30 days of
16 establishing the renter's name and address. The law enforcement
17 officer issuing the notice of infraction shall include with it a
18 certificate or facsimile thereof, based upon inspection of
19 photographs, microphotographs, or electronic images produced by a
20 speed safety camera stating the facts supporting the notice of
21 infraction. This certificate or facsimile is prima facie evidence of
22 the facts contained in it and is admissible in a proceeding charging
23 a violation under this section. The photographs, microphotographs, or
24 electronic images evidencing the violation must be available for
25 inspection and admission into evidence in a proceeding to adjudicate
26 the liability for the violation.

27 (b) A notice of infraction represents a determination that an
28 infraction has been committed, and the determination will be final
29 unless contested as provided under this section.

30 (c) A person receiving a notice of infraction based on evidence
31 detected by a speed safety camera system must, within 30 days of
32 receiving the notice of infraction: (i) Except for a first violation
33 under subsection (5)(a) of this section, remit payment in the amount
34 of the penalty assessed for the violation; (ii) contest the
35 determination that the infraction occurred by following the
36 instructions on the notice of infraction; or (iii) admit to the
37 infraction but request a hearing to explain mitigating circumstances
38 surrounding the infraction.

39 (d) If a person fails to respond to a notice of infraction, a
40 final order shall be entered finding that the person committed the

1 infraction and assessing monetary penalties required under subsection
2 (5)(b) of this section.

3 (e) If a person contests the determination that the infraction
4 occurred or requests a mitigation hearing, the notice of infraction
5 shall be referred to the office of administrative hearings for
6 adjudication consistent with chapter 34.05 RCW.

7 (f) At a hearing to contest an infraction, the agency issuing the
8 infraction has the burden of proving, by a preponderance of the
9 evidence, that the infraction was committed.

10 (g) A person may request a payment plan at any time for the
11 payment of any penalty or other monetary obligation associated with
12 an infraction under this section. The agency issuing the infraction
13 shall provide information about how to submit evidence of inability
14 to pay, how to obtain a payment plan, and that failure to pay or
15 enter into a payment plan may result in collection action or
16 nonrenewal of the vehicle registration. The office of administrative
17 hearings may authorize a payment plan if it determines that a person
18 is not able to pay the monetary obligation, and it may modify a
19 payment plan at any time.

20 (8)(a) Speed safety camera systems may only take photographs,
21 microphotographs, or electronic images of the vehicle and vehicle
22 license plate and only while a speed violation is occurring. The
23 photograph, microphotograph, or electronic image must not reveal the
24 face of the driver or any passengers in the vehicle. The department
25 of transportation shall consider installing speed safety camera
26 systems in a manner that minimizes the impact of camera flash on
27 drivers.

28 (b) The registered owner of a vehicle is responsible for a
29 traffic infraction under RCW 46.63.030 unless the registered owner
30 overcomes the presumption in RCW 46.63.075 or, in the case of a
31 rental car business, satisfies the conditions under (f) of this
32 subsection. If appropriate under the circumstances, a renter
33 identified under (f)(i) of this subsection is responsible for the
34 traffic infraction.

35 (c) Notwithstanding any other provision of law, all photographs,
36 microphotographs, or electronic images, or any other personally
37 identifying data prepared under this section are for the exclusive
38 use of the Washington state patrol and department of transportation
39 in the discharge of duties under this section and are not open to the
40 public and may not be used in court in a pending action or proceeding

1 unless the action or proceeding relates to a speed violation under
2 this section. This data may be used in administrative appeal
3 proceedings relative to a violation under this section.

4 (d) All locations where speed safety camera systems are used must
5 be clearly marked before activation of the camera system by placing
6 signs in locations that clearly indicate to a driver that they are
7 entering a state highway work zone where posted speed limits are
8 monitored by a speed safety camera system. Additionally, where
9 feasible and constructive, radar speed feedback signs will be placed
10 in advance of the speed safety camera system to assist drivers in
11 complying with posted speed limits. Signs placed in these locations
12 must follow the specifications and guidelines under the manual of
13 uniform traffic control devices for streets and highways as adopted
14 by the department of transportation under chapter 47.36 RCW.

15 (e) Imposition of a penalty for a speed violation detected
16 through the use of speed safety camera systems shall not be deemed a
17 conviction as defined in RCW 46.25.010, and shall not be part of the
18 registered owner's driving record under RCW 46.52.101 and 46.52.120.
19 Additionally, infractions generated by the use of speed safety camera
20 systems under this section shall be processed in the same manner as
21 parking infractions, including for the purposes of RCW 46.16A.120 and
22 46.20.270(2).

23 (f) If the registered owner of the vehicle is a rental car
24 business, the department of transportation shall, before a notice of
25 infraction may be issued under this section, provide a written notice
26 to the rental car business that a notice of infraction may be issued
27 to the rental car business if the rental car business does not,
28 within 30 days of receiving the written notice, provide to the
29 issuing agency by return mail:

30 (i) (A) A statement under oath stating the name and known mailing
31 address of the individual driving or renting the vehicle when the
32 speed violation occurred;

33 (B) A statement under oath that the business is unable to
34 determine who was driving or renting the vehicle at the time the
35 speed violation occurred because the vehicle was stolen at the time
36 of the violation. A statement provided under this subsection
37 (8)(f)(i)(B) must be accompanied by a copy of a filed police report
38 regarding the vehicle theft; or

39 (C) In lieu of identifying the vehicle operator, payment of the
40 applicable penalty.

1 (ii) Timely mailing of a statement to the department of
2 transportation relieves a rental car business of any liability under
3 this chapter for the notice of infraction.

4 (9) Revenue generated from the deployment of speed safety camera
5 systems must be deposited into the highway safety fund and first used
6 exclusively for the operating and administrative costs under this
7 section. The operation of speed safety camera systems is intended to
8 increase safety in state highway work zones by changing driver
9 behavior. Consequently, any revenue generated that exceeds the
10 operating and administrative costs under this section must be
11 distributed for the purpose of traffic safety including, but not
12 limited to, driver training education and local DUI emphasis patrols.

13 (10) The Washington state patrol and department of
14 transportation, in collaboration with the Washington traffic safety
15 commission, must report to the transportation committees of the
16 legislature by July 1, 2025, and biennially thereafter, on the data
17 and efficacy of speed safety camera system use in state highway work
18 zones. The final report due on July 1, 2029, must include a
19 recommendation on whether or not to continue such speed safety camera
20 system use beyond June 30, 2030.

21 (11) For the purposes of this section:

22 (a) "Speed safety camera system" means employing the use of speed
23 measuring devices and cameras synchronized to automatically record
24 one or more sequenced photographs, microphotographs, or other
25 electronic images of a motor vehicle that exceeds a posted state
26 highway work zone speed limit as detected by the speed measuring
27 devices.

28 (b) "State highway work zone" means an area of any highway with
29 construction, maintenance, utility work, or incident response
30 activities authorized by the department of transportation. A state
31 highway work zone is identified by the placement of temporary traffic
32 control devices that may include signs, channelizing devices,
33 barriers, pavement markings, and/or work vehicles with warning
34 lights. It extends from the first warning sign or high intensity
35 rotating, flashing, oscillating, or strobe lights on a vehicle to the
36 end road work sign or the last temporary traffic control device or
37 vehicle.

38 (12) This section expires June 30, 2030.

1 **Sec. 306.** RCW 46.63.110 and 2024 c 308 s 3 are each amended to
2 read as follows:

3 (1) (a) A person found to have committed a traffic infraction
4 shall be assessed a monetary penalty. No penalty may exceed \$250 for
5 each offense unless authorized by this chapter or title.

6 (b) The court may waive or remit any monetary penalty, fee, cost,
7 assessment, or other monetary obligation associated with a traffic
8 infraction unless the specific monetary obligation in question is
9 prohibited from being waived or remitted by state law.

10 (2) The monetary penalty for a violation of (a) RCW 46.55.105(2)
11 is \$250 for each offense; (b) RCW 46.61.210(1) is \$500 for each
12 offense. No penalty assessed under this subsection (2) may be
13 reduced.

14 (3) The supreme court shall prescribe by rule a schedule of
15 monetary penalties for designated traffic infractions. This rule
16 shall also specify the conditions under which local courts may
17 exercise discretion in assessing fines and penalties for traffic
18 infractions. The legislature respectfully requests the supreme court
19 to adjust this schedule every two years for inflation.

20 (4) There shall be a penalty of \$25 for failure to respond to a
21 notice of traffic infraction except where the infraction relates to
22 parking as defined by local law, ordinance, regulation, or resolution
23 or failure to pay a monetary penalty imposed pursuant to this
24 chapter. A local legislative body may set a monetary penalty not to
25 exceed \$25 for failure to respond to a notice of traffic infraction
26 relating to parking as defined by local law, ordinance, regulation,
27 or resolution. The local court, whether a municipal, police, or
28 district court, shall impose the monetary penalty set by the local
29 legislative body.

30 (5) Monetary penalties provided for in chapter 46.70 RCW
31 (~~which~~) that are civil in nature and penalties (~~which~~) that may
32 be assessed for violations of chapter 46.44 RCW relating to size,
33 weight, and load of motor vehicles are not subject to the limitation
34 on the amount of monetary penalties which may be imposed pursuant to
35 this chapter.

36 (6) Whenever a monetary penalty, fee, cost, assessment, or other
37 monetary obligation is imposed by a court under this chapter, it is
38 immediately payable and is enforceable as a civil judgment under
39 Title 6 RCW. If the court determines that a person is not able to pay
40 a monetary obligation in full, the court shall enter into a payment

1 plan with the person in accordance with RCW 46.63.190 and standards
2 that may be set out in court rule.

3 (7) In addition to any other penalties imposed under this section
4 and not subject to the limitation of subsection (1) of this section,
5 a person found to have committed a traffic infraction shall be
6 assessed:

7 (a) A fee of \$5 per infraction. Under no circumstances shall this
8 fee be reduced or waived. Revenue from this fee shall be forwarded to
9 the state treasurer for deposit in the emergency medical services and
10 trauma care system trust account under RCW 70.168.040;

11 (b) A fee of \$10 per infraction. Under no circumstances shall
12 this fee be reduced or waived. Revenue from this fee shall be
13 forwarded to the state treasurer for deposit in the general fund;
14 (~~and~~)

15 (c) A fee of \$5 per infraction. Under no circumstances shall this
16 fee be reduced or waived. Revenue from this fee shall be forwarded to
17 the state treasurer for deposit in the traumatic brain injury account
18 established in RCW 74.31.060; and

19 (d) Beginning January 1, 2026, a fee of \$10 per infraction. Under
20 no circumstances shall this fee be reduced or waived. Revenue from
21 this fee shall be forwarded to the state treasurer for deposit in the
22 highway safety fund created in RCW 46.68.060.

23 (8)(a) In addition to any other penalties imposed under this
24 section and not subject to the limitation of subsection (1) of this
25 section, a person found to have committed a traffic infraction other
26 than of RCW 46.61.527 or 46.61.212 shall be assessed an additional
27 penalty of \$24. The court may not reduce, waive, or suspend the
28 additional penalty unless the court finds the offender to be
29 indigent. If a court authorized community restitution program for
30 offenders is available in the jurisdiction, the court shall allow
31 offenders to offset all or a part of the penalty due under this
32 subsection (8) by participation in the court authorized community
33 restitution program.

34 (b) \$12.50 of the additional penalty under (a) of this subsection
35 shall be remitted to the state treasurer. The remaining revenue from
36 the additional penalty must be remitted under chapters 2.08, 3.46,
37 3.50, 3.62, 10.82, and 35.20 RCW. Money remitted under this
38 subsection to the state treasurer must be deposited as follows: \$8.50
39 in the state general fund and \$4 in the driver licensing technology
40 support account created under RCW 46.68.067. The moneys deposited

1 into the driver licensing technology support account must be used to
2 support information technology systems used by the department to
3 communicate with the judicial information system, manage driving
4 records, and implement court orders. The balance of the revenue
5 received by the county or city treasurer under this subsection must
6 be deposited into the county or city current expense fund. Moneys
7 retained by the city or county under this subsection shall constitute
8 reimbursement for any liabilities under RCW 43.135.060.

9 (9) If a legal proceeding, such as garnishment, has commenced to
10 collect any delinquent amount owed by the person for any penalty
11 imposed by the court under this section, the person may request a
12 payment plan pursuant to RCW 46.63.190.

13 (10) The monetary penalty for violating RCW 46.37.395 is: (a)
14 \$250 for the first violation; (b) \$500 for the second violation; and
15 (c) \$750 for each violation thereafter.

16 (11) The additional monetary penalty for a violation of RCW
17 46.20.500 is not subject to assessments or fees provided under this
18 section.

19 (12) The additional monetary fine for a violation of RCW
20 46.61.110, 46.61.145, 46.61.180, 46.61.185, 46.61.190, and 46.61.205
21 is not subject to assessments or fees provided under this section.

22 (13) The additional monetary penalties for a violation of RCW
23 46.61.165 are not subject to assessments or fees provided under this
24 section.

25 (14) The monetary penalty for a violation of RCW 46.63.200 is not
26 subject to assessments or fees provided under this section.

27 (15) The monetary penalty for a violation of RCW 46.16A.030(5)(b)
28 is not subject to assessments or fees provided under this section.

29 NEW SECTION. Sec. 307. A new section is added to chapter 47.60
30 RCW to read as follows:

31 The Washington state ferries shall implement cost recovery
32 mechanisms to recoup at least three percent in credit card and other
33 financial transaction costs related to the collection of ferry fares
34 imposed under RCW 47.60.290 and 47.60.315. As part of the cost
35 recovery mechanisms, the Washington state ferries may recover
36 transaction fees incurred through credit card transactions. The
37 Washington state ferries must notify customers of the fee at the
38 point-of-sale and itemize the fee on customer receipts. Costs

1 recovered under this section may not be considered revenue for the
2 purposes of fare setting.

3 NEW SECTION. **Sec. 308.** (1) By September 1, 2025, the department
4 of licensing in conjunction with the Washington state department of
5 transportation, along with involvement from the Washington state
6 transit association, and other relevant parties, must determine a
7 recommended method of collection and schedule to compensate the state
8 for vehicle registration and other vehicle fee-related exemption
9 impacts from vehicles owned or operated by public transit agencies
10 and regional transit authorities.

11 (2) The schedule and related provisions must calculate an
12 assessment for each bus and other motor vehicle for road use owned or
13 operated by each transit agency and the regional transit authority.
14 The fee schedule does not need to be uniform and may be different for
15 particular types or sizes of agencies, but the fee schedule must in
16 aggregate total \$4,500,000 per year. The recommended method of
17 collection must include either the collection method identified in
18 section 309 or 310 of this act, or a combination thereof.

19 (3) A final report with the recommended method of collection and
20 schedule must be submitted to the transportation committees of the
21 legislature by September 1, 2025.

22 NEW SECTION. **Sec. 309.** A new section is added to chapter 46.17
23 RCW to read as follows:

24 (1) Based on the recommended method of collection and schedule
25 resulting from the requirements of section 308 of this act, by
26 October 1, 2025, the department must begin collection, if applicable,
27 of the \$4,500,000 per year collection amount for fiscal year 2026, or
28 the appropriate portion thereof, from public transit agencies and the
29 regional transit authority using the most cost efficient collection
30 method as deemed appropriate.

31 (2) The department must then collect the \$4,500,000 collection
32 amount for each subsequent fiscal year, or the appropriate portion
33 thereof, using the most cost efficient collection method as deemed
34 appropriate.

35 (3) The assessments collected under this section must be
36 deposited in the move ahead WA flexible account created in RCW
37 46.68.520.

1 (b) Make payments required under RCW 47.56.165 and 47.46.140,
2 including insurance costs and the payment of principal and interest
3 on bonds issued for any particular toll bridge or toll bridges; and

4 (c) Repay the motor vehicle fund under RCW (~~47.46.110,~~)
5 47.56.165(~~(r)~~) and 47.46.140.

6 (4) The bond principal and interest payments, including repayment
7 of the motor vehicle fund for amounts transferred from that fund to
8 provide for such principal and interest payments, constitute a first
9 direct and exclusive charge and lien on all tolls and other revenues
10 from the toll bridge concerned, subject to operating and maintenance
11 expenses.

12 **Sec. 402.** RCW 47.56.245 and 2002 c 114 s 23 are each amended to
13 read as follows:

14 The department shall retain toll charges on all existing and
15 future facilities until all costs of investigation, financing,
16 acquisition of property, and construction advanced from the motor
17 vehicle fund, and obligations incurred under RCW 47.56.250 and
18 chapter 16, Laws of 1945 have been fully paid.

19 (1) Except as provided in subsection (2) of this section, with
20 respect to every facility completed after March 19, 1953, costs of
21 maintenance and operation shall be paid periodically out of the
22 revenues of the facility in which such costs were incurred.

23 (2) Where a state toll facility is constructed under chapter
24 47.46 RCW adjacent to or within two miles of an existing bridge that
25 was constructed under this chapter, revenue from the toll facility
26 may not be used to pay for costs of maintenance on the existing
27 bridge until after all financing obligations are satisfied on the
28 toll facility.

29 NEW SECTION. **Sec. 403.** RCW 47.46.110 (Tolls—Term, use) and 2018
30 c 195 s 3 & 2002 c 114 s 8 are each repealed.

31 **Sec. 404.** RCW 47.56.850 and 2009 c 498 s 15 are each amended to
32 read as follows:

33 (1) Unless these powers are otherwise delegated by the
34 legislature, the transportation commission is the tolling authority
35 for the state. The tolling authority shall:

36 (a) Set toll rates, establish appropriate exemptions, if any, and
37 make adjustments as conditions warrant on eligible toll facilities.

1 However, except for publicly or privately owned or operated school
2 buses, the commission may not exempt publicly or privately owned or
3 operated transit buses, vans, and ride share vehicles, and must
4 modify tolling provisions accordingly by October 1, 2025;

5 (b) Review toll collection policies, toll operations policies,
6 and toll revenue expenditures on the eligible toll facilities and
7 report annually on this review to the legislature.

8 (2) The tolling authority, in determining toll rates, shall
9 consider the policy guidelines established in RCW 47.56.830.

