AN ACT Relating to transportation funding and appropriations; amending RCW 46.01.040; amending 2001 2nd sp. s. c 14 ss 102, 203, 204, 205, 209, 210, 211, 212, 213, 214, 216, 217, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 301, 401, 402, 406, and 407 (uncodified); amending 2000 2nd sp. s. c 1 s 724 (uncodified); adding new sections to 2001 2nd sp. s. c 14 (uncodified); adding a new section to chapter 46.16 RCW; making appropriations; and declaring an emergency.

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

2001-03 BIENNUM

GENERAL GOVERNMENT AGENCIES--OPERATING

Sec. 101. 2001 2nd sp. s. c 14 s 102 (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM
Motor Vehicle Account--State Appropriation . . . . . $(1,676,000)

$488,000

(The appropriation in this section is subject to the following conditions and limitations and specified amounts are provided solely for that activity. $1,188,000 of the motor vehicle account--state appropriation is provided for the implementation of House Bill No. 2269 in the form enacted by the legislature. If House Bill No. 2269---
is not enacted in the form passed by the legislature by July 31, 2001, this funding will lapse.))

(End of part)
NEW SECTION. Sec. 201. A new section is added to 2001 2nd sp.s. c 14 (uncodified) to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD--OPERATING PROGRAM

Rural Arterial Trust Account--State

Appropriation .................... $ 929,000

Motor Vehicle Account--State Appropriation .. $ 1,517,000

County Arterial Preservation Account--

State Appropriation ................ $ 881,000

TOTAL APPROPRIATION ............. $ 3,327,000

Sec. 202. 2001 2nd sp.s. c 14 s 203 (uncodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD--CAPITAL PROGRAM

Rural Arterial Trust Account--State

Appropriation .................... $ (56,967,000)

Motor Vehicle Account--State Appropriation .. $ (1,887,000)

County Arterial Preservation Account--

State Appropriation ................ $ (28,533,000)

TOTAL APPROPRIATION ............. $ (80,620,000)

The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for that activity:

(1) $1,540,000 of the motor vehicle account--state appropriation, $870,000 of the county arterial preservation account--state appropriation, and $917,000 of the rural arterial trust account--state appropriation are provided for the operations program. Of the motor vehicle account--state appropriation, $368,000 is provided for county ferries as set forth in RCW 47.56.724(4).

(2) $347,000 of the motor vehicle account--state appropriation, $27,681,000 of the county arterial preservation account--state appropriation, and $49,265,000 of the rural arterial trust account--state appropriation are provided for the capital program.)

$368,000 of the motor vehicle account--state appropriation is provided solely for county ferries as set forth in RCW 47.56.725(4).

NEW SECTION. Sec. 203. A new section is added to 2001 2nd sp.s. c 14 (uncodified) to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD--OPERATING PROGRAM

Urban Arterial Trust Account--State

Appropriation .................... $ 1,552,000

Transportation Improvement Account--

State Appropriation ................ $ 1,551,000
Sec. 204. 2001 2nd sp.s. c 14 s 204 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD--CAPITAL PROGRAM

<table>
<thead>
<tr>
<th>Account</th>
<th>State Appropriation (in $)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban Arterial Trust Account--State</td>
<td>$ (94,690,000)</td>
</tr>
<tr>
<td>Transportation Improvement Account--</td>
<td>$ (118,605,000)</td>
</tr>
<tr>
<td>State Appropriation</td>
<td>$ (213,295,000)</td>
</tr>
<tr>
<td>TOTAL APPROPRIATION</td>
<td>$ 242,857,000</td>
</tr>
</tbody>
</table>

The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for that activity:

(1) $1,551,000 of the transportation improvement account--state appropriation and $1,552,000 of the urban arterial trust account--state appropriation are provided for the operations program.

(2) $117,054,000 of the transportation improvement account--state appropriation and $93,138,000 of the urban arterial trust account--state appropriation are provided for the capital program.

(3) The transportation improvement account--state appropriation includes ($47,325,000) $34,030,000 in proceeds from the sale of bonds authorized in RCW 47.26.500. The transportation improvement board may authorize the use of current revenues available to the agency in-lieu of bond proceeds for any part of the state appropriation.

Sec. 205. 2001 2nd sp.s. c 14 s 205 (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE TRANSPORTATION COMMITTEE

Motor Vehicle Account--State Appropriation . . $ 3,596,000

The appropriation in this section is subject to the following conditions and limitations and specified amounts are provided solely for that activity:

(1) $2,823,000 of the motor vehicle account--state appropriation is provided for the operation of the house of representatives transportation committee.

(2) To the extent possible, this appropriation shall utilize funds allocated under RCW 46.68.110(2).

(3) The house of representatives transportation committee shall conduct a study of the use of motorized scooters. The study shall, at a minimum, identify and analyze the safety issues associated with...
use of motorized scooters, including use by children, commuters, and the disabled. House of representatives transportation committee cochairs shall each appoint one member from their respective caucus to serve as cochair of the study group. The chair of the senate transportation committee may also appoint two members from the senate transportation committee, one from each caucus, to participate in the study. The study shall be staffed by house of representatives transportation committee staff. The study group shall report back to the house of representatives transportation committee by January 1, 2002.

(4) The house of representatives transportation committee shall conduct a study of the effect of the weight of fire-fighting apparatus on state roadways. The study shall determine, at a minimum, the various types of fire-fighting apparatus currently in use on state roadways; the size, weight and load effect of fire-fighting apparatus that are currently in use or that potentially could be in use on the state roadways, as well as on state bridges; and the effect on public safety. The study may examine state and federal laws that affect fire-fighting apparatuses. House of representatives transportation committee cochairs shall each appoint one member from their respective caucus to serve as cochair of the study group. The study shall be staffed by house of representatives transportation committee staff. The study group will report back to the house of representatives transportation committee by January 1, 2002.

(5) The legislative transportation committee shall conduct a feasibility study of potential for economic partnerships between the Washington state ferries and local government entities, including but not limited to port districts. The study is intended to improve ferry terminals. The study shall, at a minimum, identify the market, physical, and economic factors that should be examined in determining whether an economic or commercial development partnership project on or around Washington state ferry terminals is likely to produce revenue for the partners. The study shall apply those factors to an analysis of each terminal used by Washington state ferries and recommend whether further exploration of state and local partnerships would be of potential economic benefit to the partners. The entity selected to perform the study through the request for proposals process will report back to the transportation committees of the legislature by December 1, 2001.

(6) The legislative transportation committee, in cooperation with an areawide transportation system or systems, shall undertake an evaluation of providing locally sponsored transit services in a local community supplemental to those services provided by an areawide system. The evaluation shall address:
   (a) The costs and benefits of providing such services;
   (b) The impact of such service on ridership on the areawide system and on any regional systems;
   (c) Funding options for supplemental services; and
   (d) Institutional arrangements affecting the institution of supplemental services.
   The committee shall work with the department of transportation, areawide transit providers, community officials, private businesses, labor organizations, and others as appropriate in conducting the evaluation, and in developing a pilot project if feasible. The committee shall provide an interim progress report to the legislature by January 2002. The committee shall report its findings to the legislature not later than December 1, 2002.
(7) The legislative transportation committee shall convene a task force on airport siting. The task force shall include legislators, representatives from Washington ports, representatives from the economic development community, and other interested parties. The task force shall examine and make recommendations on potential airport siting legislation. The task force shall report its findings and recommendations to the legislature by December 1, 2002.

(8) The legislative transportation committee shall undertake an evaluation of the statutory exemptions for transportation taxes, including but not limited to motor vehicle fuel taxes. The committee shall report its findings to the legislature by December 1, 2002.

(9) The legislative transportation committee shall conduct a study of whether the current two local transit agency approach best meets Snohomish County's need for transit service. The committee shall report its findings to the legislature by December 1, 2002.

Sec. 206. 2001 2nd sp.s. c 14 s 209 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL--FIELD OPERATIONS BUREAU

State Patrol Highway Account--
State Appropriation .................. $ (162,081,000) 163,961,000

State Patrol Highway Account--
Federal Appropriation ................ $ 7,084,000

State Patrol Highway Account--
Private/Local Appropriation .......... $ 169,000

TOTAL APPROPRIATION ................. $ (169,334,000) 171,214,000

The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for the activities of the field operations bureau:

(1) As a result of the elimination of the vehicle inspection number (VIN) program, no permanent Washington state patrol employee shall be displaced from employment without the opportunity to fill a vacant patrol position for which he or she has a preference and meets the minimum qualifications. For the purpose of the VIN program elimination, the guidelines under chapter 356-26 WAC (Registers-Certifications) shall be suspended for those employees holding the classification of VIN 1 or 2.

(2) To the extent possible, the agency shall transfer displaced VIN personnel into the 20 newly created school bus inspection and motor carrier safety assistance program positions. The agency shall fill existing vacant positions within the commercial vehicle division with displaced VIN personnel. The agency shall report by December 31, 2001, to the senate and house of representatives transportation committees on efforts to relocate displaced VIN personnel.

(3) The Washington state patrol shall discontinue the policy of allowing uniformed officers to use personally assigned vehicles for commuting purposes. This provision applies to every Washington state patrol officer except the chief and any officer that requires use of a vehicle for work performed throughout the day. The agency shall submit to the house of representatives and senate transportation committees by December 1, 2002, a list of officers that use vehicles for commuting purposes.

NEW SECTION. Sec. 207. A new section is added to 2001 2nd sp.s. c 14 (uncodified) to read as follows:
FOR THE WASHINGTON STATE PATROL--INVESTIGATIVE SERVICES BUREAU
State Patrol Highway Account--
State Appropriation ................ $ 5,088,000

Sec. 208. 2001 2nd sp.s. c 14 s 210 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL--SUPPORT SERVICES BUREAU
State Patrol Highway Account--
State Appropriation ............... $ (77,051,000)

State Patrol Highway Account--
Private/Local Appropriation ....... $ 735,000
TOTAL APPROPRIATION ............. $ (77,786,000)

The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for the activities of the support services bureau.