10 (3) Unless otherwise directed by the legislature, in setting and
11 periodically adjusting toll rates, the tolling authority must ensure
12 that toll rates will generate revenue sufficient to:

13 (a) Meet the operating costs of the eligible toll facilities,
14 including necessary maintenance, preservation, renewal, replacement,
15 administration, and toll enforcement by public law enforcement;

16 (b) Meet obligations for the timely payment of debt service on
17 bonds issued for eligible toll facilities, and any other associated
18 financing costs including, but not limited to, required reserves,
19 minimum debt coverage or other appropriate contingency funding,
20 insurance, and compliance with all other financial and other
21 covenants made by the state in the bond proceedings;

22 (c) Meet obligations to reimburse the motor vehicle fund for
23 excise taxes on motor vehicle and special fuels applied to the
24 payment of bonds issued for eligible toll facilities; and

25 (d) Meet any other obligations of the tolling authority to
26 provide its proportionate share of funding contributions for any
27 projects or operations of the eligible toll facilities.

28 (4) The established toll rates may include variable pricing, and
29 should be set to optimize system performance, recognizing necessary
30 trade-offs to generate revenue for the purposes specified in
31 subsection (3) of this section. Tolls may vary for type of vehicle,
32 time of day, traffic conditions, or other factors designed to improve
33 performance of the system.

34 (5) In fixing and adjusting toll rates under this section, the
35 only toll revenue to be taken into account must be toll revenue
36 pledged to bonds that includes toll receipts, and the only debt
37 service requirements to be taken into account must be debt service on
38 bonds payable from and secured by toll revenue that includes toll
39 receipts.

1 (6) The legislature pledges to appropriate toll revenue as
2 necessary to carry out the purposes of this section. When the
3 legislature has specifically identified and designated an eligible
4 toll facility and authorized the issuance of bonds for the financing
5 of the eligible toll facility that are payable from and secured by a
6 pledge of toll revenue, the legislature further agrees for the
7 benefit of the owners of outstanding bonds issued by the state for
8 eligible toll facilities to continue in effect and not to impair or
9 withdraw the authorization of the tolling authority to fix and adjust
10 tolls as provided in this section. The state finance committee shall
11 pledge the state's obligation to impose and maintain tolls, together
12 with the application of toll revenue as described in this section, to
13 the owners of any bonds.

14 **Sec. 405.** RCW 47.56.870 and 2010 c 248 s 2 are each amended to
15 read as follows:

16 (1) The initial imposition of tolls on the state route number 520
17 corridor is authorized, the state route number 520 corridor is
18 designated an eligible toll facility, and toll revenue generated in
19 the corridor must only be expended as allowed under RCW 47.56.820.

20 (2) The state route number 520 corridor consists of that portion
21 of state route number 520 between the junctions of Interstate 5 and
22 state route number 202, including any on-ramp or off-ramp within this
23 portion. (~~The toll imposed by this section shall be charged only for~~
24 ~~travel on the floating bridge portion of the state route number 520~~
25 ~~corridor.~~)

26 (3) (a) In setting the toll rates for the corridor pursuant to RCW
27 47.56.850, the tolling authority shall set a variable schedule of
28 toll rates to maintain travel time, speed, and reliability on the
29 corridor and generate the necessary revenue as required under (b) of
30 this subsection.

31 (b) The tolling authority shall initially set the variable
32 schedule of toll rates, which the tolling authority may adjust at
33 least annually to reflect inflation as measured by the consumer price
34 index or as necessary to meet the redemption of bonds and interest
35 payments on the bonds, to generate revenue sufficient to provide for:

36 (i) The issuance of general obligation bonds, authorized in RCW
37 47.10.879, first payable from toll revenue and then excise taxes on
38 motor vehicle and special fuels pledged for the payment of those
39 bonds in the amount necessary to fund the state route number 520

1 bridge replacement and HOV program, subject to subsection (4) of this
2 section; and

3 (ii) Costs associated with the project designated in subsection
4 (4) of this section that are eligible under RCW 47.56.820.

5 (4)(a) The proceeds of the bonds designated in subsection
6 (3)(b)(i) of this section must be used only to fund the state route
7 number 520 bridge replacement and HOV program; however, two hundred
8 million dollars of bond proceeds, in excess of the proceeds necessary
9 to complete the floating bridge segment and necessary landings, must
10 be used only to fund the state route number 520, Interstate 5 to
11 Medina bridge replacement and HOV project segment of the program, as
12 identified in applicable environmental impact statements, and may be
13 used to fund effective connections for high occupancy vehicles and
14 transit for state route number 520, but only to the extent those
15 connections benefit or improve the operation of state route number
16 520.

17 (b) The program must include the following elements within the
18 cost constraints identified in section 1, chapter 472, Laws of 2009,
19 consistent with the legislature's intent that cost savings applicable
20 to the program stay within the program and that the bridge open to
21 vehicular traffic in 2014:

22 (i) A project design, consistent with RCW 47.01.408, that
23 includes high occupancy vehicle lanes with a minimum carpool
24 occupancy requirement of three-plus persons on state route number
25 520;

26 (ii) High occupancy vehicle lane performance standards for the
27 state route number 520 corridor established by the department. The
28 department shall report to the transportation committees of the
29 legislature when average transit speeds in the two lanes that are for
30 high occupancy vehicle travel fall below forty-five miles per hour at
31 least ten percent of the time during peak hours;

32 (iii) A work group convened by the mayor and city council of the
33 city of Seattle to include sound transit, King county metro, the
34 Seattle department of transportation, the department, the University
35 of Washington, and other persons or organizations as designated by
36 the mayor or city council to study and make recommendations of
37 alternative connections for transit, including bus routes and high
38 capacity transit, to the university link light rail line. The work
39 group must consider such techniques as grade separation, additional
40 stations, and pedestrian lids to effect these connections. The

1 recommendations must be alternatives to the transit connections
2 identified in the supplemental draft environmental impact statement
3 for the state route number 520 bridge replacement and HOV program
4 released in January 2010, and must meet the requirements under RCW
5 47.01.408, including accommodating effective connections for transit.
6 The recommendations must be within the scope of the supplemental
7 draft environmental impact statement. For the purposes of this
8 section, "effective connections for transit" means a connection that
9 connects transit stops, including high capacity transit stops, that
10 serve the state route number 520/Montlake interchange vicinity to the
11 university link light rail line, with a connection distance of less
12 than one thousand two hundred feet between the stops and the light
13 rail station. The city of Seattle shall submit the recommendations by
14 October 1, 2010, to the governor and the transportation committees of
15 the legislature. However, if the city of Seattle does not convene the
16 work group required under this subsection before July 1, 2010, or
17 does not submit recommendations to the governor and the
18 transportation committees of the legislature by October 1, 2010, the
19 department must convene the work group required under this subsection
20 and meet all the requirements of this subsection that are described
21 as requirements of the city of Seattle by November 30, 2010;

22 (iv) A work group convened by the department to include sound
23 transit and King county metro to study and make recommendations
24 regarding options for planning and financing high capacity transit
25 through the state route number 520 corridor. The department shall
26 submit the recommendations by January 1, 2011, to the governor and
27 the transportation committees of the legislature;

28 (v) A plan to address mitigation as a result of the state route
29 number 520 bridge replacement and HOV program at the Washington park
30 arboretum. As part of its process, the department shall consult with
31 the governing board of the Washington park arboretum, the Seattle
32 city council and mayor, and the University of Washington to identify
33 all mitigation required by state and federal law resulting from the
34 state route number 520 bridge replacement and HOV program's impact on
35 the arboretum, and to develop a project mitigation plan to address
36 these impacts. The department shall submit the mitigation plan by
37 December 31, 2010, to the governor and the transportation committees
38 of the legislature. Wetland mitigation required by state and federal
39 law as a result of the state route number 520 bridge replacement and
40 HOV program's impacts on the arboretum must, to the greatest extent

1 practicable, include on-site wetland mitigation at the Washington
2 park arboretum, and must enhance the Washington park arboretum. This
3 subsection (4)(b)(v) does not preclude any other mitigation planned
4 for the Washington park arboretum as a result of the state route
5 number 520 bridge replacement and HOV program;

6 (vi) A work group convened by the department to include the mayor
7 of the city of Seattle, the Seattle city council, the Seattle
8 department of transportation, and other persons or organizations as
9 designated by the Seattle city council and mayor to study and make
10 recommendations regarding design refinements to the preferred
11 alternative selected by the department in the supplemental draft
12 environmental impact statement process for the state route number 520
13 bridge replacement and HOV program. To accommodate a timely
14 progression of the state route number 520 bridge replacement and HOV
15 program, the design refinements recommended by the work group must be
16 consistent with the current environmental documents prepared by the
17 department for the supplemental draft environmental impact statement.
18 The department shall submit the recommendations to the legislature
19 and governor by December 31, 2010, and the recommendations must
20 inform the final environmental impact statement prepared by the
21 department; and

22 (vii) An account, created in section 5 of this act, into which
23 civil penalties generated from the nonpayment of tolls on the state
24 route number 520 corridor are deposited to be used to fund any
25 project within the program, including mitigation. However, this
26 subsection (4)(b)(vii) is contingent on the enactment by June 30,
27 2010, of ~~((either)) chapter 249, Laws of 2010 ((or chapter . . .~~
28 ~~(Substitute House Bill No. 2897), Laws of 2010)),~~ but if the enacted
29 bill does not designate the department as the toll penalty
30 adjudicating agency, this subsection (4)(b)(vii) is null and void.

31 (5) The department may carry out the improvements designated in
32 subsection (4) of this section and administer the tolling program on
33 the state route number 520 corridor.

34 **PART V**

35 **TRANSPORTATION PROJECT STREAMLINING**

36 **Sec. 501.** RCW 90.58.356 and 2015 3rd sp.s. c 15 s 10 are each
37 amended to read as follows:

1 (1) For purposes of this section, the following definitions
2 apply:

3 (a) "Maintenance" means the preservation of the transportation
4 facility or transit facility, including surface, shoulders,
5 roadsides, structures, and such traffic control devices as are
6 necessary for safe and efficient utilization of the highway in a
7 manner that substantially conforms to the preexisting design,
8 function, and location as the original except to meet current
9 engineering standards or environmental permit requirements.

10 (b) "Repair" means to restore a structure or development to a
11 state comparable to its original condition including, but not limited
12 to, restoring the development's size, shape, configuration, location,
13 and external appearance, within a reasonable period after decay or
14 partial destruction. Repair of a structure or development may not
15 cause substantial adverse effects to shoreline resources or the
16 shoreline environment. Replacement of a structure or development may
17 be considered a repair if: Replacement is the common method of repair
18 for the type of structure or development; the replacement structure
19 or development is comparable to the original structure or development
20 including, but not limited to, the size, shape, configuration,
21 location, and external appearance of the original structure or
22 development; and the replacement does not cause substantial adverse
23 effects to shoreline resources or the shoreline environment.

24 (c) "Replacement" of any existing transportation facility, or
25 transit facility, means to replace in a manner that substantially
26 conforms to the preexisting design, function, and location as the
27 original except to meet current engineering standards or
28 environmental permit requirements. Maintenance or replacement
29 activities do not involve expansion of automobile lanes, and do not
30 result in significant negative shoreline impact.

31 (2) The following department of transportation projects and
32 activities do not require a substantial development permit,
33 conditional use permit, variance, letter of exemption, or other
34 review conducted by a local government:

35 (a) Maintenance, repair, or replacement that occurs within the
36 roadway prism of a state highway as defined in RCW 46.04.560, the
37 lease or ownership area of a state ferry terminal, or the lease or
38 ownership area of a transit facility, including ancillary
39 transportation facilities such as pedestrian paths, bicycle paths, or
40 both, and bike lanes;

1 (b) Construction or installation of safety structures and
2 equipment, including pavement marking, freeway surveillance and
3 control systems, railroad protective devices not including grade
4 separated crossings, grooving, glare screen, safety barriers, energy
5 attenuators, and hazardous or dangerous tree removal;

6 (c) Maintenance occurring within the right-of-way; or

7 (d) Construction undertaken in response to unforeseen,
8 extraordinary circumstances that is necessary to prevent a decline,
9 lapse, or cessation of service from a lawfully established
10 transportation facility.

11 ~~((The department of transportation must provide written
12 notification of projects and activities authorized under this section
13 with a cost in excess of one million dollars before the design or
14 plan is finalized to all agencies with jurisdiction, agencies with
15 facilities or services that may be impacted, and adjacent property
16 owners.))~~ Construction, maintenance, repair, or replacement work on
17 transit facilities, when the work is conducted within a department of
18 transportation right-of-way, does not require a substantial
19 development permit, conditional use permit, variance, letter of
20 exemption, or other review conducted by a local government.

21 **Sec. 502.** RCW 77.55.181 and 2021 c 289 s 1 are each amended to
22 read as follows:

23 (1) (a) In order to receive the permit review and approval process
24 created in this section, a fish habitat enhancement project must meet
25 the criteria under this section and must be a project to accomplish
26 one or more of the following tasks:

27 (i) Elimination of human-made or caused fish passage barriers,
28 including:

29 (A) Culvert repair and replacement; and

30 (B) Fish passage barrier removal projects that comply with the
31 forest practices rules, as the term "forest practices rules" is
32 defined in RCW 76.09.020;

33 (ii) Restoration of an eroded or unstable stream bank employing
34 the principle of bioengineering, including limited use of rock as a
35 stabilization only at the toe of the bank, and with primary emphasis
36 on using native vegetation to control the erosive forces of flowing
37 water;

38 (iii) Placement of woody debris or other instream structures that
39 benefit naturally reproducing fish stocks; or

1 (iv) Restoration of native kelp and eelgrass beds and restoring
2 native oysters.

3 (b) The department shall develop size or scale threshold tests to
4 determine if projects accomplishing any of these tasks should be
5 evaluated under the process created in this section or under other
6 project review and approval processes. A project proposal shall not
7 be reviewed under the process created in this section if the
8 department determines that the scale of the project raises concerns
9 regarding public health and safety.

10 (c) A fish habitat enhancement project must be approved in one of
11 the following ways in order to receive the permit review and approval
12 process created in this section:

13 (i) By the department pursuant to chapter 77.95 or 77.100 RCW;

14 (ii) By the sponsor of a watershed restoration plan as provided
15 in chapter 89.08 RCW;

16 (iii) By the department as a department-sponsored fish habitat
17 enhancement or restoration project;

18 (iv) Through the review and approval process for the jobs for the
19 environment program;

20 (v) By conservation districts as conservation district-sponsored
21 fish habitat enhancement or restoration projects;

22 (vi) Through a formal grant program established by the
23 legislature or the department for fish habitat enhancement or
24 restoration;

25 (vii) By federally recognized tribes as tribally sponsored fish
26 habitat enhancement projects or restoration projects;

27 (viii) Through the department of transportation's environmental
28 retrofit program as a stand-alone fish passage barrier correction
29 project, or the fish passage barrier correction portion of a larger
30 transportation project;

31 (ix) Through a local, state, or federally approved fish barrier
32 removal grant program designed to assist local governments in
33 implementing stand-alone fish passage barrier corrections;

34 (x) By a city or county for a stand-alone fish passage barrier
35 correction project funded by the city or county;

36 (xi) Through the approval process established for forest
37 practices hydraulic projects in chapter 76.09 RCW; or

38 (xii) Through other formal review and approval processes
39 established by the legislature.

1 (2) Fish habitat enhancement projects meeting the criteria of
2 subsection (1) of this section are expected to result in beneficial
3 impacts to the environment. Decisions pertaining to fish habitat
4 enhancement projects meeting the criteria of subsection (1) of this
5 section and being reviewed and approved according to the provisions
6 of this section are not subject to the requirements of RCW
7 43.21C.030(2)(c).

8 (3)(a) A permit is required for projects that meet the criteria
9 of subsection (1) of this section and are being reviewed and approved
10 under this section. An applicant shall use a joint aquatic resource
11 permit application form developed by the office of regulatory
12 assistance to apply for approval under this chapter. The department
13 of transportation shall use the department's online permit
14 application system or a joint aquatic resource permit application
15 form developed by the office of regulatory assistance to apply for
16 approval under this chapter. On the same day, the applicant shall
17 provide copies of the completed application form to the department
18 and to each appropriate local government. Applicants for a forest
19 practices hydraulic project that are not otherwise required to submit
20 a joint aquatic resource permit application must submit a copy of
21 their forest practices application to the appropriate local
22 government on the same day that they submit the forest practices
23 application to the department of natural resources.

24 (b) Local governments shall accept the application identified in
25 this section as notice of the proposed project. A local government
26 shall be provided with a 15-day comment period during which it may
27 transmit comments regarding environmental impacts to the department
28 or, for forest practices hydraulic projects, to the department of
29 natural resources.

30 (c)(i) Except for forest practices hydraulic projects, the
31 department shall, within 45 days, either issue a permit, with or
32 without conditions, deny approval, or make a determination that the
33 review and approval process created by this section is not
34 appropriate for the proposed project. The department shall base this
35 determination on identification during the comment period of adverse
36 impacts that cannot be mitigated by the conditioning of a permit.
37 Permitting decisions over forest practices hydraulic approvals must
38 be made consistent with chapter 76.09 RCW.

39 (ii) For department of transportation fish passage barrier
40 correction projects, the department of fish and wildlife shall,

1 within 30 days, either issue a permit, with or without conditions,
2 deny approval, or make a determination that the review and approval
3 process created by this section is not appropriate for the proposed
4 project.

5 (d) If the department determines that the review and approval
6 process created by this section is not appropriate for the proposed
7 project, the department shall notify the applicant and the
8 appropriate local governments of its determination. The applicant may
9 reapply for approval of the project under other review and approval
10 processes.

11 (e) Any person aggrieved by the approval, denial, conditioning,
12 or modification of a permit other than a forest practices hydraulic
13 project under this section may appeal the decision as provided in RCW
14 77.55.021(8). Appeals of a forest practices hydraulic project may be
15 made as provided in chapter 76.09 RCW.

16 (4) No local government may require permits or charge fees for
17 fish habitat enhancement projects that meet the criteria of
18 subsection (1) of this section and that are reviewed and approved
19 according to the provisions of this section, except that, pursuant to
20 chapter 86.16 RCW, a local government may impose such requirements,
21 or charge such fees, or both, only as may be necessary in order for
22 the local government to administer the national flood insurance
23 program regulation requirements. However, for department of
24 transportation fish habitat enhancement projects that do not impact
25 insurable structures but do create a rise in 100-year flood
26 elevation, a local government shall allow the department to apply
27 directly to the federal emergency management agency for modification
28 to an effective flood insurance rate map through a letter of map
29 revision or a similar process, instead of requiring the department to
30 complete a conditional letter of map revision process or a similar
31 process. For department of transportation fish habitat enhancement
32 projects that will not result in any rise to the 100-year flood
33 elevation, a local government may not require the department to apply
34 for a conditional letter of map revision or a similar process with
35 either the local government or the federal emergency management
36 agency.

37 (5) No civil liability may be imposed by any court on the state
38 or its officers and employees for any adverse impacts resulting from
39 a fish enhancement project permitted by the department or the
40 department of natural resources under the criteria of this section

1 except upon proof of gross negligence or willful or wanton
2 misconduct.

3 **Sec. 503.** RCW 49.26.013 and 1995 c 218 s 1 are each amended to
4 read as follows:

5 (1) ~~((Any))~~ Except as provided in subsection (2)(a)(ii) of this
6 section, an owner or owner's agent who allows or authorizes any
7 construction, renovation, remodeling, maintenance, repair, or
8 demolition project which has a reasonable possibility, as defined by
9 the department, of disturbing or releasing asbestos into the air,
10 shall perform or cause to be performed, using practices approved by
11 the department, a good faith inspection to determine whether the
12 proposed project will disturb or release any material containing
13 asbestos into the air.

14 Such inspections shall be conducted by persons meeting the
15 accreditation requirements of the federal toxics substances control
16 act, section 206(a) (1) and (3) (15 U.S.C. 2646(a) (1) and (3)).

17 An inspection under this section is not required if the owner or
18 owner's agent is reasonably certain that asbestos will not be
19 disturbed or assumes that asbestos will be disturbed by a project
20 which involves construction, renovation, remodeling, maintenance,
21 repair, or demolition and takes the maximum precautions as specified
22 by all applicable federal and state requirements.

23 (2) (a)(i) Except as provided in RCW 49.26.125 and (a)(ii) of this
24 subsection, the owner or owner's agent shall prepare and maintain a
25 written report describing each inspection, or a statement of
26 assumption of the presence or reasonable certainty of the absence of
27 asbestos, and shall provide a copy of the written report or statement
28 to all contractors before they apply or bid on work. ~~((In addition,~~
29 ~~upon))~~

30 (ii) The department of transportation may include a good faith
31 inspection into the scope of construction contracts for a project in
32 lieu of conducting a good faith inspection prior to contractors
33 bidding on the work if, prior to the start of demolition and
34 construction, a contractor:

35 (A) Completes the good faith inspection;

36 (B) Prepares and maintains a written report describing each
37 inspection, or a statement of assumption of the presence or
38 reasonable certainty of the absence of asbestos; and

1 (C) Provides a copy of the report or statement to the department
2 of transportation.

3 (b) Upon written or oral request, the owner or owner's agent
4 shall make a copy of the written report or statement available to:
5 ~~((1))~~ (i) The department of labor and industries; ~~((2))~~ (ii)
6 contractors; and ~~((3))~~ (iii) the collective bargaining
7 representatives or employee representatives, if any, of employees who
8 may be exposed to any asbestos or material containing asbestos.

9 (c) A copy of the report or statement shall be posted as
10 prescribed by the department in a place that is easily accessible to
11 such employees.

12 NEW SECTION. Sec. 504. A new section is added to chapter 77.55
13 RCW to read as follows:

14 (1) Subject to the availability of amounts appropriated for this
15 specific purpose in an omnibus transportation appropriations act, the
16 department must create a fish barrier removal permit program. The
17 fish barrier removal permit program as outlined in this section does
18 not replace or supplant the permit requirements under this chapter,
19 but may be used as an optional permit pathway.

20 (2)(a) To be included in the fish barrier removal permit program
21 and qualify for the permit review and approval process created in
22 this section, a fish barrier removal project must be included on a
23 list of projects approved or funded by Washington state department of
24 transportation's fish passage barrier removal program.

25 (b) A project application reviewed under this section must
26 document consistency with local, state, and federal flood risk
27 reduction requirements, and with applicable state and federal
28 cultural resource protection requirements.

29 (c) For those projects that require a land use authorization from
30 the department of natural resources, the project applicant must
31 include in its application for a permit under this section a signed
32 joint aquatic resources permit application, attachment E. The project
33 applicant must provide a copy of a completed application to the
34 department of natural resources. The project applicant may submit its
35 completed application for a permit under this section to the
36 department either: (i) 30 days after providing a copy of a completed
37 application to the department of natural resources; or (ii) upon
38 receipt of a signed attachment E from the department of natural
39 resources, whichever comes first. If the project applicant submits

1 their application 30 days after filing the signed joint aquatic
2 resources permit application, attachment E, with the department of
3 natural resources, the department of natural resources must make a
4 final decision on applications for projects under this section within
5 30 days of the issuance of a permit under this section.

6 (3) Fish barrier removal projects approved for inclusion in this
7 permit program and that are reviewed and approved under this section
8 are not subject to RCW 43.21C.030(2) and are not required to obtain
9 local or state permits or approvals other than the permit issued
10 under this section, except permits minimally necessary as a
11 requirement of participation in a federal program.

12 (4)(a) A permit under this chapter is required for projects that
13 meet the criteria of subsection (2) of this section and must be
14 reviewed and, if appropriate, approved under this section. An
15 applicant shall use the department's online permitting system or a
16 paper or email joint aquatic resources permit application submission
17 to apply for approval under this section and shall at the same time
18 provide a copy of the application to the local government within
19 whose geographical jurisdiction the project will be located, to the
20 members of the multiagency permitting team created in this section,
21 and to potentially affected federally recognized tribes.

22 (b) When the department concludes that a complete application has
23 been submitted under this section and copies of the application have
24 been provided as required in this section, the department shall
25 provide notice to the local government within whose geographical
26 jurisdiction the project will be located, to potentially affected
27 federally recognized tribes, and to the members of the multiagency
28 permitting team of receipt of a complete permit application.

29 (i) Unless the multiagency permitting team process described in
30 this section is invoked, the department shall evaluate and make a
31 decision on the application not sooner than 25 days, and not later
32 than 45 days, after receipt of a complete permit application.

33 (ii) Within 25 days of receiving a copy of the complete project
34 application, the local government within whose geographical
35 jurisdiction the project would be located, any member of the
36 multiagency permitting team, or a potentially affected federally
37 recognized tribe may request that the department place the
38 application on hold and immediately convene a meeting with the
39 requesting entity and the multiagency permitting team to review and
40 evaluate the project.

1 (iii) All parties involved in this review process shall work in
2 good faith to expedite permitting and any party with concerns shall
3 provide the basis for its concerns and potential pathways to address
4 those concerns. Any party objecting to expedited permitting shall
5 provide a written basis for its objections to the department or the
6 multiagency permitting team.

7 (iv) The multiagency review process may not exceed 45 days from
8 the request for review.

9 (c) The multiagency permitting team consists of representatives
10 of the local government in whose geographical jurisdiction the
11 project would be located, the department, the department of ecology,
12 the recreation and conservation office, the governor's salmon
13 recovery office, the department of natural resources, and, when the
14 project in question is located in the Puget Sound basin, the Puget
15 Sound partnership. Meetings of the multiagency permitting team must
16 be facilitated by the department.

17 (d) The department or, where applicable, the multiagency
18 permitting team shall exclude any project from the review and
19 approval process created under this section if it concludes that the
20 project may adversely impact human health, public safety, or the
21 environment, or that the project's scope or complexity renders it
22 inappropriate for expedited review.

23 (e) If the department or the multiagency permitting team
24 determines that the review and approval process created under this
25 section is not appropriate for the proposed project, the department
26 shall notify the applicant, the appropriate local government, and
27 potentially affected federally recognized tribes of its
28 determination. The applicant may reapply for approval of the project
29 under generally applicable review and approval processes. If the
30 multiagency permitting team determines that the review and approval
31 process created under this section is appropriate for the proposed
32 project, the hold on the application must be lifted and the
33 department shall make a decision within the time that remains of the
34 original 45-day decision deadline.

35 (f) Any person aggrieved by the approval, denial, conditioning,
36 or modification of a permit under this section may appeal the
37 decision as provided in RCW 77.55.021(8).

38 (g) The department shall, in a timely manner, provide a copy of
39 any application seeking review under this section and shall

1 thereafter coordinate with affected federally recognized tribes as it
2 implements this section.

3 (5) No local or state government may require permits or charge
4 fees other than the permit issued under this section, except permits
5 minimally necessary as a requirement of participation in a federal
6 program, for fish barrier removal projects that meet the criteria of
7 subsection (2) of this section and that are reviewed and approved
8 according to the provisions of this section.

9 (6) No civil liability may be imposed by any court on the state
10 or its officers and employees for any adverse impacts resulting from
11 a fish barrier removal project permitted by the department under the
12 criteria of this section except upon proof of gross negligence or
13 willful or wanton misconduct.

14 NEW SECTION. **Sec. 505.** A new section is added to chapter 43.21C
15 RCW to read as follows:

16 A project that receives a permit pursuant to section 504 of this
17 act is not subject to the requirements of RCW 43.21C.030(2).

18 **Sec. 506.** RCW 36.70A.200 and 2023 sp.s. c 1 s 12 are each
19 amended to read as follows:

20 (1)(a) The comprehensive plan of each county and city that is
21 planning under RCW 36.70A.040 shall include a process for identifying
22 and siting essential public facilities. Essential public facilities
23 include those facilities that are typically difficult to site, such
24 as airports, state education facilities and state or regional
25 transportation facilities as defined in RCW 47.06.140, regional
26 transit authority facilities as defined in RCW 81.112.020,
27 improvements to high capacity transportation systems as defined in
28 RCW 81.104.015, state and local correctional facilities, solid waste
29 handling facilities, opioid treatment programs including both mobile
30 and fixed-site medication units, recovery residences, harm reduction
31 programs excluding safe injection sites, and inpatient facilities
32 including substance use disorder treatment facilities, mental health
33 facilities, group homes, community facilities as defined in RCW
34 72.05.020, and secure community transition facilities as defined in
35 RCW 71.09.020.

36 (b) Unless a facility is expressly listed in (a) of this
37 subsection, essential public facilities do not include facilities
38 that are operated by a private entity in which persons are detained

1 in custody under process of law pending the outcome of legal
2 proceedings but are not used for punishment, correction, counseling,
3 or rehabilitation following the conviction of a criminal offense.
4 Facilities included under this subsection (1)(b) shall not include
5 facilities detaining persons under RCW 71.09.020 (7) or (16) or
6 chapter 10.77 or 71.05 RCW.

7 (c) The department of children, youth, and families may not
8 attempt to site new community facilities as defined in RCW 72.05.020
9 east of the crest of the Cascade mountain range unless there is an
10 equal or greater number of sited community facilities as defined in
11 RCW 72.05.020 on the western side of the crest of the Cascade
12 mountain range.

13 (d) For the purpose of this section, "harm reduction programs"
14 means programs that emphasize working directly with people who use
15 drugs to prevent overdose and infectious disease transmission,
16 improve the physical, mental, and social well-being of those served,
17 and offer low threshold options for accessing substance use disorder
18 treatment and other services.

19 (2) Each county and city planning under RCW 36.70A.040 shall, not
20 later than September 1, 2002, establish a process, or amend its
21 existing process, for identifying and siting essential public
22 facilities and adopt or amend its development regulations as
23 necessary to provide for the siting of secure community transition
24 facilities consistent with statutory requirements applicable to these
25 facilities.

26 (3) Any city or county not planning under RCW 36.70A.040 shall,
27 not later than September 1, 2002, establish a process for siting
28 secure community transition facilities and adopt or amend its
29 development regulations as necessary to provide for the siting of
30 such facilities consistent with statutory requirements applicable to
31 these facilities.

32 (4) The office of financial management shall maintain a list of
33 those essential state public facilities that are required or likely
34 to be built within the next six years. The office of financial
35 management may at any time add facilities to the list.

36 (5) No local comprehensive plan or development regulation may
37 preclude the siting of essential public facilities.

38 (6) No person may bring a cause of action for civil damages based
39 on the good faith actions of any county or city to provide for the
40 siting of secure community transition facilities in accordance with

1 this section and with the requirements of chapter 12, Laws of 2001
2 2nd sp. sess. For purposes of this subsection, "person" includes, but
3 is not limited to, any individual, agency as defined in RCW
4 42.17A.005, corporation, partnership, association, and limited
5 liability entity.

6 (7) Counties or cities siting facilities pursuant to subsection
7 (2) or (3) of this section shall comply with RCW 71.09.341.

8 (8) The failure of a county or city to act by the deadlines
9 established in subsections (2) and (3) of this section is not:

10 (a) A condition that would disqualify the county or city for
11 grants, loans, or pledges under RCW 43.155.070 or 70A.135.070;

12 (b) A consideration for grants or loans provided under RCW
13 43.17.250(3); or

14 (c) A basis for any petition under RCW 36.70A.280 or for any
15 private cause of action.

16 **Sec. 507.** RCW 36.70A.200 and 2024 c 164 s 511 are each amended
17 to read as follows:

18 (1)(a) The comprehensive plan of each county and city that is
19 planning under RCW 36.70A.040 shall include a process for identifying
20 and siting essential public facilities. Essential public facilities
21 include those facilities that are typically difficult to site, such
22 as airports, state education facilities and state or regional
23 transportation facilities as defined in RCW 47.06.140, regional
24 transit authority facilities as defined in RCW 81.112.020,
25 improvements to high capacity transportation systems as defined in
26 RCW 81.104.015, state and local correctional facilities, solid waste
27 handling facilities, opioid treatment programs including both mobile
28 and fixed-site medication units, recovery residences, harm reduction
29 programs excluding safe injection sites, and inpatient facilities
30 including substance use disorder treatment facilities, mental health
31 facilities, group homes, community facilities as defined in RCW
32 72.05.020, and secure community transition facilities as defined in
33 RCW 71.09.020.

34 (b) Unless a facility is expressly listed in (a) of this
35 subsection, essential public facilities do not include facilities
36 that are operated by a private entity in which persons are detained
37 in custody under process of law pending the outcome of legal
38 proceedings but are not used for punishment, correction, counseling,
39 or rehabilitation following the conviction of a criminal offense.

1 Facilities included under this subsection (1)(b) shall not include
2 facilities detaining persons under RCW 71.09.020 (7) or (16) or
3 chapter 10.77 or 71.05 RCW.

4 (c) The department of children, youth, and families may not
5 attempt to site new community facilities as defined in RCW 72.05.020
6 east of the crest of the Cascade mountain range unless there is an
7 equal or greater number of sited community facilities as defined in
8 RCW 72.05.020 on the western side of the crest of the Cascade
9 mountain range.

10 (d) For the purpose of this section, "harm reduction programs"
11 means programs that emphasize working directly with people who use
12 drugs to prevent overdose and infectious disease transmission,
13 improve the physical, mental, and social well-being of those served,
14 and offer low threshold options for accessing substance use disorder
15 treatment and other services.

16 (2) Each county and city planning under RCW 36.70A.040 shall, not
17 later than September 1, 2002, establish a process, or amend its
18 existing process, for identifying and siting essential public
19 facilities and adopt or amend its development regulations as
20 necessary to provide for the siting of secure community transition
21 facilities consistent with statutory requirements applicable to these
22 facilities.

23 (3) Any city or county not planning under RCW 36.70A.040 shall,
24 not later than September 1, 2002, establish a process for siting
25 secure community transition facilities and adopt or amend its
26 development regulations as necessary to provide for the siting of
27 such facilities consistent with statutory requirements applicable to
28 these facilities.

29 (4) The office of financial management shall maintain a list of
30 those essential state public facilities that are required or likely
31 to be built within the next six years. The office of financial
32 management may at any time add facilities to the list.

33 (5) No local comprehensive plan or development regulation may
34 preclude the siting of essential public facilities.

35 (6) No person may bring a cause of action for civil damages based
36 on the good faith actions of any county or city to provide for the
37 siting of secure community transition facilities in accordance with
38 this section and with the requirements of chapter 12, Laws of 2001
39 2nd sp. sess. For purposes of this subsection, "person" includes, but
40 is not limited to, any individual, agency as defined in RCW

1 29B.10.030, corporation, partnership, association, and limited
2 liability entity.

3 (7) Counties or cities siting facilities pursuant to subsection
4 (2) or (3) of this section shall comply with RCW 71.09.341.

5 (8) The failure of a county or city to act by the deadlines
6 established in subsections (2) and (3) of this section is not:

7 (a) A condition that would disqualify the county or city for
8 grants, loans, or pledges under RCW 43.155.070 or 70A.135.070;

9 (b) A consideration for grants or loans provided under RCW
10 43.17.250(3); or

11 (c) A basis for any petition under RCW 36.70A.280 or for any
12 private cause of action.

13 NEW SECTION. **Sec. 508.** A new section is added to chapter 43.21C
14 RCW to read as follows:

15 In the event of a disagreement over the scope of a transit
16 project, state agencies, cities, and counties shall accept the
17 detailed statement prepared by the transit agency under RCW
18 43.21C.030(2)(c) as the sole environmental review document, rather
19 than conducting separate environmental reviews or preparing
20 additional detailed statements. Consistent with RCW 43.21C.150, when
21 a transit agency has previously prepared an adequate detailed
22 statement pursuant to the national environmental policy act of 1969
23 as part of a federally funded transit project, that national
24 environmental policy act document shall satisfy the requirements
25 under RCW 43.21C.030(2)(c). State agencies, cities, and counties
26 shall adopt and rely on the national environmental policy act
27 document for their environmental review and permitting processes,
28 aligning applicable local documents accordingly.

29 **PART VI**
30 **TRANSPORTATION GRANT PROGRAMS**

31 NEW SECTION. **Sec. 601.** A new county local road program is
32 established to fund the preservation and improvement of county local
33 roads. The board must:

34 (1) Adopt rules necessary to implement the provisions of this
35 chapter relating to the allocation of funds; and

36 (2) Include a program status report in the board's annual report
37 to the legislature as provided in RCW 36.78.070.

1 NEW SECTION. **Sec. 602.** The definitions in this section apply
2 throughout this chapter unless the context clearly requires
3 otherwise.

4 (1) "Board" means the county road administration board created in
5 RCW 36.78.030.

6 (2) "Community facility" means a publicly owned facility or
7 building that is primarily intended to serve the recreational,
8 educational, cultural, public health and safety, administrative, or
9 entertainment needs of the community as a whole.