Sec. 209. 2001 2nd sp.s. c 14 s 211 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING--MANAGEMENT AND SUPPORT SERVICES
Marine Fuel Tax Refund Account--State
Appropriation ....................... $ (3,000)
Motorcycle Safety Education Account--
State Appropriation ............... $ (88,000)
Wildlife Account--State Appropriation .... $ (81,000)
Highway Safety Account--State Appropriation . $ (7,723,000)
Highway Safety Account--Federal Appropriation . $ 55,000
Motor Vehicle Account--State Appropriation . $ (4,388,000)
Licensing Services Account--State
Appropriation ....................... $ (165,000)
TOTAL APPROPRIATION ............. $ (12,503,000)

Sec. 210. 2001 2nd sp.s. c 14 s 212 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING--INFORMATION SYSTEMS
Marine Fuel Tax Refund Account--State
Appropriation ....................... $ 2,000
Motorcycle Safety Education Account--
State Appropriation ............... $ (13,000)
Wildlife Account--State Appropriation .... $ 34,000
Highway Safety Account--State Appropriation . $ (5,733,000)
Highway Safety Account--Federal Appropriation . $ 31,000
Motor Vehicle Account--State Appropriation . $ (3,669,000)
Licensing Services Account--State
Appropriation ....................... $ (209,000)
TOTAL APPROPRIATION ................ $ (9,691,000)

The appropriations in this section are subject to the following conditions and limitations: The department of licensing shall report to the legislative transportation committees on the progress of the expanded internet service no later than December 15, 2002.

Sec. 211. 2001 2nd sp.s. c 14 s 213 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING--VEHICLE SERVICES

<table>
<thead>
<tr>
<th>Account</th>
<th>Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marine Fuel Tax Refund Account</td>
<td>$ 26,000</td>
</tr>
<tr>
<td>Wildlife Account--State</td>
<td>$ 578,000</td>
</tr>
<tr>
<td>Motor Vehicle Account--State</td>
<td>$ (58,887,000)</td>
</tr>
<tr>
<td>Licensing Services Account--State</td>
<td>$ (4,240,000)</td>
</tr>
<tr>
<td>TOTAL APPROPRIATION</td>
<td>$ (60,770,000)</td>
</tr>
</tbody>
</table>

Sec. 212. 2001 2nd sp.s. c 14 s 214 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING--DRIVER SERVICES

<table>
<thead>
<tr>
<th>Account</th>
<th>Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motorcycle Safety Education Account</td>
<td>$ (2,573,000)</td>
</tr>
<tr>
<td>Highway Safety Account--State</td>
<td>$ (82,938,000)</td>
</tr>
<tr>
<td>Highway Safety Account--Federal Appropriation</td>
<td>$ 788,000</td>
</tr>
<tr>
<td>TOTAL APPROPRIATION</td>
<td>$ (86,299,000)</td>
</tr>
</tbody>
</table>

The appropriations in this section are subject to the following conditions and limitations: The department of licensing shall prepare a capital project plan adopting a process for using certificates of participation to purchase licensing services offices if the combined principle and interest payments are the same or less than existing or future leases on comparable facilities.

Sec. 213. 2001 2nd sp.s. c 14 s 216 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--AVIATION--PROGRAM F

<table>
<thead>
<tr>
<th>Account</th>
<th>Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aeronautics Account--State</td>
<td>$ (4,899,000)</td>
</tr>
<tr>
<td>Aircraft Search and Rescue Safety and Education Account--State</td>
<td>$ 160,000</td>
</tr>
<tr>
<td>TOTAL APPROPRIATION</td>
<td>$ (5,059,000)</td>
</tr>
</tbody>
</table>

Sec. 214. 2001 2nd sp.s. c 14 s 217 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--IMPROVEMENTS--PROGRAM I

<table>
<thead>
<tr>
<th>Account</th>
<th>Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motor Vehicle Account--State</td>
<td>$ (462,485,000)</td>
</tr>
<tr>
<td>Motor Vehicle Account--Federal Appropriation</td>
<td>$ 219,538,000</td>
</tr>
<tr>
<td>Motor Vehicle Account--Private/Local</td>
<td>$ 40,904,000</td>
</tr>
</tbody>
</table>
Special Category C Account--State
Appropriation ....................... $ (72,608,000)

Multimodal Transportation Account--State
Appropriation ....................... $ 4,880,000

TOTAL APPROPRIATION ............. $ (87,488,000)

The appropriations in this section are provided for the location, design, right of way acquisition, or construction of state highway projects designated as improvements under RCW 47.05.030. The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for that activity:

1. The special category C account--state appropriation of $64,818,000 includes $63,500,000 in proceeds from the sale of bonds authorized in RCW 47.10.812. The transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

2. The department shall report December 1st and June 1st of each year to the senate and the house of representatives transportation committees and the office of financial management on the timing and the scope of work being performed for the regional transit authority known as sound transit. This report shall provide a description of all department activities related to the regional transit authority including investments in state-owned infrastructure.

3. The motor vehicle account--state appropriation includes $391,637,000 in proceeds from the sale of bonds authorized by RCW 47.10.843. The transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

4. At least $554,714,000 of the total appropriation is provided for the construction phase of the improvement program.

5. $4,880,000 of the multimodal transportation account--state appropriation is provided solely for the state program share of freight mobility projects as identified by the freight mobility strategic investment board.

6. (The motor vehicle account--state appropriation includes $3,898,000 in unexpended proceeds from the January 2001 bond sale authorized in RCW 47.10.834 for the Tacoma Narrows bridge project. The transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.) Upon completion of the Vancouver high-occupancy vehicle lanes pilot project that began on October 28, 2001, and concludes October 28, 2002, the department of transportation may only proceed with future high-occupancy vehicle lane projects in counties with a population of 300,000 or more that border the state of Oregon, when vehicle spaces at park and ride lots within the county are two and one-half times the capacity in existence on January 1, 2002, or if the Interstate 5 bridge over the Columbia River is retrofitted to include four southbound general purpose lanes.