10 (3) "County local road program project" means improvement
11 projects on those county roads not federally classified as an
12 arterial or collector.

13 (4) "LAG manual" means the Washington state department of
14 transportation's local agency guidelines manual or its successor
15 document.

16 (5) "Overburdened community" has the same meaning as defined in
17 RCW 70A.02.010.

18 (6) "Pedestrian facility" means a facility designed to meet the
19 needs of pedestrians in accordance with county and Americans with
20 disabilities act requirements.

21 NEW SECTION. **Sec. 603.** (1) The board shall adopt rules to
22 select preservation and improvement projects under this chapter
23 taking into consideration, at a minimum, the following priority
24 rating factors:

25 (a) Investment in overburdened communities;

26 (b) Environmental health disparities as identified in the
27 environmental health disparities map specified in RCW 43.70.815;

28 (c) Location on or providing direct access to a federally
29 recognized Indian reservation or lands;

30 (d) Sustaining the structural, safety, and operational integrity
31 of the road;

32 (e) Vehicle and pedestrian collision experience;

33 (f) Access improvements to a community facility; and

34 (g) Identified need in a state, regional, county, or community
35 plan.

36 (2) Proposed projects must be included in the respective county's
37 six-year plan as provided in RCW 36.81.121 before board approval of
38 the project.

1 NEW SECTION. **Sec. 604.** The following project types are allowed
2 under the county local road program created in this chapter:

- 3 (1) 2-R as defined in the LAG manual;
- 4 (2) 3-R as defined in the LAG manual;
- 5 (3) Reconstruction as defined in the LAG manual;
- 6 (4) Replacement of any bridge on the national bridge inventory;
- 7 (5) Removal of human-made or caused impediments to anadromous
8 fish passage; and
- 9 (6) Pedestrian facilities.

10 NEW SECTION. **Sec. 605.** Whenever a proposed county local road
11 program project is adjacent to a city or town, the appropriate city
12 or town and county officials shall jointly plan and include the
13 improvement in their respective long-range plans. Whenever a county
14 local road program project connects with and will be substantially
15 affected by a programmed construction project on a state highway, the
16 proper county officials shall jointly plan the development of such
17 project with the department of transportation district administrator.

18 NEW SECTION. **Sec. 606.** Counties receiving funds from the county
19 local road program shall provide such matching funds as established
20 by rules adopted by the board. Matching requirements must be
21 established after appropriate studies by the board and considering
22 the financial resources available to counties.

23 NEW SECTION. **Sec. 607.** (1) Only those counties that, during the
24 preceding 12 months, have spent all revenues collected for road
25 purposes only for such purposes, including removal of barriers to
26 fish passage and accompanying streambed and stream bank repair as
27 specified in RCW 36.82.070, and including traffic law enforcement as
28 allowed under Article II, section 40 of the state Constitution or RCW
29 36.82.070(2), are eligible to receive funds from the county local
30 road program, except that:

31 (a) Counties with a population of less than 8,000 are exempt from
32 this eligibility restriction;

33 (b) Counties expending revenues collected for road purposes only
34 on other governmental services after authorization from the voters of
35 that county under RCW 84.55.050 are exempt from this eligibility
36 restriction; and

1 (c) This restriction does not apply to any moneys diverted from
2 the road district levy under chapter 39.89 RCW.

3 (2) The board shall authorize county local road grant program
4 funds for the construction project portion of a project previously
5 authorized for a preliminary proposal in the sequence in which the
6 preliminary proposal has been completed and the construction project
7 is to be placed under contract. At such time the board may reserve
8 funds for expenditure in future years as may be necessary for
9 completion of preliminary proposals and construction projects to be
10 commenced in the ensuing biennium.

11 (3) Subject to the availability of amounts appropriated for this
12 specific purpose, the board may consider additional projects for
13 authorization under this chapter upon a clear and conclusive showing
14 by the submitting county that the proposed project is of an emergent
15 nature and that its need was unable to be anticipated at the time the
16 six-year plan of the county was developed. The proposed projects must
17 be evaluated on the basis of the priority rating factors specified in
18 section 603 of this act.

19 NEW SECTION. **Sec. 608.** Whenever the board approves a county
20 local road program project under this chapter it shall determine the
21 amount of county local road program funds to be allocated for such
22 project. The allocation must be based upon information submitted by
23 the county seeking approval of the project and upon such further
24 investigation as the board deems necessary. The board shall adopt
25 reasonable rules pursuant to which county local road program funds
26 allocated to a project may be increased upon a subsequent application
27 of the county constructing the project. The rules adopted by the
28 board must take into account, but are not limited to, the following
29 factors:

30 (1) The financial effect of increasing the original allocation
31 for the project upon other county local road program projects either
32 approved or requested;

33 (2) Whether the project for which an additional allocation is
34 requested can be reduced in scope while retaining a usable segment;

35 (3) Whether the original cost of the project shown in the
36 applicant's original submittal was based upon reasonable engineering
37 estimates; and

38 (4) Whether the requested additional allocation is to pay for an
39 expansion in the scope of work originally approved.

1 NEW SECTION. **Sec. 609.** Sections 601 through 608 of this act
2 constitute a new chapter in Title 36 RCW.

3 NEW SECTION. **Sec. 610.** A new section is added to chapter 47.66
4 RCW to read as follows:

5 (1)(a) The department's public transportation division shall
6 establish a transit safety and security grant program. The purpose of
7 the grant program is to aid any transit authority with safety and
8 security enhancements that may include, but are not limited to, the
9 following examples:

10 (i) Safety and security improvements to the built environment
11 such as lighting enhancements or fare gates;

12 (ii) Cleaning or replacement of damaged amenities in passenger
13 facilities;

14 (iii) Improving safety for frontline employees such as barriers
15 on rolling stock or facilities;

16 (iv) Safety personnel such as behavioral health professionals and
17 service and fare ambassadors; and

18 (v) Supporting education, training, and retraining employees and
19 customers.

20 (b) Grant funds are prohibited from usage for any expenses
21 relating to armed security.

22 (2) The department's public transportation division shall
23 identify projects and shall submit a prioritized list of all projects
24 requesting funding to the legislature by December 1st of each even-
25 numbered year. The department must report annually to the
26 transportation committees of the legislature on the grant projects
27 funded by the program created under this section.

28 (3) In order to receive transit safety grant funds for projects,
29 a transit authority must provide matching funding at a level deemed
30 appropriate by the department.

31 (4) No one entity may receive more than 35 percent of funds
32 awarded in a grant cycle.

33 (5) For purposes of this section, "transit authority" means a
34 city transit system under RCW 35.58.2721 or chapter 35.95A RCW, a
35 county public transportation authority under chapter 36.57 RCW, a
36 metropolitan municipal corporation transit system under chapter 36.56
37 RCW, a public transportation benefit area under chapter 36.57A RCW,
38 an unincorporated transportation benefit area under RCW 36.57.100, a

1 regional transit authority under chapter 81.112 RCW, or any special
2 purpose district formed to operate a public transportation system.

3 **Sec. 611.** RCW 47.04.380 and 2024 c 106 s 1 are each amended to
4 read as follows:

5 (1) The legislature finds that many communities across Washington
6 state have not equitably benefited from investments in the active
7 transportation network. The legislature also finds that legacy state
8 transportation facilities designed primarily for vehicle use caused
9 disconnections in safe routes for people who walk, bike, and roll to
10 work and to carry out other daily activities.

11 (2) To address these investment gaps, and to honor the legacy of
12 community advocacy of Sandy Williams, the Sandy Williams connecting
13 communities program is established within the department. The purpose
14 of the program is to improve active transportation connectivity in
15 communities by:

16 (a) Providing safe, continuous routes for pedestrians,
17 bicyclists, and other nonvehicle users carrying out their daily
18 activities;

19 (b) Mitigating for the health, safety, and access impacts of
20 transportation infrastructure that bisects communities and creates
21 obstacles in the local active transportation network;

22 (c) Investing in greenways providing protected routes for a wide
23 variety of nonvehicular users; and

24 (d) Facilitating the planning, development, and implementation of
25 projects and activities that will improve the connectivity and safety
26 of the active transportation network.

27 (3) The department must select projects to propose to the
28 legislature for funding. In selecting projects, the department must
29 consider, at a minimum, the following criteria:

30 (a) Access to a transit facility, community facility, commercial
31 center, or community-identified assets;

32 (b) The use of minority and women-owned businesses and community-
33 based organizations in planning, community engagement, design, and
34 construction of the project;

35 (c) Whether the project will serve:

36 (i) Overburdened communities as defined in RCW 70A.02.010 to mean
37 a geographic area where vulnerable populations face combined,
38 multiple environmental harms and health impacts, and includes, but is

1 not limited to, highly impacted communities as defined in RCW
2 19.405.020;

3 (ii) Vulnerable populations as defined in RCW 70A.02.010 to mean
4 population groups that are more likely to be at higher risk for poor
5 health outcomes in response to environmental harms, due to adverse
6 socioeconomic factors, such as unemployment, high housing, and
7 transportation costs relative to income, limited access to nutritious
8 food and adequate health care, linguistic isolation, and other
9 factors that negatively affect health outcomes and increase
10 vulnerability to the effects of environmental harms; and sensitivity
11 factors, such as low birth weight and higher rates of
12 hospitalization. Vulnerable populations include, but are not limited
13 to: Racial or ethnic minorities, low-income populations, populations
14 disproportionately impacted by environmental harms, and populations
15 of workers experiencing environmental harms;

16 (iii) Household incomes at or below 200 percent of the federal
17 poverty level; and

18 (iv) People with disabilities;

19 (d) Environmental health disparities, such as those indicated by
20 the diesel pollution burden portion of the Washington environmental
21 health disparities map developed by the department of health, or
22 other similar indicators;

23 (e) Location on or adjacent to tribal lands or locations
24 providing essential services to tribal members;

25 (f) Crash experience involving pedestrians and bicyclists; and

26 (g) Identified need by the community, for example in the state
27 active transportation plan or a regional, county, or community plan.

28 (4) It is the intent of the legislature that the Sandy Williams
29 connecting communities program comply with the requirements of
30 chapter 314, Laws of 2021.

31 (5) The department shall submit a report to the transportation
32 committees of the legislature by December 1, 2022, and each December
33 1st thereafter identifying the selected connecting communities
34 projects for funding by the legislature. The report must also include
35 the status of previously funded projects.

36 (6) The Sandy Williams connecting communities program account is
37 created in the state treasury. Moneys in the account may be spent
38 only after appropriation. Expenditures from the account may be used
39 only for the program activities described in this section.

1 (7) Beginning September 2027, by the last day of September,
2 December, March, and June of each year, the state treasurer shall
3 transfer \$12,500,000 from the move ahead WA flexible account created
4 in RCW 46.68.520 to the Sandy Williams connecting communities program
5 account created in this section.

6 **Sec. 612.** RCW 47.04.430 and 2023 c 447 s 5 are each amended to
7 read as follows:

8 (1) The department shall create a bicyclist and pedestrian grant
9 program to improve pedestrian and bicyclist safety and mobility and
10 increase active transportation trips.

11 (2) Project types may include, but are not limited to, bicycle
12 facilities such as buffered bike lanes, pedestrian facilities such as
13 sidewalks, crossing improvements for people who walk and roll, and
14 speed management.

15 (3) The department shall report on an annual basis the status of
16 projects funded as part of the bicyclist and pedestrian grant and
17 safe routes to school grant programs. The report must include, but is
18 not limited to, a list of projects selected and a brief description
19 of each project's status.

20 (4) Beginning July 1, 2027, at least 25 percent of grants awarded
21 for the bicyclist and pedestrian grant program must benefit
22 communities or census tracts with a high concentration of people over
23 the age of 65, with priority for projects that enhance safety and
24 community connectivity.

25 **Sec. 613.** RCW 47.04.390 and 2023 c 431 s 7 are each amended to
26 read as follows:

27 (1) (a) The department shall establish a statewide school-based
28 bicycle education grant program. The grant will support two programs:
29 One for (~~elementary and middle school~~) grades three through eight;
30 and one for (~~junior high and high school~~) grades six through 12
31 aged youth to develop the skills and street safety knowledge to be
32 more confident bicyclists for transportation and/or recreation. In
33 development of the grant program, the department is encouraged to
34 consult with the environmental justice council and the office of
35 equity.

36 (b) Qualifying youth participating in the school-based bicycle
37 education grant program shall have an opportunity to receive a bike,
38 lock, helmet, and lights, and maintenance supplies free of cost.

1 (2) ~~((a))~~ For the ~~((elementary and middle school program))~~
2 grades through three through eight and grades six through 12
3 programs, the department shall contract with a nonprofit organization
4 with relevant reach and experience, including a statewide footprint
5 and demonstrable experience deploying bicycling and road safety
6 education curriculum via a train the trainer model in schools. The
7 selected nonprofit shall identify partner schools and partner
8 organizations that serve target populations, based on the criteria in
9 subsection ~~((3))~~ (4) of this section. Partner schools shall receive
10 from the nonprofit: In-school bike and pedestrian safety education
11 curriculum, materials, equipment guidance and consultation, and
12 physical education teacher ~~((trainings. Youth grades three through~~
13 ~~eight are eligible for the program.~~

14 ~~(b) Selected school districts shall receive and maintain a fleet~~
15 ~~of bicycles for the youth in the program. Youth and families~~
16 ~~participating in the school-base bicycle education grant program~~
17 ~~shall have an opportunity to receive a bike, lock, helmet, and lights~~
18 ~~free of cost)) training. Selected school districts shall receive and~~
19 maintain a fleet of bicycles for the youth in the program.

20 (3) For the ~~((junior high and high school))~~ grades six through 12
21 program, the department shall contract with a nonprofit organization
22 with relevant reach and experience, including a statewide footprint;
23 demonstrable experience developing and managing youth-based
24 programming serving youth of color in an after-school and/or
25 community setting; and deploying bicycling and road safety education
26 curriculum via a train the trainer model. The selected nonprofit
27 shall use the equity-based criteria in subsection (4) of this section
28 to identify target populations and partner organizations including,
29 but not limited to, schools, community-based organizations, housing
30 authorities, and parks and recreation departments, that work with the
31 eligible populations of youth ~~((ages 14 to 18))~~. Partner
32 organizations shall receive from the nonprofit: Education curriculum,
33 materials, equipment including, but not limited to, bicycles,
34 helmets, locks, and lights, guidance and consultation, and initial
35 instructor/volunteer training, as well as ongoing support.

36 (4) In selecting schools and partner organizations and qualifying
37 youth receiving bikes for the school-based bicycle education grant
38 program, the department and nonprofit must consider, at a minimum,
39 the following criteria:

- 1 (a) Population impacted by poverty, as measured by free and
2 reduced lunch population or 200 percent federal poverty level;
3 (b) People of color;
4 (c) People of Hispanic heritage;
5 (d) People with disabilities;
6 (e) Environmental health disparities, such as those indicated by
7 the diesel pollution burden portion of the Washington environmental
8 health disparities map developed by the department of health, or
9 other similar indicators;
10 (f) Location on or adjacent to an Indian reservation;
11 (g) Geographic location throughout the state;
12 (h) Crash experience involving pedestrians and bicyclists;
13 (i) Access to a community facility or commercial center; and
14 (j) Identified need in the state active transportation plan or a
15 regional, county, or community plan.

16 (5) The department shall submit a report for both programs to the
17 transportation committees of the legislature by December 1, 2022, and
18 each December 1st thereafter identifying the selected programs and
19 school districts for funding by the legislature. The report must also
20 include the status of previously funded programs.

21 NEW SECTION. **Sec. 614.** A new section is added to chapter 47.04
22 RCW to read as follows:

23 The legislature finds that establishment of paved trails and
24 shared-use paths to link population centers will reduce exposure to
25 serious and fatal crashes for people using any mode of
26 transportation, provide accessibility for nondrivers, support mode
27 shift to reduce vehicle miles traveled, enhance the resiliency of the
28 state transportation system, and contribute to local economic growth.

29 To address these policy priorities and opportunities, the
30 department shall create a grant program to develop statewide active
31 transportation connectivity infrastructure. The program must
32 prioritize connecting regional trail networks, filling gaps in
33 regional active transportation systems, developing networks to serve
34 a variety of user needs, and facilitating connections to major
35 transit stops, ferry terminals, and commuter and passenger rail
36 stations. The department is encouraged to collaborate with local
37 agencies, tribes, and active transportation partners to develop the
38 structure, criteria, and eligibility for the program.

PART VII
MISCELLANEOUS

Sec. 701. RCW 47.01.051 and 2006 c 334 s 1 are each amended to read as follows:

There is hereby created a transportation commission, which shall consist of ~~((seven))~~ five voting members appointed by the governor, with the consent of the senate. ~~((The present five members of the highway commission shall serve as five initial members of the transportation commission until their terms of office as highway commission members would have expired. The additional two members provided herein for the transportation commission shall be appointed for initial terms to expire on June 30, 1982, and June 30, 1983. Thereafter all terms))~~ The present two members of the commission whose terms expire June 30, 2025, shall serve until their expiration date, at which time those positions are eliminated. The other present five members of the commission shall continue serving until the expiration dates of their respective current terms. Terms shall be for six years. No elective state official, state officer, or state employee shall be a member of the commission. At the time of appointment or thereafter during their respective terms of office, ~~((four))~~ three members of the commission shall reside in the western part of the state and ~~((three))~~ two members shall reside in the eastern part of the state as divided north and south by the summit of the Cascade mountains. No more than two members of the commission shall reside in the same county; however, the governor, or his or her designee, shall serve as a nonvoting member of the commission. Commission appointments should reflect both a wide range of transportation interests and a balanced statewide geographic representation. Commissioners may be removed from office by the governor before the expiration of their terms for cause. No member shall be appointed for more than two consecutive terms.