Sec. 215. 2001 2nd sp.s. c 14 s 218 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION ECONOMIC PARTNERSHIPS--PROGRAM K--OPERATING
The appropriation in this section is subject to the following conditions and limitations and specified amounts are provided solely for that activity: $300,000 of the motor vehicle account--state appropriation is provided solely for a study of private-public partnerships in transportation. The department of transportation shall provide staff support to a legislative oversight committee that will manage a study of public-private partnerships in transportation. The legislative oversight committee will consist of three members from each caucus in each house of the legislature, appointed by the leadership of the legislators' respective caucus. The legislative oversight committee shall analyze and make recommendations on: (1) the barriers that prevent the private sector from providing transportation services, which could include ferry, bus, or monorail; (2) the use of public-private partnerships nationally and the experiences of other states in using public-private partnerships; (3) the public-private opportunities for transportation projects in Washington; and (4) the advantages and disadvantages of the financing options available for public-private partnerships. The legislative oversight committee shall report its findings and recommendations to the legislature by December 1, 2003.

Sec. 216. 2001 2nd sp.s. c 14 s 221 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--PRESERVATION--PROGRAM P

Motor Vehicle Account--State Appropriation .. $ (90,760,000))
153,454,000
Motor Vehicle Account--Federal Appropriation .. $ (318,795,000))
394,881,000
Motor Vehicle Account--Private/Local Appropriation ............... $ 8,717,000
((Multimodal Transportation Account--State Appropriation ............... $ 64,218,000)
Multimodal Transportation Account--Federal Appropriation ............... $ 95,682,000)
TOTAL APPROPRIATION ............... $ (578,172,000))
557,052,000

The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for that activity:
(1) If portions of the appropriations in this section are required to fund preservation work resulting from major disasters not covered by federal emergency funds such as fire, flooding, and major slides, supplemental appropriations will be requested to restore state funding for ongoing maintenance activities.
(2) The motor vehicle account--state appropriation includes ($6,524,000 for earthquake repairs and to match federal emergency relief funds. This amount includes) $3,750,000 in proceeds from the sale of bonds authorized in RCW 47.10.761 and 47.10.762 for emergency purposes. The transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.
(3) The department of transportation is authorized to maximize the use of federal and state funds to implement the provisions of this section.
(4) $471,763,000 of the total appropriation is provided for the construction phase of the preservation program.
(5) The motor vehicle account--federal appropriation and the multimodal transportation account--federal appropriation are transferable between each other to ensure efficient funds management and program delivery.

Sec. 217. 2001 2nd sp.s. c 14 s 222 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM
Q--OPERATING
Motor Vehicle Account--State Appropriation . . $ (32,402,000) 31,884,000
Motor Vehicle Account--Private/Local Appropriation . . . . . . . $ 125,000
TOTAL APPROPRIATION . . . . . . . . $ (32,527,000) 32,009,000

Sec. 218. 2001 2nd sp.s. c 14 s 223 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM
Q--CAPITAL
Motor Vehicle Account--State Appropriation . . $ (7,542,000) 7,117,000
Motor Vehicle Account--Federal Appropriation . $ 16,678,000
TOTAL APPROPRIATION . . . . . . . . $ (24,220,000) 23,795,000

The appropriations in this section are subject to the following conditions and limitations and the specified amount is provided solely for that activity: The motor vehicle account--state appropriation includes $2,986,000 for state matching funds for federally selected competitive grant or congressional earmark projects other than commercial vehicle information system and network (CVISN). These moneys shall be placed into reserve status until such time as federal funds are secured and a state match is required.

Sec. 219. 2001 2nd sp.s. c 14 s 224 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S
State Patrol Highway Account--State Appropriation . . . . . . . . $ 926,000
Motor Vehicle Account--State Appropriation . . $ (94,632,000) 94,580,000
Motor Vehicle Account--Federal Appropriation . $ 2,654,000
Puget Sound Ferry Operations Account--State Appropriation . . . . . . . . $ (6,642,000) 6,303,000
Multimodal Transportation Account--State Appropriation . . . . . . . . $ (2,082,000) 1,296,000
TOTAL APPROPRIATION . . . . . . . . $ (106,936,000) 105,759,000

Sec. 220. 2001 2nd sp.s. c 14 s 225 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA, AND RESEARCH--PROGRAM T
Motor Vehicle Account--State Appropriation . . $ (18,250,000)
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motor Vehicle Account--Federal Appropriation</td>
<td>$18,800,000</td>
</tr>
<tr>
<td>Multimodal Transportation Account--State Appropriation</td>
<td>$(987,000)</td>
</tr>
<tr>
<td>Multimodal Transportation Account--Federal Appropriation</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>TOTAL APPROPRIATION</td>
<td>$(40,037,000)</td>
</tr>
<tr>
<td></td>
<td>$33,283,000</td>
</tr>
</tbody>
</table>

The appropriations in this section are subject to the following conditions and limitations and the specified amount is provided solely for that activity:

- **(1)** The motor vehicle account--state appropriation includes $1,000,000 distributed under RCW 46.68.110(2):
  - **(a)** $500,000 of the distribution under RCW 46.68.110(2) is to be used solely by the department of transportation to collect and enter collision reports into the statewide collision reporting system for local roadway planning and safety analysis.
  - **(b)** $500,000 of the distribution under RCW 46.68.110(2) is provided solely to the department of transportation for the Washington strategic freight transportation analysis. The department shall work with the transportation research center to conduct an origin and destination study to determine the impacts of trade-related truck traffic and other truck impacts on the highway system. The department may also conduct other research elements, including, but not limited to, freight corridor identification, strategic resource access, and road network review.
- **(2)** $6,754,000 of the motor vehicle account--state appropriation is provided for the implementation of Senate Bill No. 5749 in the form enacted by the legislature. If Senate Bill No. 5749 is not enacted in the form passed by the legislature by July 31, 2001, this funding shall lapse.

**Sec. 221.** 2001 2nd sp.s. c 14 s 226 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**

Program U Payments in this section represent charges from other state agencies to the department of transportation.

- **(1)** FOR PAYMENT OF DEPARTMENT OF GENERAL ADMINISTRATION OFFICE OF RISK MANAGEMENT FEES
  - Motor Vehicle Account--State Appropriation .. $ 464,000
- **(2)** FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE AUDITOR
  - Motor Vehicle Account--State Appropriation .. $ 731,000
- **(3)** FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL ADMINISTRATION FACILITIES AND SERVICES AND CONSOLIDATED MAIL SERVICES
  - Motor Vehicle Account--State Appropriation .. $ 4,128,000
- **(4)** FOR PAYMENT OF COSTS OF THE DEPARTMENT OF PERSONNEL
  - Motor Vehicle Account--State Appropriation .. $ 2,240,000
- **(5)** FOR PAYMENT OF SELF-INSURANCE LIABILITY PREMIUMS AND ADMINISTRATION
  - Motor Vehicle Account--State Appropriation .. $ $(13,892,000)
- Motor Vehicle Fund--Puget Sound Ferry Operations Account--State Appropriation .. $ 4,204,000
The office of risk management shall evaluate the risk pool premium assessments to ensure that proper tracking, measuring, and reporting methods have been utilized to ensure funding equity has been maintained. "Funding equity" includes but is not limited to demonstrating that premiums assessed to the department of transportation will, over time, not exceed claims paid in order to ensure that premiums paid by the department of transportation are not unconstitutionally expended for nonhighway purposes. The office of risk management shall make a full report of its findings to the legislature no later than January 15, 2002.

(6) FOR PAYMENT OF COSTS OF OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES
Motor Vehicle Account--State Appropriation . . $ 251,000

(7) FOR PAYMENT OF THE DEPARTMENT OF GENERAL ADMINISTRATION CAPITAL PROJECTS SURCHARGE
Motor Vehicle Account--State Appropriation . . $ 1,547,000

(8) FOR ARCHIVES AND RECORDS MANAGEMENT
Motor Vehicle Account--State Appropriation . . $ 469,000
TOTAL APPROPRIATION . . . . . . . $ ((28,080,000))

42,943,000

Sec. 222. 2001 2nd sp. s. c 14 s 227 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM V
Multimodal Transportation Account--State
Appropriation . . . . . . . . . . . . . . . . . . $ ((11,160,000))
10,160,000
Multimodal Transportation Account--Federal
Appropriation . . . . . . . . . . . . . . . . . . $ 3,074,000
Multimodal Transportation Account--Private/Local Appropriation . . . . . . . . . . . . . . . . . . $ 205,000
TOTAL APPROPRIATION . . . . . . . $ ((14,439,000))
13,439,000

Sec. 223. 2001 2nd sp. s. c 14 s 228 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES CONSTRUCTION--PROGRAM W
Motor Vehicle Account--State
Appropriation . . . . . . . . . . . . . . . . . . $ ((144,404,000))
134,404,000
Motor Vehicle Account--Federal
Appropriation . . . . . . . . . . . . . . . . . . $ 37,472,000
Passenger Ferry Account--State Appropriation . . $ 1,500,000
Passenger Ferry Account--Federal
Appropriation . . . . . . . . . . . . . . . . . . $ 4,000,000
TOTAL APPROPRIATION . . . . . . . $ ((177,376,000))
177,376,000

The appropriations in this section are provided for improving the Washington state ferry system, including, but not limited to, vessel acquisition, vessel construction, major and minor vessel improvements, and terminal construction and improvements. The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for that activity:
(1) The motor vehicle account--state appropriation includes $50,000,000 in proceeds from the sale of bonds authorized by RCW 47.10.843 for vessel and terminal acquisition, major and minor improvements, and long lead time materials acquisition for the Washington state ferries. The transportation commission may authorize the use of current revenues available to the motor vehicle account in lieu of bond proceeds for any part of the state appropriation.

(2) Appropriations in this section include funding for the purchase or lease-purchase of one passenger ferry and assume the proceeds of the sale of the MV Kalama and MV Skagit passenger ferries shall be deposited in the passenger ferry account.