Sec. 702. RCW 47.01.071 and 2022 c 186 s 702 are each amended to read as follows:

The transportation commission shall have the following functions, powers, and duties:

(1) ~~((To propose policies to be adopted by the governor and the legislature designed to assure the development and maintenance of a comprehensive and balanced statewide transportation system which will~~

1 meet the needs of the people of this state for safe and efficient
2 transportation services. Wherever appropriate, the policies shall
3 provide for the use of integrated, intermodal transportation systems.
4 The policies must be aligned with the goals established in RCW
5 47.04.280. To this end the commission shall:

6 (a) Develop transportation policies which are based on the
7 policies, goals, and objectives expressed and inherent in existing
8 state laws;

9 (b) Inventory the adopted policies, goals, and objectives of the
10 local and area-wide governmental bodies of the state and define the
11 role of the state, regional, and local governments in determining
12 transportation policies, in transportation planning, and in
13 implementing the state transportation plan;

14 (c) Establish a procedure for review and revision of the state
15 transportation policy and for submission of proposed changes to the
16 governor and the legislature; and

17 (d) Integrate the statewide transportation plan with the needs of
18 the elderly and persons with disabilities, and coordinate federal and
19 state programs directed at assisting local governments to answer such
20 needs;

21 (2) To provide for the effective coordination of state
22 transportation planning with national transportation policy, state
23 and local land use policies, and local and regional transportation
24 plans and programs;

25 (3) In conjunction with the provisions under RCW 47.01.075, to
26 provide for public involvement in transportation designed to elicit
27 the public's views both with respect to adequate transportation
28 services and appropriate means of minimizing adverse social,
29 economic, environmental, and energy impact of transportation
30 programs;

31 (4) By December 2010, to prepare a comprehensive and balanced
32 statewide transportation plan consistent with the state's growth
33 management goals and based on the transportation policy goals
34 provided under RCW 47.04.280 and applicable state and federal laws.
35 The plan must reflect the priorities of government developed by the
36 office of financial management and address regional needs, including
37 multimodal transportation planning. The plan must, at a minimum: (a)
38 Establish a vision for the development of the statewide
39 transportation system; (b) identify significant statewide
40 transportation policy issues; and (c) recommend statewide

1 ~~transportation policies and strategies to the legislature to fulfill~~
2 ~~the requirements of subsection (1) of this section. The plan must be~~
3 ~~the product of an ongoing process that involves representatives of~~
4 ~~significant transportation interests and the general public from~~
5 ~~across the state. Every four years, except during the 2021-2023~~
6 ~~fiscal biennium, the plan shall be reviewed and revised, and~~
7 ~~submitted to the governor and the house of representatives and senate~~
8 ~~standing committees on transportation.~~

9 ~~The plan shall take into account federal law and regulations~~
10 ~~relating to the planning, construction, and operation of~~
11 ~~transportation facilities;~~

12 ~~(5)) To propose to the governor and the legislature prior to the~~
13 ~~convening of each regular session held in an odd-numbered year a~~
14 ~~recommended budget for the operations of the commission as required~~
15 ~~by RCW 47.01.061;~~

16 ~~((6)) (2) To adopt such rules as may be necessary to carry out~~
17 ~~reasonably and properly those functions expressly vested in the~~
18 ~~commission by statute;~~

19 ~~((7)) (3) To contract with the office of financial management~~
20 ~~or other appropriate state agencies for administrative support,~~
21 ~~accounting services, computer services, and other support services~~
22 ~~necessary to carry out its other statutory duties;~~

23 ~~((8)) (4) To conduct transportation-related studies and policy~~
24 ~~analysis to the extent directed by the legislature or governor in the~~
25 ~~biennial transportation budget act, or as otherwise provided in law,~~
26 ~~and subject to the availability of amounts appropriated for this~~
27 ~~specific purpose; and~~

28 ~~((9)) (5) To exercise such other specific powers and duties as~~
29 ~~may be vested in the transportation commission by this or any other~~
30 ~~provision of law.~~

31 NEW SECTION. **Sec. 703.** RCW 47.01.075 (Transportation policy
32 development) and 2007 c 516 s 5, 2006 c 334 s 4, & 2005 c 319 s 6 are
33 each repealed.

34 **Sec. 704.** RCW 47.04.280 and 2021 c 153 s 1 are each amended to
35 read as follows:

36 (1) It is the intent of the legislature to establish policy goals
37 for the planning, operation, performance of, and investment in, the

1 state's transportation system. Public investments in transportation
2 should support achievement of these policy goals:

3 (a) Preservation: To maintain, preserve, and extend the life and
4 utility of prior investments in transportation systems and services,
5 including the state ferry system;

6 (b) Safety: To provide for and improve the safety and security of
7 transportation customers and the transportation system;

8 (c) Stewardship: To continuously improve the quality,
9 effectiveness, resilience, and efficiency of the transportation
10 system;

11 (d) Mobility: To improve the predictable movement of goods and
12 people throughout Washington state, including congestion relief and
13 improved freight mobility;

14 (e) Economic vitality: To promote and develop transportation
15 systems that stimulate, support, and enhance the movement of people
16 and goods to ensure a prosperous economy; and

17 (f) Environment: To enhance Washington's quality of life through
18 transportation investments that promote energy conservation, enhance
19 healthy communities, and protect the environment.

20 (2) The powers, duties, and functions of state transportation
21 agencies must be performed in a manner consistent with the policy
22 goals set forth in subsection (1) of this section with preservation
23 and safety being priorities.

24 (3) These policy goals are intended to be the basis for
25 establishing detailed and measurable objectives and related
26 performance measures.

27 (4) It is the intent of the legislature that the office of
28 financial management(~~(, in consultation with the transportation~~
29 ~~commission,)) establish objectives and performance measures for the
30 department and other state agencies with transportation-related
31 responsibilities to ensure transportation system performance at
32 local, regional, and state government levels progresses toward the
33 attainment of the policy goals set forth in subsection (1) of this
34 section. The office of financial management shall submit objectives
35 and performance measures to the legislature for its review and shall
36 provide copies of the same to the commission during each regular
37 session of the legislature during an even-numbered year thereafter.~~

38 (5) A local or regional agency engaging in transportation
39 planning may voluntarily establish objectives and performance
40 measures to demonstrate progress toward the attainment of the policy

1 goals set forth in subsection (1) of this section or any other
2 transportation policy goals established by the local or regional
3 agency. A local or regional agency engaging in transportation
4 planning is encouraged to provide local and regional objectives and
5 performance measures to be included with the objectives and
6 performance measures submitted to the legislature pursuant to
7 subsection (4) of this section.

8 (6) This section does not create a private right of action.

9 NEW SECTION. **Sec. 705.** The following acts or parts of acts are
10 each repealed:

11 (1) RCW 46.68.490 (Climate active transportation account) and
12 2023 c 472 s 711 & 2022 c 182 s 102; and

13 (2) RCW 46.68.500 (Climate transit programs account) and 2023 c
14 472 s 712 & 2022 c 182 s 103.

15 **Sec. 706.** RCW 43.84.092 and 2024 c 210 s 4 and 2024 c 168 s 12
16 are each reenacted and amended to read as follows:

17 (1) All earnings of investments of surplus balances in the state
18 treasury shall be deposited to the treasury income account, which
19 account is hereby established in the state treasury.

20 (2) The treasury income account shall be utilized to pay or
21 receive funds associated with federal programs as required by the
22 federal cash management improvement act of 1990. The treasury income
23 account is subject in all respects to chapter 43.88 RCW, but no
24 appropriation is required for refunds or allocations of interest
25 earnings required by the cash management improvement act. Refunds of
26 interest to the federal treasury required under the cash management
27 improvement act fall under RCW 43.88.180 and shall not require
28 appropriation. The office of financial management shall determine the
29 amounts due to or from the federal government pursuant to the cash
30 management improvement act. The office of financial management may
31 direct transfers of funds between accounts as deemed necessary to
32 implement the provisions of the cash management improvement act, and
33 this subsection. Refunds or allocations shall occur prior to the
34 distributions of earnings set forth in subsection (4) of this
35 section.

36 (3) Except for the provisions of RCW 43.84.160, the treasury
37 income account may be utilized for the payment of purchased banking
38 services on behalf of treasury funds including, but not limited to,

1 depository, safekeeping, and disbursement functions for the state
2 treasury and affected state agencies. The treasury income account is
3 subject in all respects to chapter 43.88 RCW, but no appropriation is
4 required for payments to financial institutions. Payments shall occur
5 prior to distribution of earnings set forth in subsection (4) of this
6 section.

7 (4) Monthly, the state treasurer shall distribute the earnings
8 credited to the treasury income account. The state treasurer shall
9 credit the general fund with all the earnings credited to the
10 treasury income account except:

11 (a) The following accounts and funds shall receive their
12 proportionate share of earnings based upon each account's and fund's
13 average daily balance for the period: The abandoned recreational
14 vehicle disposal account, the aeronautics account, the Alaskan Way
15 viaduct replacement project account, the ambulance transport fund,
16 the budget stabilization account, the capital vessel replacement
17 account, the capitol building construction account, the Central
18 Washington University capital projects account, the charitable,
19 educational, penal and reformatory institutions account, the Chehalis
20 basin account, the Chehalis basin taxable account, the clean fuels
21 credit account, the clean fuels transportation investment account,
22 the cleanup settlement account, (~~the climate active transportation~~
23 ~~account, the climate transit programs account,~~) the Columbia river
24 basin water supply development account, the Columbia river basin
25 taxable bond water supply development account, the Columbia river
26 basin water supply revenue recovery account, the common school
27 construction fund, the community forest trust account, the connecting
28 Washington account, the county arterial preservation account, the
29 county criminal justice assistance account, the covenant
30 homeownership account, the deferred compensation administrative
31 account, the deferred compensation principal account, the department
32 of licensing services account, the department of retirement systems
33 expense account, the developmental disabilities community services
34 account, the diesel idle reduction account, the opioid abatement
35 settlement account, the drinking water assistance account, the
36 administrative subaccount of the drinking water assistance account,
37 the early learning facilities development account, the early learning
38 facilities revolving account, the Eastern Washington University
39 capital projects account, the education construction fund, the
40 education legacy trust account, the election account, the electric

1 vehicle account, the energy freedom account, the energy recovery act
2 account, the essential rail assistance account, The Evergreen State
3 College capital projects account, the fair start for kids account,
4 the family medicine workforce development account, the ferry bond
5 retirement fund, the fish, wildlife, and conservation account, the
6 freight mobility investment account, the freight mobility multimodal
7 account, the grade crossing protective fund, the higher education
8 retirement plan supplemental benefit fund, the Washington student
9 loan account, the highway bond retirement fund, the highway
10 infrastructure account, the highway safety fund, the hospital safety
11 net assessment fund, the Interstate 5 bridge replacement project
12 account, the Interstate 405 and state route number 167 express toll
13 lanes account, the judges' retirement account, the judicial
14 retirement administrative account, the judicial retirement principal
15 account, the limited fish and wildlife account, the local leasehold
16 excise tax account, the local real estate excise tax account, the
17 local sales and use tax account, the marine resources stewardship
18 trust account, the medical aid account, the money-purchase retirement
19 savings administrative account, the money-purchase retirement savings
20 principal account, the motor vehicle fund, the motorcycle safety
21 education account, the move ahead WA account, the move ahead WA
22 flexible account, the multimodal transportation account, the multiuse
23 roadway safety account, the municipal criminal justice assistance
24 account, the oyster reserve land account, the pension funding
25 stabilization account, the perpetual surveillance and maintenance
26 account, the pilotage account, the pollution liability insurance
27 agency underground storage tank revolving account, the public
28 employees' retirement system plan 1 account, the public employees'
29 retirement system combined plan 2 and plan 3 account, the public
30 facilities construction loan revolving account, the public health
31 supplemental account, the public works assistance account, the Puget
32 Sound capital construction account, the Puget Sound ferry operations
33 account, the Puget Sound Gateway facility account, the Puget Sound
34 taxpayer accountability account, the real estate appraiser commission
35 account, the recreational vehicle account, the regional mobility
36 grant program account, the reserve officers' relief and pension
37 principal fund, the resource management cost account, the rural
38 arterial trust account, the rural mobility grant program account, the
39 rural Washington loan fund, the second injury fund, the sexual
40 assault prevention and response account, the site closure account,

1 the skilled nursing facility safety net trust fund, the small city
2 pavement and sidewalk account, the special category C account, the
3 special wildlife account, the state hazard mitigation revolving loan
4 account, the state investment board expense account, the state
5 investment board commingled trust fund accounts, the state patrol
6 highway account, the state reclamation revolving account, the state
7 route number 520 civil penalties account, the state route number 520
8 corridor account, the statewide broadband account, the statewide
9 tourism marketing account, the supplemental pension account, the
10 Tacoma Narrows toll bridge account, the teachers' retirement system
11 plan 1 account, the teachers' retirement system combined plan 2 and
12 plan 3 account, the tobacco prevention and control account, the
13 tobacco settlement account, the toll facility bond retirement
14 account, the transportation 2003 account (nickel account), the
15 transportation equipment fund, the JUDY transportation future funding
16 program account, the transportation improvement account, the
17 transportation improvement board bond retirement account, the
18 transportation infrastructure account, the transportation partnership
19 account, the traumatic brain injury account, the tribal opioid
20 prevention and treatment account, the University of Washington bond
21 retirement fund, the University of Washington building account, the
22 voluntary cleanup account, the volunteer firefighters' relief and
23 pension principal fund, the volunteer firefighters' and reserve
24 officers' administrative fund, the vulnerable roadway user education
25 account, the Washington judicial retirement system account, the
26 Washington law enforcement officers' and firefighters' system plan 1
27 retirement account, the Washington law enforcement officers' and
28 firefighters' system plan 2 retirement account, the Washington public
29 safety employees' plan 2 retirement account, the Washington school
30 employees' retirement system combined plan 2 and 3 account, the
31 Washington state patrol retirement account, the Washington State
32 University building account, the Washington State University bond
33 retirement fund, the water pollution control revolving administration
34 account, the water pollution control revolving fund, the Western
35 Washington University capital projects account, the Yakima integrated
36 plan implementation account, the Yakima integrated plan
37 implementation revenue recovery account, and the Yakima integrated
38 plan implementation taxable bond account. Earnings derived from
39 investing balances of the agricultural permanent fund, the normal
40 school permanent fund, the permanent common school fund, the

1 scientific permanent fund, and the state university permanent fund
2 shall be allocated to their respective beneficiary accounts.

3 (b) Any state agency that has independent authority over accounts
4 or funds not statutorily required to be held in the state treasury
5 that deposits funds into a fund or account in the state treasury
6 pursuant to an agreement with the office of the state treasurer shall
7 receive its proportionate share of earnings based upon each account's
8 or fund's average daily balance for the period.

9 (5) In conformance with Article II, section 37 of the state
10 Constitution, no treasury accounts or funds shall be allocated
11 earnings without the specific affirmative directive of this section.

12 **Sec. 707.** RCW 43.84.092 and 2024 c 210 s 5 and 2024 c 168 s 13
13 are each reenacted and amended to read as follows:

14 (1) All earnings of investments of surplus balances in the state
15 treasury shall be deposited to the treasury income account, which
16 account is hereby established in the state treasury.

17 (2) The treasury income account shall be utilized to pay or
18 receive funds associated with federal programs as required by the
19 federal cash management improvement act of 1990. The treasury income
20 account is subject in all respects to chapter 43.88 RCW, but no
21 appropriation is required for refunds or allocations of interest
22 earnings required by the cash management improvement act. Refunds of
23 interest to the federal treasury required under the cash management
24 improvement act fall under RCW 43.88.180 and shall not require
25 appropriation. The office of financial management shall determine the
26 amounts due to or from the federal government pursuant to the cash
27 management improvement act. The office of financial management may
28 direct transfers of funds between accounts as deemed necessary to
29 implement the provisions of the cash management improvement act, and
30 this subsection. Refunds or allocations shall occur prior to the
31 distributions of earnings set forth in subsection (4) of this
32 section.

33 (3) Except for the provisions of RCW 43.84.160, the treasury
34 income account may be utilized for the payment of purchased banking
35 services on behalf of treasury funds including, but not limited to,
36 depository, safekeeping, and disbursement functions for the state
37 treasury and affected state agencies. The treasury income account is
38 subject in all respects to chapter 43.88 RCW, but no appropriation is
39 required for payments to financial institutions. Payments shall occur

1 prior to distribution of earnings set forth in subsection (4) of this
2 section.