(3) The department shall provide staff support to a legislative oversight committee that will manage a study of the Eagle Harbor maintenance facility. The legislative oversight committee shall consist of two members from each caucus in each house of the legislature, appointed by the leadership of the members' respective caucus. The department shall issue a request for proposals on behalf of the legislative oversight committee for an outside consulting firm to conduct a study on the preservation, replacement, or supplementation of the Eagle Harbor maintenance facility. The study must analyze: (a) The costs and benefits to preserve and maintain or relocate the facility; (b) the impact of Eagle Harbor employment on the local community and Kitsap county; and (c) a recommendation on future investment in the Eagle Harbor maintenance facility or possible alternatives. The contractor and the legislative oversight committee must report back to the legislature's transportation committees no later than December 10, 2002.

Sec. 224. 2001 2nd sp.s. c 14 s 229 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X
Puget Sound Ferry Operations Account--State

Appropriation ............... $ (321,340,000)

The appropriation in this section is subject to the following conditions and limitations and specified amounts are provided solely for that activity:

(1) The appropriation is based on the budgeted expenditure of ($46,881,000) $35,158,000 for vessel operating fuel in the 2001-2003 biennium. If the actual cost of fuel is less than this budgeted amount, the excess amount may not be expended. If the actual cost exceeds this amount, the department shall request a supplemental appropriation.

(2) The appropriation provides for the compensation of ferry employees. The expenditures for compensation paid to ferry employees during the 2001-2003 biennium may not exceed ($212,388,000) plus a dollar amount, as prescribed by the office of financial management, that is equal to any insurance benefit increase granted general government employees in excess of $432.82 a month annualized per eligible marine employee multiplied by the number of eligible marine employees for the respective fiscal year, a dollar amount as prescribed by the office of financial management for costs associated with pension amortization charges, and a dollar amount prescribed by the office of financial management for salary increases during the 2001-2003 biennium. For the purposes of this section, the expenditures for compensation paid to ferry employees shall be
limited to salaries and wages and employee benefits as defined in the
office of financial management's policies, regulations, and
procedures named under objects of expenditure "A" and "B" (7.2.6.2).
The prescribed salary and insurance benefit increase or decrease
dollar amount that shall be allocated from the governor's
compensation appropriations is in addition to the appropriation
contained in this section and may be used to increase or decrease
compensation costs, effective July 1, 2001, and thereafter, as
established in the 2001-2003 general fund operating budget.
(3) The department shall issue a request for information from
entities interested in purchasing advertising on board Washington
state ferry vessels. The department shall evaluate the proposals and
report back to the legislature's transportation committees in January
2002 regarding the potential for revenue from different types of
advertising.
(4) The department may enter into contracts with private vendors
to sell ferry tickets and medium at locations other than Washington
state ferry terminals or facilities.
(a) The department may enter into the contracts only (i) with
private vendors that are already established businesses offering
goods for sale to the general public; and (ii) if it determines that
the vendor's established location has the potential to serve a
significant percentage of the customers using a particular ferry
route.
(b) The department may adopt necessary rules and procedures to
allow the use of credit and debit cards to purchase ferry tickets or
medium from a private vendor who has contracted with the department
to sell ferry tickets or medium. The department may establish a
convenience fee to be paid by all persons purchasing ferry tickets
and medium at locations other than Washington state ferry terminals
or facilities. The convenience fee must be sufficient to offset the
charges imposed on the department by the credit and debit card
companies. In no event may the use of credit or debit cards
authorized by this section create a loss of revenue to the state.
The use of a personal credit card does not rely upon the credit of
the state as prohibited by Article VIII, section 5 of the state
Constitution.
(5) ((The legislature recognizes that projected revenues to the
Puget Sound ferry operating account for the 2001-2003 biennium may be
up to $30,000,000 less than what is required to fund the
appropriation provided in this section. The legislature intends to
fully evaluate the extent of the shortfall and make a supplemental
appropriation during the 2002 legislative session.)) The legislature
recognizes the value of a regional fare collection system to promote
intermodal travel throughout Washington state ferries' Puget Sound
service area and therefore encourages the department to resume
participation in the regional fare coordination project (smart card).
The department shall develop a request for funding of the on-going
operating costs associated with the regional fare coordination
project and shall present this request to the 2003 legislature.

Sec. 225. 2001 2nd sp.s. c 14 s 230 (uncodified) is amended to
read as follows:
FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING
Multimodal Transportation Account--State
Appropriation . . . . . . . . . . . . . . . . . . . . $ (32,704,000)
\[33,004,000\]
Sec. 226. 2001 2nd sp.s. c 14 s 231 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--CAPITAL

Essential Rail Assistance Account--State

Appropriation .................... $ 200,000

Multimodal Transportation Account--State

Appropriation .................... $ (11,610,000)

Multimodal Transportation Account--Federal

Appropriation .................... $ 9,630,000

Washington Fruit Express Account--State

Appropriation .................... $ 500,000

TOTAL APPROPRIATION ........ $ (21,440,000)

The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for that activity:

(1) $2,000,000 of the multimodal transportation account--state appropriation is provided solely for the Grays Harbor loop project.

(2) The entire Washington fruit express account is provided solely to promote the shipment of a variety of agricultural products, including but not limited to, apples, pears, and potatoes.

Sec. 227. 2001 2nd sp.s. c 14 s 232 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--OPERATING

Motor Vehicle Account--State Appropriation . . $ (6,231,000)

Motor Vehicle Account--Federal Appropriation . $ 2,569,000

Multimodal Transportation Account--State

Appropriation .................... $ 150,000

TOTAL APPROPRIATION ........ $ (8,852,000)

The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for that activity:

(1) The motor vehicle account--state appropriation includes $150,000 distributed under RCW 46.68.110(2) that is provided to the Whatcom county council of governments for the sole purpose of developing and implementing a model of regional transportation governance. This model shall be developed in accordance with Recommendation 6 of the Blue Ribbon Commission on Transportation's final report.

The council shall develop a model that can be used in other parts of the state and shall report to the transportation committees in the senate and house of representatives on the positive and negative aspects of the model as well as costs associated with it no later than June 30, 2002.

(2) ($250,000 of the motor vehicle account--state appropriation is provided solely for a study of concurrency issues in urban areas marked by multiple contiguous jurisdictions. The study, lead by the city of Bellevue, will focus on the jurisdictions of Bellevue, Kirkland, Issaquah, and Redmond and will look at existing and unused methodologies for including development in neighboring jurisdictions in concurrency calculations. The study will also investigate what changes in state and local laws are needed in order to provide a more
effective way of dealing with concurrency issues. By November 1, 2003, a report of the findings will be made to the transportation committees of the legislature. The appropriation in this subsection shall lapse unless the participating cities provide $100,000 for the study.

- (3)) Up to $500,000 of the motor vehicle account--state appropriation is provided solely for the study of alternatives for repairing or replacing the Seattle sea wall. The department's expenditure of funds provided in this subsection may not exceed the matching contribution provided by the city of Seattle for the study.

Sec. 228. 2001 2nd sp.s. c 14 s 233 (uncodified) is amended to read as follows:

| FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM |  |
|-------------|-------------|-------------|
| Z--CAPITAL |  |
| Motor Vehicle Account--State Appropriation | $ (77,371,000) |
| Highway Infrastructure Account--State Appropriation | $ 234,000 |
| Highway Infrastructure Account--Federal Appropriation | $ 1,500,000 |
| Urban Arterial Trust Account--State Appropriation | $ (4,674,000) |
| Multimodal Transportation Account--State Appropriation | $ (10,150,000) |
| TOTAL APPROPRIATION | $ (93,929,000) |

The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for that activity:

- (1) $10,000,000 of the multimodal transportation account--state appropriation is provided solely to fund the first phase of a multiphase cooperative project with the state of Oregon to dredge the Columbia river. The department shall not expend the appropriation in this section unless agreement on ocean disposal sites has been reached which protects the state's commercial crab fishery. The amount provided in this subsection shall lapse unless the state of Oregon appropriates a dollar-for-dollar match to fund its share of the project.

- (2) To manage some projects more efficiently, federal funds may be transferred from program Z to program I and state funds shall be transferred from program I to program Z to replace those federal funds in a dollar-for-dollar match. Fund transfers authorized under this subsection may not affect project prioritization status. The department may not transfer funds as authorized under this subsection without approval of the transportation commission. The department shall submit a report on those projects receiving fund transfers to the transportation committees of the senate and house of representatives by December 1, 2002.

- (3) The motor vehicle account--state appropriation includes $12,000,000 in proceeds from the sale of bonds authorized by RCW 47.10.843 in addition to $16,420,000 in unexpended proceeds from the January 2001 sale. The transportation commission may authorize the
use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

(4) $4,159,000 of the motor vehicle account--state appropriation is provided solely for additional small city pavement preservation program grants, to be administered by the department's highways and local programs division.

(5) ($2,000,000) $1,000,000 of the motor vehicle account--state appropriation is provided solely for additional traffic and pedestrian safety improvements near schools. The highways and local programs division within the department of transportation shall administer this program.

(End of part)
TRANSPORTATION AGENCIES CAPITAL FACILITIES

Sec. 301. 2001 2nd sp.s. c 14 s 301 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL
State Patrol Highway Account--State
  Appropriation .................. $ 780,000
Motor Vehicle Account--State Appropriation .......... $((2,705,000))
  150,000
TOTAL APPROPRIATION ............. $((3,485,000))
930,000

The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for the activities of the capital program. $150,000 of the state patrol highway account appropriation is provided solely to cover expenditures incurred to-date on the Sea-Tac north and south weigh-in-motion stations. The patrol shall no longer expend funds for the Sea-Tac north, south and Everett south weigh-in-motion stations. The agency shall not expend funds on any other weigh-in-motion project.

TRANSFERS AND DISTRIBUTIONS

Sec. 401. 2001 2nd sp.s. c 14 s 401 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE FUND AND TRANSPORTATION FUND REVENUE
Highway Bond Retirement Account Appropriation . $ ((207,900,000))
  206,685,000
Ferry Bond Retirement Account Appropriation ... $ ((48,675,000))
  49,200,000
Transportation Bond Retirement Board Bond Retirement Account--State Appropriation ........ $ 40,856,000
Motor Vehicle Account--State Appropriation .......... $ ((4,537,000))
  4,588,000
Special Category C Account--State Appropriation $ ((635,000))
  460,000
Transportation Improvement Account--State
  Appropriation .................. $ 473,000
TOTAL APPROPRIATION ............. $ ((303,076,000))
  302,262,000

Sec. 402. 2001 2nd sp.s. c 14 s 402 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES
Motor Vehicle Account--State Appropriation .. $ ((450,000))
  492,000
Special Category C Account Appropriation .... $ ((63,000))
  68,000
Transportation Improvement Account--State
  Appropriation .................. $ 47,000
Sec. 403. 2001 2nd sp.s. c 14 s 406 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--TRANSFERS

(1) RV Account--State Appropriation:
   For transfer to the Motor Vehicle Fund--State. $ (1,135,000)

The department of transportation shall only transfer funds provided under subsection (1) of this section on an as-needed basis.