3 (4) Monthly, the state treasurer shall distribute the earnings
4 credited to the treasury income account. The state treasurer shall
5 credit the general fund with all the earnings credited to the
6 treasury income account except:

7 (a) The following accounts and funds shall receive their
8 proportionate share of earnings based upon each account's and fund's
9 average daily balance for the period: The abandoned recreational
10 vehicle disposal account, the aeronautics account, the Alaskan Way
11 viaduct replacement project account, the budget stabilization
12 account, the capital vessel replacement account, the capitol building
13 construction account, the Central Washington University capital
14 projects account, the charitable, educational, penal and reformatory
15 institutions account, the Chehalis basin account, the Chehalis basin
16 taxable account, the clean fuels credit account, the clean fuels
17 transportation investment account, the cleanup settlement account,
18 (~~the climate active transportation account, the climate transit~~
19 ~~programs account,~~) the Columbia river basin water supply development
20 account, the Columbia river basin taxable bond water supply
21 development account, the Columbia river basin water supply revenue
22 recovery account, the common school construction fund, the community
23 forest trust account, the connecting Washington account, the county
24 arterial preservation account, the county criminal justice assistance
25 account, the covenant homeownership account, the deferred
26 compensation administrative account, the deferred compensation
27 principal account, the department of licensing services account, the
28 department of retirement systems expense account, the developmental
29 disabilities community services account, the diesel idle reduction
30 account, the opioid abatement settlement account, the drinking water
31 assistance account, the administrative subaccount of the drinking
32 water assistance account, the early learning facilities development
33 account, the early learning facilities revolving account, the Eastern
34 Washington University capital projects account, the education
35 construction fund, the education legacy trust account, the election
36 account, the electric vehicle account, the energy freedom account,
37 the energy recovery act account, the essential rail assistance
38 account, The Evergreen State College capital projects account, the
39 fair start for kids account, the family medicine workforce
40 development account, the ferry bond retirement fund, the fish,

1 wildlife, and conservation account, the freight mobility investment
2 account, the freight mobility multimodal account, the grade crossing
3 protective fund, the higher education retirement plan supplemental
4 benefit fund, the Washington student loan account, the highway bond
5 retirement fund, the highway infrastructure account, the highway
6 safety fund, the hospital safety net assessment fund, the Interstate
7 5 bridge replacement project account, the Interstate 405 and state
8 route number 167 express toll lanes account, the judges' retirement
9 account, the judicial retirement administrative account, the judicial
10 retirement principal account, the limited fish and wildlife account,
11 the local leasehold excise tax account, the local real estate excise
12 tax account, the local sales and use tax account, the marine
13 resources stewardship trust account, the medical aid account, the
14 money-purchase retirement savings administrative account, the money-
15 purchase retirement savings principal account, the motor vehicle
16 fund, the motorcycle safety education account, the move ahead WA
17 account, the move ahead WA flexible account, the multimodal
18 transportation account, the multiuse roadway safety account, the
19 municipal criminal justice assistance account, the oyster reserve
20 land account, the pension funding stabilization account, the
21 perpetual surveillance and maintenance account, the pilotage account,
22 the pollution liability insurance agency underground storage tank
23 revolving account, the public employees' retirement system plan 1
24 account, the public employees' retirement system combined plan 2 and
25 plan 3 account, the public facilities construction loan revolving
26 account, the public health supplemental account, the public works
27 assistance account, the Puget Sound capital construction account, the
28 Puget Sound ferry operations account, the Puget Sound Gateway
29 facility account, the Puget Sound taxpayer accountability account,
30 the real estate appraiser commission account, the recreational
31 vehicle account, the regional mobility grant program account, the
32 reserve officers' relief and pension principal fund, the resource
33 management cost account, the rural arterial trust account, the rural
34 mobility grant program account, the rural Washington loan fund, the
35 second injury fund, the sexual assault prevention and response
36 account, the site closure account, the skilled nursing facility
37 safety net trust fund, the small city pavement and sidewalk account,
38 the special category C account, the special wildlife account, the
39 state hazard mitigation revolving loan account, the state investment
40 board expense account, the state investment board commingled trust

1 fund accounts, the state patrol highway account, the state
2 reclamation revolving account, the state route number 520 civil
3 penalties account, the state route number 520 corridor account, the
4 statewide broadband account, the statewide tourism marketing account,
5 the supplemental pension account, the Tacoma Narrows toll bridge
6 account, the teachers' retirement system plan 1 account, the
7 teachers' retirement system combined plan 2 and plan 3 account, the
8 tobacco prevention and control account, the tobacco settlement
9 account, the toll facility bond retirement account, the
10 transportation 2003 account (nickel account), the transportation
11 equipment fund, the JUDY transportation future funding program
12 account, the transportation improvement account, the transportation
13 improvement board bond retirement account, the transportation
14 infrastructure account, the transportation partnership account, the
15 traumatic brain injury account, the tribal opioid prevention and
16 treatment account, the University of Washington bond retirement fund,
17 the University of Washington building account, the voluntary cleanup
18 account, the volunteer firefighters' relief and pension principal
19 fund, the volunteer firefighters' and reserve officers'
20 administrative fund, the vulnerable roadway user education account,
21 the Washington judicial retirement system account, the Washington law
22 enforcement officers' and firefighters' system plan 1 retirement
23 account, the Washington law enforcement officers' and firefighters'
24 system plan 2 retirement account, the Washington public safety
25 employees' plan 2 retirement account, the Washington school
26 employees' retirement system combined plan 2 and 3 account, the
27 Washington state patrol retirement account, the Washington State
28 University building account, the Washington State University bond
29 retirement fund, the water pollution control revolving administration
30 account, the water pollution control revolving fund, the Western
31 Washington University capital projects account, the Yakima integrated
32 plan implementation account, the Yakima integrated plan
33 implementation revenue recovery account, and the Yakima integrated
34 plan implementation taxable bond account. Earnings derived from
35 investing balances of the agricultural permanent fund, the normal
36 school permanent fund, the permanent common school fund, the
37 scientific permanent fund, and the state university permanent fund
38 shall be allocated to their respective beneficiary accounts.

39 (b) Any state agency that has independent authority over accounts
40 or funds not statutorily required to be held in the state treasury

1 that deposits funds into a fund or account in the state treasury
2 pursuant to an agreement with the office of the state treasurer shall
3 receive its proportionate share of earnings based upon each account's
4 or fund's average daily balance for the period.

5 (5) In conformance with Article II, section 37 of the state
6 Constitution, no treasury accounts or funds shall be allocated
7 earnings without the specific affirmative directive of this section.

8 **Sec. 708.** RCW 70A.65.030 and 2023 c 475 s 1902 and 2023 c 475 s
9 936 are each reenacted and amended to read as follows:

10 (1) (~~Except as provided in subsection (4) of this section,~~
11 ~~each~~) Each year or biennium, as appropriate, when allocating funds
12 from the carbon emissions reduction account created in RCW
13 70A.65.240, the climate commitment account created in RCW 70A.65.260,
14 the natural climate solutions account created in RCW 70A.65.270, the
15 climate investment account created in RCW 70A.65.250, or the air
16 quality and health disparities improvement account created in RCW
17 70A.65.280, (~~the climate transit programs account created in RCW~~
18 ~~46.68.500, or the climate active transportation account created in~~
19 ~~RCW 46.68.490,~~) or administering grants or programs funded by the
20 accounts, agencies shall conduct an environmental justice assessment
21 consistent with the requirements of RCW 70A.02.060 and establish a
22 minimum of not less than 35 percent and a goal of 40 percent of total
23 investments that provide direct and meaningful benefits to vulnerable
24 populations within the boundaries of overburdened communities
25 through: (a) The direct reduction of environmental burdens in
26 overburdened communities; (b) the reduction of disproportionate,
27 cumulative risk from environmental burdens, including those
28 associated with climate change; (c) the support of community led
29 project development, planning, and participation costs; or (d)
30 meeting a community need identified by the community that is
31 consistent with the intent of this chapter or RCW 70A.02.010.

32 (2) The allocation of funding under subsection (1) of this
33 section must adhere to the following principles, additional to the
34 requirements of RCW 70A.02.080: (a) Benefits and programs should be
35 directed to areas and targeted to vulnerable populations and
36 overburdened communities to reduce statewide disparities; (b)
37 investments and benefits should be made roughly proportional to the
38 health disparities that a specific community experiences, with a goal
39 of eliminating the disparities; (c) investments and programs should

1 focus on creating environmental benefits, including eliminating
2 health burdens, creating community and population resilience, and
3 raising the quality of life of those in the community; and (d)
4 efforts should be made to balance investments and benefits across the
5 state and within counties, local jurisdictions, and unincorporated
6 areas as appropriate to reduce disparities by location and to ensure
7 efforts contribute to a reduction in disparities that exist based on
8 race or ethnicity, socioeconomic status, or other factors.

9 (3) (~~Except as provided in subsection (4) of this section,~~
10 ~~state~~) State agencies allocating funds or administering grants or
11 programs from the carbon emissions reduction account created in RCW
12 70A.65.240, the climate commitment account created in RCW 70A.65.260,
13 the natural climate solutions account created in RCW 70A.65.270, the
14 climate investment account created in RCW 70A.65.250, or the air
15 quality and health disparities improvement account created in RCW
16 70A.65.280, (~~the climate transit programs account created in RCW~~
17 ~~46.68.500, or the climate active transportation account created in~~
18 ~~RCW 46.68.490,~~) must:

19 (a) Report annually to the environmental justice council created
20 in RCW 70A.02.110 regarding progress toward meeting environmental
21 justice and environmental health goals;

22 (b) Consider recommendations by the environmental justice
23 council; and

24 (c)(i) If the agency is not a covered agency subject to the
25 requirements of chapter 70A.02 RCW, create and adopt a community
26 engagement plan to describe how it will engage with overburdened
27 communities and vulnerable populations in allocating funds or
28 administering grants or programs from the climate investment account.

29 (ii) The plan must include methods for outreach and communication
30 with those who face barriers, language or otherwise, to
31 participation.

32 (~~(4) During the 2023-2025 fiscal biennium:~~

33 ~~(a) The requirement of subsection (1) of this section to conduct~~
34 ~~an environmental justice assessment applies only to covered agencies~~
35 ~~as defined in RCW 70A.02.010 and to significant agency actions as~~
36 ~~defined in RCW 70A.02.010.~~

37 ~~(b) Agencies shall coordinate with the department and the office~~
38 ~~of financial management to achieve total statewide spending from the~~
39 ~~accounts listed in subsection (1) of this section of not less than 35~~
40 ~~percent and a goal of 40 percent of total investments that provide~~

1 ~~direct and meaningful benefits to vulnerable populations within the~~
2 ~~boundaries of overburdened communities as otherwise described in~~
3 ~~subsection (1) (a) through (d) of this section and in accordance with~~
4 ~~RCW 70A.65.230.~~

5 ~~(c) The requirements of subsection (3) (c) of this section for~~
6 ~~agencies other than covered agencies to create and adopt community~~
7 ~~engagement plans apply only to executive branch agencies and~~
8 ~~institutions of higher education, as defined in RCW 28B.10.016,~~
9 ~~receiving total appropriations of more than \$2,000,000 for the~~
10 ~~2023-2025 fiscal biennium from the accounts listed in subsection (1)~~
11 ~~of this section.))~~

12 **Sec. 709.** RCW 70A.65.040 and 2022 c 182 s 105 and 2022 c 181 s
13 14 are each reenacted and amended to read as follows:

14 (1) The environmental justice council created in RCW 70A.02.110
15 must provide recommendations to the legislature, agencies, and the
16 governor in the development and implementation of the program
17 established in RCW 70A.65.060 through 70A.65.210, and the programs
18 funded from the carbon emissions reduction account created in RCW
19 70A.65.240, the climate commitment account created in RCW 70A.65.260,
20 the natural climate solutions account created in RCW 70A.65.270, and
21 the climate investment account created in RCW 70A.65.250 (~~(, the~~
22 ~~climate transit programs account created in RCW 46.68.500, and the~~
23 ~~climate active transportation account created in RCW 46.68.490))~~).

24 (2) In addition to the duties and authorities granted in chapter
25 70A.02 RCW to the environmental justice council, the environmental
26 justice council must:

27 (a) Provide recommendations to the legislature, agencies, and the
28 governor in the development of:

29 (i) The program established in RCW 70A.65.060 through 70A.65.210
30 including, but not limited to, linkage with other jurisdictions,
31 protocols for establishing offset projects and securing offset
32 credits, designation of emissions-intensive and trade-exposed
33 industries under RCW 70A.65.110, and administration of allowances
34 under the program; and

35 (ii) Investment plans and funding proposals for the programs
36 funded from the climate investment account created in RCW 70A.65.250
37 for the purpose of providing environmental benefits and reducing
38 environmental health disparities within overburdened communities;

1 (b) Provide a forum to analyze policies adopted under this
2 chapter to determine if the policies lead to improvements within
3 overburdened communities;

4 (c) Recommend procedures and criteria for evaluating programs,
5 activities, or projects;

6 (d) Recommend copollutant emissions reduction goals in
7 overburdened communities;

8 (e) Evaluate the level of funding provided to assist vulnerable
9 populations, low-income individuals, and impacted workers and the
10 funding of projects and activities located within or benefiting
11 overburdened communities;

12 (f) Recommend environmental justice and environmental health
13 goals for programs, activities, and projects funded from the climate
14 investment account, and review agency annual reports on outcomes and
15 progress toward meeting these goals;

16 (g) Provide recommendations to implementing agencies for
17 meaningful consultation with vulnerable populations, including
18 community engagement plans under RCW 70A.65.020 and 70A.65.030; and

19 (h) Recommend how to support public participation through
20 capacity grants for participation.

21 (3) For the purpose of performing the duties under subsection (2)
22 of this section, two additional tribal members are added to the
23 council.

24 **Sec. 710.** RCW 70A.65.230 and 2022 c 182 s 426 and 2022 c 181 s 8
25 are each reenacted and amended to read as follows:

26 (1) It is the intent of the legislature that each year the total
27 investments made through the carbon emissions reduction account
28 created in RCW 70A.65.240, the climate commitment account created in
29 RCW 70A.65.260, the natural climate solutions account created in RCW
30 70A.65.270, and the air quality and health disparities improvement
31 account created in RCW 70A.65.280, (~~the climate transit programs~~
32 ~~account created in RCW 46.68.500, and the climate active~~
33 ~~transportation account created in RCW 46.68.490,~~) achieve the
34 following:

35 (a) A minimum of not less than 35 percent and a goal of 40
36 percent of total investments that provide direct and meaningful
37 benefits to vulnerable populations within the boundaries of
38 overburdened communities identified under chapter 70A.02 RCW; and

1 (b) In addition to the requirements of (a) of this subsection, a
2 minimum of not less than 10 percent of total investments that are
3 used for programs, activities, or projects formally supported by a
4 resolution of an Indian tribe, with priority given to otherwise
5 qualifying projects directly administered or proposed by an Indian
6 tribe. An investment that meets the requirements of both this
7 subsection (1)(b) and (a) of this subsection may count toward the
8 minimum percentage targets for both subsections.

9 (2) The expenditure of moneys under this chapter must be
10 consistent with applicable federal, state, and local laws, and treaty
11 rights including, but not limited to, prohibitions on uses of funds
12 imposed by the state Constitution.

13 (3) For the purposes of this section, "benefits" means
14 investments or activities that:

15 (a) Reduce vulnerable population characteristics, environmental
16 burdens, or associated risks that contribute significantly to the
17 cumulative impact designation of overburdened communities;

18 (b) Meaningfully protect an overburdened community from, or
19 support community response to, the impacts of air pollution or
20 climate change; or

21 (c) Meet a community need identified by vulnerable members of the
22 overburdened community that is consistent with the intent of this
23 chapter.

24 (4) The state must develop a process by which to evaluate the
25 impacts of the investments made under this chapter, work across state
26 agencies to develop and track priorities across the different
27 eligible funding categories, and work with the environmental justice
28 council pursuant to RCW 70A.65.040.

29 NEW SECTION. **Sec. 711.** Any residual balance of funds remaining
30 in the climate transit programs account or the climate active
31 transportation account on June 30, 2025, shall be transferred by the
32 state treasurer to the carbon emissions reduction account.

33 **Sec. 712.** RCW 81.52.050 and 2013 c 23 s 301 are each amended to
34 read as follows:

35 Every person, company, or corporation having the control or
36 management of any railroad shall, outside of any corporate city or
37 town, and outside the limits of any sidetrack or switch, cause to be
38 constructed and maintained in good repair on each side of said

1 railroad, along the line of said right-of-way of such person,
2 company, or corporation operating the same, a substantial fence, and
3 at every point where any roadway or other public highway shall cross
4 said railroad, a safe and sufficient crossing must be built and
5 maintained, and on each side of such crossing and at each end of such
6 sidetrack or switch, outside of any incorporated city or town, a
7 sufficient cattle guard: PROVIDED, That any person holding land on
8 both sides of said right-of-way shall have the right to put in gates
9 for his or her own use at such places as may be convenient. This
10 section does not apply to rail right-of-way owned by the department
11 of transportation.

12 **Sec. 713.** RCW 46.63.220 and 2024 c 307 s 2 are each amended to
13 read as follows:

14 (1) Nothing in this section prohibits a law enforcement officer
15 from issuing a notice of traffic infraction to a person in control of
16 a vehicle at the time a violation occurs under RCW 46.63.030(1) (a),
17 (b), or (c).

18 (2) Any city or county may authorize the use of automated traffic
19 safety cameras and must adopt an ordinance authorizing such use
20 through its local legislative authority.

21 (3) The local legislative authority must prepare an analysis of
22 the locations within the jurisdiction where automated traffic safety
23 cameras are proposed to be located before adding traffic safety
24 cameras to a new location or relocating any existing camera to a new
25 location within the jurisdiction. The analysis must include equity
26 considerations including the impact of the camera placement on
27 livability, accessibility, economics, education, and environmental
28 health when identifying where to locate an automated traffic safety
29 camera. The analysis must also show a demonstrated need for traffic
30 cameras based on one or more of the following in the vicinity of the
31 proposed camera location: Travel by vulnerable road users, evidence
32 of vehicles speeding, rates of collision, reports showing near
33 collisions, and anticipated or actual ineffectiveness or
34 infeasibility of other mitigation measures.

35 (4) Automated traffic safety cameras may not be used on an on-
36 ramp to a limited access facility as defined in RCW 47.52.010.

37 (5) A city may use automated traffic safety cameras to enforce
38 traffic ordinances in this section on state highways that are also
39 classified as city streets under chapter 47.24 RCW. A city government

1 must notify the department of transportation when it installs an
2 automated traffic safety camera to enforce traffic ordinances as
3 authorized in this subsection.

4 (6) (a) At a minimum, a local ordinance adopted pursuant to this
5 section must contain the restrictions described in this section and
6 provisions for public notice and signage. Cities and counties must
7 also post such restrictions and other automated traffic safety camera
8 policies on the city's or county's website. Cities and counties using
9 automated traffic safety cameras before July 24, 2005, are subject to
10 the restrictions described in this section, but are not required to
11 adopt an authorizing ordinance.

12 (b) (i) Cities and counties using automated traffic safety cameras
13 must post an annual report on the city's or county's website of the
14 number of traffic crashes that occurred at each location where an
15 automated traffic safety camera is located, as well as the number of
16 notices of infraction issued for each camera. Beginning January 1,
17 2026, the annual report must include the percentage of revenues
18 received from fines issued from automated traffic safety camera
19 infractions that were used to pay for the costs of the automated
20 traffic safety camera program and must describe the uses of revenues
21 that exceeded the costs of operation and administration of the
22 automated traffic safety camera program by the city or county.

23 (ii) The Washington traffic safety commission must provide an
24 annual report to the transportation committees of the legislature,
25 and post the report to its website for public access, beginning July
26 1, 2026, that includes aggregated information on the use of automated
27 traffic safety cameras in the state that includes an assessment of
28 the impact of their use, information required in city and county
29 annual reports under (b) (i) of this subsection, and information on
30 the number of automated traffic safety cameras in use by type and
31 location, with an analysis of camera placement in the context of area
32 demographics and household incomes. To the extent practicable, the
33 commission must also provide in its annual report the number of
34 traffic accidents, speeding violations, single vehicle accidents,
35 pedestrian accidents, and driving under the influence violations that
36 occurred at each location where an automated traffic safety camera is
37 located in the five years before each camera's authorization and
38 after each camera's authorization. Cities and counties using
39 automated traffic safety cameras must provide the commission with the

1 data it requests for the report required under this subsection in a
2 form and manner specified by the commission.

3 (7) All locations where an automated traffic safety camera is
4 used on roadways or intersections must be clearly marked by placing
5 signs at least 30 days prior to activation of the camera in locations
6 that clearly indicate to a driver either that: (a) The driver is
7 within an area where automated traffic safety cameras are authorized;
8 or (b) the driver is entering an area where violations are enforced
9 by an automated traffic safety camera. The signs must be readily
10 visible to a driver approaching an automated traffic safety camera.
11 Signs placed in automated traffic safety camera locations after June
12 7, 2012, must follow the specifications and guidelines under the
13 manual of uniform traffic control devices for streets and highways as
14 adopted by the department of transportation under chapter 47.36 RCW.
15 All public transportation vehicles utilizing a vehicle-mounted system
16 must post a sign on the rear of the vehicle indicating to drivers
17 that the vehicle is equipped with an automated traffic safety camera
18 to enforce bus stop zone violations.

19 (8) Automated traffic safety cameras may only record images of
20 the vehicle and vehicle license plate and only while an infraction is
21 occurring. The image must not reveal the face of the driver or of
22 passengers in the vehicle. The primary purpose of camera placement is
23 to record images of the vehicle and vehicle license plate when an
24 infraction is occurring. Cities and counties must consider installing
25 automated traffic safety cameras in a manner that minimizes the
26 impact of camera flash on drivers.

27 (9) A notice of infraction must be mailed to the registered owner
28 of the vehicle within 14 days of the violation, or to the renter of a
29 vehicle within 14 days of establishing the renter's name and address
30 under subsection (17) of this section. The notice of infraction must
31 include with it a certificate or facsimile thereof, based upon
32 inspection of photographs, microphotographs, or electronic images
33 produced by an automated traffic safety camera, stating the facts
34 supporting the notice of infraction. This certificate or facsimile is
35 prima facie evidence of the facts contained in it and is admissible
36 in a proceeding charging a violation under this chapter. The
37 photographs, microphotographs, or electronic images evidencing the
38 violation must be available for inspection and admission into
39 evidence in a proceeding to adjudicate the liability for the
40 infraction. A person receiving a notice of infraction based on

1 evidence detected by an automated traffic safety camera may respond
2 to the notice by mail.

3 (10) The registered owner of a vehicle is responsible for an
4 infraction under RCW 46.63.030(1)(d) unless the registered owner
5 overcomes the presumption in RCW 46.63.075, or, in the case of a
6 rental car business, satisfies the conditions under subsection (17)
7 of this section. If appropriate under the circumstances, a renter
8 identified under subsection (17)(a) of this section is responsible
9 for an infraction.

10 (11) Notwithstanding any other provision of law, all photographs,
11 microphotographs, or electronic images, or any other personally
12 identifying data prepared under this section are for the exclusive
13 use of authorized city or county employees, as specified in RCW
14 46.63.030(1)(d), in the discharge of duties under this section and
15 are not open to the public and may not be used in a court in a
16 pending action or proceeding unless the action or proceeding relates
17 to a violation under this section. No photograph, microphotograph, or
18 electronic image, or any other personally identifying data may be
19 used for any purpose other than enforcement of violations under this
20 section nor retained longer than necessary to enforce this section.
21 Transit authorities must provide to the appropriate local
22 jurisdiction that has authorized traffic safety camera use under RCW
23 46.63.260(~~((2))~~) (3) any images or evidence collected establishing
24 that a violation of stopping, standing, or parking in a bus stop zone
25 has occurred for infraction processing purposes consistent with this
26 section.

27 (12) If a county or city has established an automated traffic
28 safety camera program as authorized under this section, the
29 compensation paid to the manufacturer or vendor of the equipment used
30 must be based only upon the value of the equipment and services
31 provided or rendered in support of the system and may not be based
32 upon a portion of the fine or civil penalty imposed or the revenue
33 generated by the equipment. If the contract between the city or
34 county and manufacturer or vendor of the equipment does not provide
35 for performance or quality control measures regarding camera images,
36 the city or county must perform a performance audit of the
37 manufacturer or vendor of the equipment every three years to review
38 and ensure that images produced from automated traffic safety cameras
39 are sufficient for evidentiary purposes as described in subsection
40 (9) of this section.

1 (13)(a) Except as provided in (d) of this subsection, a county or
2 a city may only use revenue generated by an automated traffic safety
3 camera program as authorized under this section for:

4 (i) Traffic safety activities related to construction and
5 preservation projects and maintenance and operations purposes
6 including, but not limited to, projects designed to implement the
7 complete streets approach as defined in RCW 47.04.010, changes in
8 physical infrastructure to reduce speeds through road design, and
9 changes to improve safety for active transportation users, including
10 improvements to access and safety for road users with mobility,
11 sight, or other disabilities; and

12 (ii) The cost to administer, install, operate, and maintain the
13 automated traffic safety cameras, including the cost of processing
14 infractions.

15 (b) Except as provided in (d) of this subsection:

16 (i) The automated traffic safety camera program revenue used by a
17 county or city with a population of 10,000 or more for purposes
18 described in (a)(i) of this subsection must include the use of
19 revenue in census tracts of the city or county that have household
20 incomes in the lowest quartile determined by the most currently
21 available census data and areas that experience rates of injury
22 crashes that are above average for the city or county. Funding
23 contributed from traffic safety program revenue must be, at a
24 minimum, proportionate to the share of the population of the county
25 or city who are residents of these low-income communities and
26 communities experiencing high injury crash rates. This share must be
27 directed to investments that provide direct and meaningful traffic
28 safety benefits to these communities. Revenue used to administer,
29 install, operate, and maintain automated traffic safety cameras,
30 including the cost of processing infractions, are excluded from
31 determination of the proportionate share of revenues under this
32 subsection (13)(b); and

33 (ii) The automated traffic safety camera program revenue used by
34 a city or county with a population under 10,000 for traffic safety
35 activities under (a)(i) of this subsection must be informed by the
36 department of health's environmental health disparities map.

37 (c) Except as provided in (d) of this subsection, beginning four
38 years after an automated traffic safety camera authorized under this
39 section is initially placed and in use after June 6, 2024, 25 percent
40 of the noninterest money received for infractions issued by such

1 cameras in excess of the cost to administer, install, operate, and
2 maintain the cameras, including the cost of processing infractions,
3 must be deposited into the Cooper Jones active transportation safety
4 account created in RCW 46.68.480.

5 (d) (i) (A) Jurisdictions with an automated traffic safety camera
6 program in effect before January 1, 2024, may continue to allocate
7 revenue generated from automated traffic safety cameras authorized
8 under RCW 46.63.230 and 46.63.250(2)(c) as determined by the
9 jurisdiction, as well as for the purposes established in (a) through
10 (c) of this subsection, by:

11 (I) Up to a 10 percent increase in the number of traffic safety
12 camera locations authorized to detect violations for automated
13 traffic safety cameras authorized under RCW 46.63.230; and

14 (II) Up to a 10 percent increase in the number of traffic safety
15 camera locations authorized to detect violations for automated
16 traffic safety cameras authorized under RCW 46.63.250(2)(c).

17 (B) (I) Any automated traffic safety camera program in effect
18 before January 1, 2024, with fewer than 10 traffic safety camera
19 locations for automated traffic safety cameras authorized under RCW
20 46.63.230, which adds automated traffic safety cameras to one
21 additional location for the use of cameras authorized under RCW
22 46.63.230, may continue to allocate revenue generated from automated
23 traffic safety cameras authorized under RCW 46.63.230 as determined
24 by the jurisdiction, as well as for the purposes established in (a)
25 through (c) of this subsection.

26 (II) Any automated traffic safety camera program in effect before
27 January 1, 2024, with fewer than 10 traffic safety camera locations
28 for automated traffic safety cameras authorized under RCW
29 46.63.250(2)(c) as of January 1, 2024, which adds automated traffic
30 safety cameras to one additional location for the use of cameras
31 authorized under RCW 46.63.250(2)(c), may continue to allocate
32 revenue generated from automated traffic safety cameras authorized
33 under RCW 46.63.250(2)(c) as determined by the jurisdiction, as well
34 as for the purposes established in (a) through (c) of this
35 subsection.

36 (C) For the purposes of this subsection (13)(d)(i), a location
37 is:

38 (I) An intersection for automated traffic safety cameras
39 authorized under RCW 46.63.230 where cameras authorized under RCW
40 46.63.230 are in use; and

1 (II) A school speed zone for automated traffic safety cameras
2 authorized under RCW 46.63.250(2)(c) where cameras authorized under
3 RCW 46.63.250(2)(c) are in use.

4 (ii) The revenue distribution requirements under (a) through
5 (d)(i) of this subsection do not apply to automated traffic safety
6 camera programs in effect before January 1, 2024, for which an
7 ordinance in effect as of January 1, 2024, directs the manner in
8 which revenue generated from automated traffic safety cameras
9 authorized under RCW 46.63.230 or 46.63.250(2)(c) must be used.

10 (14) A county or city may adopt the use of an online ability-to-
11 pay calculator to process and grant requests for reduced fines or
12 reduced civil penalties for automated traffic safety camera
13 violations.

14 (15) Except as provided in this subsection, registered owners of
15 vehicles who receive notices of infraction for automated traffic
16 safety camera-enforced infractions and are recipients of public
17 assistance under Title 74 RCW or participants in the Washington
18 women, infants, and children program, and who request reduced
19 penalties for infractions detected through the use of automated
20 traffic safety camera violations, must be granted reduced penalty
21 amounts of 50 percent of what would otherwise be assessed for a first
22 automated traffic safety camera violation and for subsequent
23 automated traffic safety camera violations issued within 21 days of
24 issuance of the first automated traffic safety camera violation.
25 Eligibility for medicaid under RCW 74.09.510 is not a qualifying
26 criterion under this subsection. Registered owners of vehicles who
27 receive notices of infraction must be provided with information on
28 their eligibility and the opportunity to apply for a reduction in
29 penalty amounts through the mail or internet.

30 (16) Infractions detected through the use of automated traffic
31 safety cameras are not part of the registered owner's driving record
32 under RCW 46.52.101 and 46.52.120. Additionally, infractions
33 generated by the use of automated traffic safety cameras under this
34 section must be processed in the same manner as parking infractions,
35 including for the purposes of RCW 3.50.100, 35.20.220, 46.16A.120,
36 and 46.20.270(2). The amount of the fine issued for an infraction
37 generated through the use of an automated traffic safety camera may
38 not exceed \$145, as adjusted for inflation by the office of financial
39 management every five years, beginning January 1, 2029, based upon
40 changes in the consumer price index during that time period, but may

1 be doubled for a school speed zone infraction generated through the
2 use of an automated traffic safety camera.

3 (17) If the registered owner of the vehicle is a rental car
4 business, the issuing agency must, before a notice of infraction
5 being issued under this section, provide a written notice to the
6 rental car business that a notice of infraction may be issued to the
7 rental car business if the rental car business does not, within 18
8 days of receiving the written notice, provide to the issuing agency
9 by return mail:

10 (a) A statement under oath stating the name and known mailing
11 address of the individual driving or renting the vehicle when the
12 infraction occurred; or

13 (b) A statement under oath that the business is unable to
14 determine who was driving or renting the vehicle at the time the
15 infraction occurred because the vehicle was stolen at the time of the
16 infraction. A statement provided under this subsection must be
17 accompanied by a copy of a filed police report regarding the vehicle
18 theft; or

19 (c) In lieu of identifying the vehicle operator, the rental car
20 business may pay the applicable penalty. Timely mailing of this
21 statement to the issuing agency relieves a rental car business of any
22 liability under this chapter for the notice of infraction.

23 **Sec. 714.** RCW 47.04.350 and 2019 c 287 s 3 are each amended to
24 read as follows:

25 (1) Subject to the availability of amounts appropriated for this
26 specific purpose (~~((through the 2023-2025 biennium))~~), the department's
27 public-private partnership office must develop and maintain a program
28 to support the deployment of clean alternative fuel vehicle charging
29 and refueling infrastructure that is supported by private financing.

30 (2) The department must define corridors in which bidders may
31 propose to install electric vehicle charging infrastructure or
32 hydrogen fueling stations, and may update these corridors over time
33 as needed. Alternatively, a bidder may propose a corridor in which
34 the bidder proposes to install electric vehicle infrastructure or
35 hydrogen fueling stations if the department has adopted rules
36 allowing such a proposal and establishing guidelines for how such a
37 proposal will be considered.

38 (3) (a) For bid proposals under this section, the department must
39 require the following:

1 (i) Bidders must have private sector partners contributing to the
2 project who stand to gain indirect value from development of the
3 project, such as motor vehicle manufacturers, retail stores, or
4 tourism stakeholders;

5 (ii) Bidders must demonstrate that the proposed project will be
6 valuable to clean alternative fuel vehicle drivers and will address
7 an existing gap in the state's low carbon transportation
8 infrastructure;

9 (iii) Projects must be expected to be profitable and sustainable
10 for the owner-operator and the private partner; and

11 (iv) Bidders must specify how the project captures the indirect
12 value of charging or refueling station deployment to the private
13 partner.

14 (b) The department may adopt rules that require any other
15 criteria for a successful project.

16 (4) In evaluating proposals under this section, the department
17 may use the electric vehicle financial analysis tool that was
18 developed in the joint transportation committee's study into
19 financing electric vehicle charging station infrastructure.

20 (5) (a) After selecting a successful proposer under this section,
21 the department may provide a loan or grant to the proposer.

22 (b) Grants and loans issued under this subsection must be funded
23 from the electric vehicle account created in RCW 82.44.200.

24 (c) Any project selected for support under this section is
25 eligible for only one grant or loan as a part of the program.

26 (6) The department may conduct preliminary workshops with
27 potential bidders and other potential private sector partners to
28 determine the best method of designing and maintaining the program,
29 discuss how to develop and maintain the partnerships among the
30 private sector partners that may receive indirect value, and any
31 other issues relating to the implementation and administration of
32 this section. The department should consider regional workshops to
33 engage potential business partners from across the state.

34 (7) The department must adopt rules to implement and administer
35 this section.

36 **Sec. 715.** RCW 47.04.355 and 2019 c 287 s 16 are each amended to
37 read as follows:

38 (1) Subject to the availability of amounts appropriated for this
39 specific purpose (~~(through the 2023-2025 biennium)~~), the department's

1 public-private partnership office must develop a pilot program to
2 support clean alternative fuel car sharing programs to provide clean
3 alternative fuel vehicle use opportunities to underserved communities
4 and low to moderate income members of the workforce not readily
5 served by transit or located in transportation corridors with
6 emissions that exceed federal or state emissions standards. Nonprofit
7 organizations or local governments, including housing authorities,
8 with a demonstrated history of managing or implementing low-income
9 transportation clean alternative fuel and shared mobility pilot
10 programs are eligible to participate in this program.

11 (2) The department must determine specific eligibility criteria,
12 based on the requirements of this section, the report submitted to
13 the legislature by the Puget Sound clean air agency entitled
14 facilitating low-income utilization of electric vehicles, and other
15 factors relevant to increasing clean alternative fuel vehicle use in
16 underserved and low to moderate income communities. The department
17 may adopt rules specifying the eligibility criteria it selects.

18 (3) The department may conduct preliminary workshops with
19 potential bidders and other potential partners to determine the best
20 method of designing the pilot program.

21 (4) The department must include the following elements in its
22 proposal evaluation and scoring methodology: History of successful
23 management of equity focused clean alternative fuel vehicle projects;
24 substantial level of involvement from community-based, equity focused
25 organizations in the project; plan for long-term financial
26 sustainability of the work beyond the duration of the grant period;
27 matching resources leveraged for the project; and geographical
28 diversity of the projects selected.

29 (5) After selecting successful proposals under this section, the
30 department may provide grant funding to them. The total grant amount
31 available per project may range from (~~(fifty thousand)~~) \$50,000 to
32 (~~(two hundred thousand dollars)~~) \$200,000. The grant opportunity must
33 include possible funding of vehicles, charging or refueling station
34 infrastructure, staff time, and any other expenses required to
35 implement the project. No more than (~~(ten)~~) 10 percent of grant funds
36 may be used for administrative expenses.

37 (6) (a) Any property acquired with state grant funding under this
38 section by nongovernmental participants must be used solely for
39 program purposes and, if sold, the proceeds of the sale must be used
40 solely for program purposes.

1 (b) At the termination of a program for providing alternative
2 fuel car sharing services, the state must be reimbursed for any
3 property acquired with state grant funding under this section that
4 nongovernmental participants in the program retain at the time of
5 program termination. The amount of reimbursement may under no
6 circumstances be less than the fair market value of the property at
7 the time of the termination of the program.

8 **Sec. 716.** RCW 47.60.826 and 2023 c 429 s 2 are each amended to
9 read as follows:

10 (1)(a) The department shall contract for the acquisition of up to
11 ~~((five))~~ 16 new hybrid diesel-electric ferry vessels that can carry
12 up to ~~((144))~~ 160 vehicles, using a one or two contract procurement
13 approach to potentially accelerate vessel delivery.

14 (b) The Washington state ferries shall make available the design
15 for the ~~((144))~~ 160 vehicle hybrid electric Olympic class vessel to
16 potential bidders. Incentives may be awarded by the department to
17 bidders who offer design modifications that:

18 (i) Lower the minimum number of crew needed to staff the vessel
19 in accordance with United States coast guard requirements;

20 (ii) Incorporate materials, technologies, or other features that
21 lower life-cycle maintenance and operations costs;

22 (iii) Accelerate the proposed delivery schedule; or

23 (iv) Make other improvements determined to be beneficial by the
24 department. The Washington state ferries may allow for exceptions of
25 the ~~((144))~~ 160 vehicle capacity of the vessel design in cases where
26 efficiencies outlined in (b)(i) or (ii) of this subsection are met.

27 (2)(a) The contract or contracts must be for a minimum of two
28 vessels, with options for ~~((up to five vessels in total))~~ additional
29 vessels, and are exempt from the requirements set forth in RCW
30 47.60.810 through 47.60.824.

31 (b) The contract or contracts may employ the following
32 procurement methods:

33 (i) Design-build procedure as authorized under chapter 39.10 RCW;

34 (ii) Design-bid-build as authorized under chapter 39.04 RCW or an
35 equivalent process allowed in statute as determined by the
36 department; or

37 (iii) Lease with an option to buy in accordance with RCW
38 47.60.010. The terms of any plan to pursue a lease with an option to
39 buy agreement must be approved by the governor and appropriate

1 committees of the legislature and are subject to the availability of
2 amounts appropriated for this specific purpose.

3 (c) To the extent possible, the department shall establish and
4 apply evaluation criteria beyond low price to meet best value
5 objectives.