(2) (Public Transportation Systems Account--State Appropriation:
   Multimodal Transportation Account--State. $ 1,911,000

(3) State Patrol Highway Account--State Appropriation:
   For transfer to the Motor Vehicle Account $ (38,657,000)

(3) Highway Safety Account--State Appropriation:
   For transfer to the Motor Vehicle Account $ 5,000,000

(4) Urban Arterial Trust Account--State Appropriation:
   For transfer of excess City Hardship Assistance Program revenues to cities $ 1,500,000

(If House Bill No. 2216 or Senate Bill No. 5078 is enacted in the form passed by the legislature, the $38,737,000 transfer from the state patrol highway account--state to the motor vehicle account is null and void. If neither House Bill No. 2216 nor Senate Bill No. 5078 is enacted in the form passed by the legislature, the state treasurer shall transfer funds from the state patrol highway account to the motor vehicle account on a quarterly basis.) If Senate Bill No. 6494 is not enacted by the legislature, the transfer in subsection (3) of this section shall be reduced to $38,657,000. If Senate Bill No. 6494 and Senate Bill No. 5078 are not enacted by the legislature, the transfer in subsection (3) of this section shall be reduced to $33,657,000.

Sec. 404. 2001 2nd sp.s. c 14 s 407 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--TRANSFERS

(1) Motor Vehicle Fund--State Appropriation:
   For transfer to Puget Sound Ferry Operations Account $ (27,000,000)

(2) Advanced Right of Way Revolving Account Appropriation:
   For transfer to the Motor Vehicle Fund $ 15,000,000

(End of part)
MISCELLANEOUS

Sec. 601. RCW 46.01.040 and 1983 c 3 s 117 are each amended to read as follows:

The department of licensing is vested with all powers, functions, and duties with respect to and including the following:

(1) The motor vehicle fuel excise tax as provided in chapter 82.36 RCW;
(2) The special fuel tax as provided in chapter 82.38 RCW;
(3) The motor vehicle excise tax as provided in chapter 82.44 RCW;
(4) The house trailer excise tax as provided in chapter 82.50 RCW;
(5) All general powers and duties relating to motor vehicles as provided in chapter 46.08 RCW;
(6) Certificates of ownership and registration as provided in chapters 46.12 and 46.16 RCW;
(7) The registration and licensing of motor vehicles as provided in chapters 46.12 and 46.16 RCW;
(8) Dealers' licenses as provided in chapter 46.70 RCW;
(9) The licensing of motor vehicle transporters as provided in chapter 46.76 RCW;
(10) The licensing of (motor) vehicle wreckers as provided in chapter 46.80 RCW;
(11) The administration of the laws relating to reciprocal or proportional registration of motor vehicles as provided in chapter 46.85 RCW;
(12) The licensing of passenger vehicles for hire as provided in chapter 46.72 RCW;
(13) Operators' licenses as provided in chapter 46.20 RCW;
(14) Commercial driver training schools as provided in chapter 46.82 RCW;
(15) Financial responsibility as provided in chapter 46.29 RCW;
(16) Accident reporting as provided in chapter 46.52 RCW;
(17) Disposition of revenues as provided in chapter 46.68 RCW;
((and))
(18) The granting of special parking privileges under RCW 46.16.381 when determined necessary by a licensed physician or a registered nurse practitioner; and
(19) The administration of all other laws relating to motor vehicles vested in the director of licenses on June 30, 1965.

NEW SECTION. Sec. 602. A new section is added to chapter 46.16 RCW to read as follows:

Prior to June 30, 2003, and subject to the availability of funds, a registered nurse practitioner under chapter 18.79 RCW may determine if a person has a qualifying disability for special parking privileges under RCW 46.16.381. A determination made by a registered nurse practitioner is subject to RCW 46.16.381.

Sec. 603. 2000 2nd sp.s. c 1 s 724 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT--REGIONAL TRANSIT AUTHORITY. (1) The sum of twelve million seven hundred thousand dollars is appropriated from the general fund--state for fiscal year
2001 solely for allocation to Sound Transit regional transit authority for the King street rail maintenance facility to be built in partnership with Amtrak. The appropriation in this subsection is conditioned on the execution of agreements between the department of transportation, Amtrak, Sound Transit, and other participating parties that will assure that the maintenance and operation of the maintenance facility will not require state funding except for billings for maintenance of state-owned passenger trains.

(2) The sum of fifteen million dollars is appropriated from the state general fund for fiscal year 2000 solely for allocation to Sound Transit regional transit authority as a state contribution to the extension of Sounder passenger rail service to Everett.

(3) The amounts appropriated in this section constitute a transfer of local government costs under RCW 43.135.060(2).

NEW SECTION. Sec. 604. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 605. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

(End of part)
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