6 (d) The department must award a credit of 13 percent of the bid
7 price for bid proposals for vessels constructed in the state of
8 Washington, which must be adjusted to reflect the proportion of the
9 construction of the vessels that occurs within the state. This credit
10 represents the:

11 (i) Amount of economic and revenue loss to the state of
12 Washington from constructing vessels outside the state of Washington,
13 as indicated by the Washington institute for public policy study
14 regarding Washington state ferry vessel procurement dated December
15 2016; and

16 (ii) Additional costs of transport, potential delay, and owner
17 oversight incurred for construction at shipyards located outside the
18 state of Washington.

19 (e) The department must require that contractors meet the
20 requirements of RCW 39.04.320 regarding apprenticeships or other
21 state law or federal law equivalents, where such equivalents exist.

22 (f) The department must require that contractors meet the
23 requirements of chapter 90.48 RCW regarding water pollution control
24 or other state law or federal law equivalents, where such equivalents
25 exist.

26 (3) For contracts eligible for the use of federal funds,
27 contractors must comply with federal disadvantaged business
28 enterprise targets as outlined by the federal agency awarding funds.

29 (4) Contractors located in the state of Washington must meet the
30 requirements of RCW 47.60.835, the small business enterprise
31 enforceable goals program.

32 (5) The department shall employ third-party experts that report
33 to the Washington state ferries to serve as a supplementary resource.
34 The third-party experts contracted by the Washington state ferries
35 shall:

36 (a) Perform project quality oversight and report to the
37 transportation committees of the legislature and the office of
38 financial management on a semiannual basis on project schedule,
39 risks, and project budget;

40 (b) Assist with the management of change order requests;

- 1 (c) Advise on contract and technical matters; and
2 (d) Possess knowledge of and experience with inland waterways,
3 Puget Sound vessel operations, the propulsion system of the new
4 vessels, and Washington state ferries operations.

5 NEW SECTION. **Sec. 717.** Nothing in section 716 of this act shall
6 be construed to apply to, or otherwise interfere with, vessel
7 procurements underway prior to the effective date of section 716 of
8 this act.

9 **Sec. 718.** RCW 88.16.035 and 2018 c 107 s 3 are each amended to
10 read as follows:

11 (1) The board of pilotage commissioners shall:

12 (a) Adopt rules, pursuant to chapter 34.05 RCW, necessary for the
13 enforcement and administration of this chapter;

14 (b) (i) Issue training licenses and pilot licenses to pilot
15 applicants meeting the qualifications provided for in RCW 88.16.090
16 and such additional qualifications as may be determined by the board;

17 (ii) Establish a comprehensive training program to assist in the
18 training and evaluation of pilot applicants before final licensing;
19 and

20 (iii) Establish additional training requirements, including a
21 program of continuing education developed after consultation with
22 pilot organizations, including those located within the state of
23 Washington, as required to maintain a competent pilotage service;

24 (c) Maintain a register of pilots, records of pilot accidents,
25 and other history pertinent to pilotage;

26 (d) Determine from time to time the number of pilots necessary to
27 be licensed in each district of the state to optimize the operation
28 of a safe, fully regulated, efficient, and competent pilotage service
29 in each district;

30 (e) Provide assistance to the utilities and transportation
31 commission, as requested by the utilities and transportation
32 commission, in its performance of pilotage tariff setting functions
33 under RCW 81.116.010 through 81.116.060;

34 (f) File annually with the governor and the chairs of the
35 transportation committees of the senate and house of representatives
36 a report which includes, but is not limited to, the following: The
37 number, names, ages, pilot license number, training license number,
38 and years of service as a Washington licensed pilot of any person

1 licensed by the board as a Washington state pilot or trainee; the
2 names, employment, and other information of the members of the board;
3 the total number of pilotage assignments by pilotage district,
4 including information concerning the various types and sizes of
5 vessels and the total annual tonnage; the annual earnings or stipends
6 of individual pilots and trainees before and after deduction for
7 expenses of pilot organizations, including extra compensation as a
8 separate category; the annual expenses of private pilot associations,
9 including personnel employed and capital expenditures; the status of
10 pilotage tariffs, extra compensation, and travel; the retirement
11 contributions paid to pilots and the disposition thereof; the number
12 of groundings, marine occurrences, or other incidents which are
13 reported to or investigated by the board, and which are determined to
14 be accidents, as defined by the board, including the vessel name,
15 location of incident, pilot's or trainee's name, and disposition of
16 the case together with information received before the board acted
17 from all persons concerned, including the United States coast guard;
18 the names, qualifications, time scheduled for examinations, and the
19 district of persons desiring to apply for Washington state pilotage
20 licenses; summaries of dispatch records, quarterly reports from
21 pilots, and the bylaws and operating rules of pilotage organizations;
22 the names, sizes in deadweight tons, surcharges, if any, port of
23 call, name of the pilot or trainee, and names and horsepower of tug
24 boats for any and all oil tankers subject to the provisions of RCW
25 88.16.190 together with the names of any and all vessels for which
26 the United States coast guard requires special handling pursuant to
27 their authority under the Ports and Waterways Safety Act of 1972; the
28 expenses of the board; updates on efforts to increase diversity of
29 pilots, trainees, and applicants; and any and all other information
30 which the board deems appropriate to include;

31 (g) Make available information that includes the pilotage act and
32 other statutes of Washington state and the federal government that
33 affect pilotage, including the rules of the board, together with such
34 additional information as may be informative for pilots, agents,
35 owners, operators, and masters;

36 (h) Appoint advisory committees and employ marine experts as
37 necessary to carry out its duties under this chapter;

38 (i) Provide for the maintenance of efficient and competent
39 pilotage service on all waters covered by this chapter; and do such
40 other things as are reasonable, necessary, and expedient to insure

1 proper and safe pilotage upon the waters covered by this chapter and
2 facilitate the efficient administration of this chapter.

3 (2) The board may pay stipends to pilot trainees under subsection
4 (1)(b) of this section.

5 **Sec. 719.** RCW 46.16A.305 and 2022 c 132 s 5 are each amended to
6 read as follows:

7 (1) The department, county auditor or other agent, or subagent
8 appointed by the director may grant a temporary license plate to
9 operate a vehicle for which an application for registration has been
10 made. The application for a temporary license plate must be made by
11 the owner or the owner's representative to the department, county
12 auditor or other agent, or subagent appointed by the director on a
13 form furnished by the department and must contain:

14 (a) A full description of the vehicle, including its make, model,
15 vehicle identification number, and type of body;

16 (b) The name and address of the applicant;

17 (c) The date of application; and

18 (d) Other information that the department may require.

19 (2) Temporary license plates must:

20 (a) Be consecutively numbered;

21 (b) Be displayed as described for permanent license plates in RCW
22 46.16A.200(5)(a);

23 (c) Be composed of material that must be durable and remain
24 unaltered in field conditions for a minimum of four months; and

25 (d) Remain on the vehicle only until the receipt of permanent
26 license plates.

27 (3) The application must be accompanied by the fee required under
28 RCW 46.17.400(1)(b).

29 (4) Pursuant to subsection (2) of this section, the department
30 may adopt rules for the design and display of temporary license
31 plates.

32 (5) By December 1, 2025, the department must adopt rules
33 implementing contingency extensions of the expiration date for
34 department temporary license plates in cases of shortages of
35 permanent license plates. The rules must prioritize reducing customer
36 return trips for department temporary license plates, and include a
37 communication plan with state and local law enforcement agencies
38 regarding the implementation of the contingency extensions.

1 of the capital vessel replacement account to be used for ferry
2 terminal construction and preservation.

3 ((4)) (3) During the 2021-2023 and 2023-2025 fiscal biennia,
4 the legislature may direct the state treasurer to make transfers of
5 moneys in the capital vessel replacement account to the
6 transportation partnership account and the connecting Washington
7 account.

8 **Sec. 722.** RCW 82.42.090 and 2017 3rd sp.s. c 25 s 42 are each
9 amended to read as follows:

10 All moneys collected by the director from the aircraft fuel
11 excise tax as provided in RCW 82.42.020 shall be transmitted to the
12 state treasurer and shall be credited to the aeronautics account
13 hereby created in the state treasury. Moneys in the account may be
14 spent only after appropriation. Expenditures from the account may be
15 used only for aviation-related purposes. Moneys collected from the
16 consumer or user of aircraft fuel from either the use tax imposed by
17 RCW 82.12.020 or the retail sales tax imposed by RCW 82.08.020 shall
18 be transmitted to the state treasurer and credited to the state
19 general fund.

20 **Sec. 723.** RCW 43.19.642 and 2023 c 472 s 703 are each amended to
21 read as follows:

22 (1) Effective June 1, 2006, for agencies complying with the
23 ultra-low sulfur diesel mandate of the United States environmental
24 protection agency for on-highway diesel fuel, agencies shall use
25 biodiesel as an additive to ultra-low sulfur diesel for lubricity,
26 provided that the use of a lubricity additive is warranted and that
27 the use of biodiesel is comparable in performance and cost with other
28 available lubricity additives. The amount of biodiesel added to the
29 ultra-low sulfur diesel fuel shall be not less than two percent.

30 (2) Except as provided in subsection (5) of this section,
31 effective June 1, 2009, state agencies are required to use a minimum
32 of 20 percent biodiesel as compared to total volume of all diesel
33 purchases made by the agencies for the operation of the agencies'
34 diesel-powered vessels, vehicles, and construction equipment.

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

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

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

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

8 (5) (~~During the 2021-2023 and 2023-2025 fiscal biennia, the~~)
9 The Washington state ferries is ((required to)) exempt from the
10 requirements of this section and must use a minimum of five percent
11 biodiesel as compared to total volume of all diesel (~~purchases made~~
12 ~~by the Washington state ferries for the operation of the Washington~~
13 ~~state ferries diesel-powered vessels, as long as the price of a B5 or~~
14 ~~B10 biodiesel blend does not exceed the price of conventional diesel~~
15 ~~fuel by five percent or more)), and develop internal processes to
16 transition diesel vessels in the fleet to the highest possible
17 biofuel blend or renewable diesel by 2030.~~

18 **Sec. 724.** RCW 47.04.035 and 2022 c 182 s 418 are each amended to
19 read as follows:

20 (1) In order to improve the safety, mobility, and accessibility
21 of state highways, it is the intent of the legislature that the
22 department must incorporate the principles of complete streets with
23 facilities that provide street access with all users in mind,
24 including pedestrians, bicyclists, and public transportation users,
25 notwithstanding the provisions of RCW 47.24.020 concerning
26 responsibility beyond the curb of state rights-of-way. As such, state
27 transportation projects (a) starting design ((on or after)) between
28 July 1, 2022, and July 31, 2025, that are \$500,000 or more, and (b)
29 starting design on or after August 1, 2025, that are \$1,000,000 or
30 more, must:

31 (~~(a)~~) (i) Identify those locations on state rights-of-way that
32 do not have a complete and Americans with disabilities act accessible
33 sidewalk or shared-use path, that do not have bicycle facilities in
34 the form of a bike lane or adjacent parallel trail or shared-use
35 path, that have such facilities on a state route within a population
36 center that has a posted speed in excess of 30 miles per hour and no
37 buffer or physical separation from vehicular traffic for pedestrians
38 and bicyclists, and/or that have a design that hampers the ability of

1 motorists to see a crossing pedestrian with sufficient time to stop
2 given posted speed limits and roadway configuration;

3 ~~((b))~~ (ii) Consult with local jurisdictions to confirm existing
4 and planned active transportation connections along or across the
5 location; identification of connections to existing and planned
6 public transportation services, ferry landings, commuter and
7 passenger rail, and airports; the existing and planned facility
8 type(s) within the local jurisdiction that connect to the location;
9 and the potential use of speed management techniques to minimize
10 crash exposure and severity;

11 ~~((e))~~ (iii) Adjust the speed limit to a lower speed with
12 appropriate modifications to roadway design and operations to achieve
13 the desired operating speed in those locations where this speed
14 management approach aligns with local plans or ordinances,
15 particularly in those contexts that present a higher possibility of
16 serious injury or fatal crashes occurring based on land use context,
17 observed crash data, crash potential, roadway characteristics that
18 are likely to increase exposure, or a combination thereof, in keeping
19 with a safe system approach and with the intention of ultimately
20 eliminating serious and fatal crashes; and

21 ~~((d))~~ (iv) Plan, design, and construct facilities providing
22 context-sensitive solutions that contribute to network connectivity
23 and safety for pedestrians, bicyclists, and people accessing public
24 transportation and other modal connections, such facilities to
25 include Americans with disabilities act accessible sidewalks or
26 shared-use paths, bicyclist facilities, and crossings as needed to
27 integrate the state route into the local network.

28 (2) Projects undertaken for emergent work required to reopen a
29 state highway in the event of a natural disaster or other emergency
30 repair are not required to comply with the provisions of this
31 section.

32 (3) Maintenance of facilities constructed under this provision
33 shall be as provided under existing law.

34 (4) This section does not create a private right of action.

35 **Sec. 725.** RCW 46.16A.030 and 2019 c 459 s 3 and 2019 c 423 s 203
36 are each reenacted and amended to read as follows:

37 (1) Vehicles must be registered as required by this chapter and
38 must display license plates or decals assigned by the department.

1 (2) It is unlawful for a person to operate any vehicle on a
2 public highway of this state without having in full force and effect
3 a current and proper vehicle registration and displaying license
4 plates on the vehicle.

5 (3) Vehicle license plates or registration certificates, whether
6 original issues or duplicates, may not be issued or furnished by the
7 department until the applicant makes satisfactory application for a
8 certificate of title or presents satisfactory evidence that a
9 certificate of title covering the vehicle has been previously issued.

10 (4) Failure to make initial registration before operating a
11 vehicle on the public highways of this state is a traffic infraction.
12 A person committing this infraction must pay a fine of (~~five hundred~~
13 ~~twenty-nine dollars~~) \$529, which may not be suspended or reduced.
14 This fine is in addition to any delinquent taxes and fees that must
15 be deposited and distributed in the same manner as if the taxes and
16 fees were properly paid in a timely fashion. The (~~five hundred~~
17 ~~twenty-nine dollar~~) \$529 fine must be deposited into the vehicle
18 licensing fraud account created in the state treasury in RCW
19 46.68.250.

20 (5) (a) Failure to renew an expired registration before operating
21 a vehicle on the public highways of this state is a traffic
22 infraction.

23 (b) A law enforcement officer may issue a notice of infraction
24 for failure to renew an expired registration to the registered owner
25 of the vehicle that is parked, standing, and unoccupied on the public
26 right-of-way. Such an infraction under this subsection (5) (b) is not
27 part of the registered owner's driving record under RCW 46.52.101 and
28 46.52.120, and must be processed in the same manner as a parking
29 infraction, including for the purposes of RCW 3.50.100, 35.20.220,
30 46.16A.120, and 46.20.270(2). The penalty for failure to renew an
31 expired registration as enforced under this subsection (5) (b) is
32 \$150.

33 (6) It is a gross misdemeanor for a resident, as identified in
34 RCW 46.16A.140, to register a vehicle in another state, evading the
35 payment of any tax or vehicle license fee imposed in connection with
36 registration. It is punishable, in lieu of the fine in subsection (4)
37 of this section, as follows:

38 (a) For a first offense:

39 (i) Up to (~~three hundred sixty-four~~) 364 days in the county
40 jail;

1 (ii) Payment of a fine of (~~five hundred twenty-nine dollars~~)
2 \$529 plus any applicable assessments, which may not be suspended or
3 reduced. The fine of (~~five hundred twenty-nine dollars~~) \$529 must
4 be deposited into the vehicle licensing fraud account created in the
5 state treasury in RCW 46.68.250;

6 (iii) A fine of (~~one thousand dollars~~) \$1,000 to be deposited
7 into the vehicle licensing fraud account created in the state
8 treasury in RCW 46.68.250, which may not be suspended or reduced; and

9 (iv) The delinquent taxes and fees, which must be deposited and
10 distributed in the same manner as if the taxes and fees were properly
11 paid in a timely fashion, and which may not be suspended or reduced;

12 (b) For a second or subsequent offense:

13 (i) Up to (~~three hundred sixty-four~~) 364 days in the county
14 jail;

15 (ii) Payment of a fine of (~~five hundred twenty-nine dollars~~)
16 \$529 plus any applicable assessments, which may not be suspended or
17 reduced, except as provided in RCW 10.05.180. The fine of (~~five
18 hundred twenty-nine dollars~~) \$529 must be deposited into the vehicle
19 licensing fraud account created in the state treasury in RCW
20 46.68.250;

21 (iii) A fine of (~~five thousand dollars~~) \$5,000 to be deposited
22 into the vehicle licensing fraud account created in the state
23 treasury in RCW 46.68.250, which may not be suspended or reduced; and

24 (iv) The amount of delinquent taxes and fees, which must be
25 deposited and distributed in the same manner as if the taxes and fees
26 were properly paid in a timely fashion, and which may not be
27 suspended or reduced.

28 (7) A vehicle with an expired registration of more than
29 (~~forty-five~~) 45 days parked on a public street may be impounded by
30 a police officer under RCW 46.55.113(2).

31 **PART VIII**
32 **EFFECTIVE DATES**

33 NEW SECTION. **Sec. 801.** Section 706 of this act expires July 1,
34 2028.

35 NEW SECTION. **Sec. 802.** Sections 705, 706, and 708 through 711
36 of this act are necessary for the immediate preservation of the

1 public peace, health, or safety, or support of the state government
2 and its existing public institutions, and take effect June 30, 2025.

3 NEW SECTION. **Sec. 803.** Sections 101, 102, 601 through 610, 612,
4 702 through 704, 714, 715, and 723 of this act are necessary for the
5 immediate preservation of the public peace, health, or safety, or
6 support of the state government and its existing public institutions,
7 and take effect July 1, 2025.

8 NEW SECTION. **Sec. 804.** Sections 103 and 104 and 301 through 304
9 of this act take effect October 1, 2025.

10 NEW SECTION. **Sec. 805.** Sections 105, 106, 201 through 207, 209,
11 210, 212 through 214, 305, and 507 of this act take effect January 1,
12 2026.

13 NEW SECTION. **Sec. 806.** Section 707 of this act takes effect
14 July 1, 2028.

15 NEW SECTION. **Sec. 807.** Section 506 of this act expires January
16 1, 2026.

17 NEW SECTION. **Sec. 808.** Sections 211, 307 through 310, and 701
18 of this act are necessary for the immediate preservation of the
19 public peace, health, or safety, or support of the state government
20 and its existing public institutions, and take effect immediately.

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