

1 AN ACT Relating to economic stimulus transportation funding and
2 appropriations; amending 2008 c 121 ss 103, 201, 202, 203, 205, 206,
3 208, 209, 210, 211, 212, 213, 214, 215, 216, 218, 219, 221, 222, 223,
4 224, 225, 302, 303, 305, 306, 307, 308, 309, 310, 311, 401, 402, 404,
5 405, 406, 407, and 605 (uncodified); adding new sections to 2007 c 518
6 (uncodified); creating new sections; making appropriations and
7 authorizing capital improvements; and declaring an emergency.

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

9 **ECONOMIC STIMULUS FUNDING**

10 NEW SECTION. **Sec. 1.** (1) The legislature finds that President
11 Barack Obama and the 111th Congress have enacted the American Recovery
12 and Reinvestment Act of 2009 in an effort to stimulate the American
13 economy, create and save jobs, and speed recovery from one of the
14 deepest economic recessions in recent history. The investment of
15 federal funds will help alleviate some of the economic burdens the
16 states face, and create jobs for the unemployed. The act includes \$492
17 million in federal transportation funding for Washington state and
18 local highway projects and \$179 million for local transit agency

1 improvement projects. In addition, the act includes over \$11 billion
2 in new funding for competitive national grant programs for highways of
3 regional significance, ferries, and rail priorities. The legislature
4 also finds that Washington state is well positioned to deliver
5 infrastructure projects in one hundred twenty days, as is required for
6 at least half of the state's share of federal stimulus highway funds,
7 and expects to receive additional funds that other states are unable to
8 use in this timeframe. The legislature further finds that the state's
9 work to date on projects funded through the "nickel" and
10 "transportation partnership" funding acts mean that many regionally
11 significant projects are poised to compete well for nationally
12 available funds.

13 (2) Therefore, it is the intent of the legislature to revitalize
14 Washington's economy and reduce the state's unemployment rate by
15 quickly putting people to work around the state on projects that
16 promote safety, relieve traffic congestion, and preserve long-term
17 investments that will provide benefits into the future. Such projects
18 will be constructed quickly and will generate a significant number of
19 jobs, thereby strengthening Washington's economy and its families
20 seeking work.

21 NEW SECTION. **Sec. 2. FOR THE DEPARTMENT OF TRANSPORTATION--**
22 **AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009.**

23 Motor Vehicle Account--Federal Appropriation \$341,400,000

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

26 (1) The entire appropriation in this section is provided solely for
27 the projects and amounts listed in ARRA Washington State Project LEAP
28 document 2009, as developed on February 24, 2009. Funds under this
29 section may be reallocated among projects shown in the document to the
30 extent that the department finds it necessary for the purposes of
31 facilitating completion of the projects with the highest priority or to
32 maintain maximum federal funds eligibility.

33 (2) To achieve the legislative objectives provided in section 1(2)
34 of this act with respect to highway projects, it is the intent of the
35 legislature that the appropriations in this section be used for:
36 Transportation 2003 account (nickel account) projects and
37 transportation partnership account (TPA) projects that would have

1 otherwise been delayed due to decreased revenues, so as to advance
2 project completion dates similar to those envisioned in the enacted
3 2008 legislative list of projects; projects that preserve or
4 rehabilitate Washington state highways and roads; and projects that
5 modify roadway alignments and conditions to create safer roads for the
6 traveling public.

7 (3)(a) The department of transportation shall obligate at least
8 fifty percent of the funds no later than one hundred twenty days after
9 surface transportation program funds under the American Recovery and
10 Reinvestment Act of 2009 have been apportioned to the states;

11 (b) The department shall obligate all funds no later than one year
12 after surface transportation program funds under the American Recovery
13 and Reinvestment Act of 2009 have been apportioned to the states;

14 (c) The department shall place the first priority for allocating
15 funds on those projects listed as "First Tier" projects on ARRA
16 Washington State Project LEAP document 2009, as developed on February
17 24, 2009. The department shall place the second priority on projects
18 listed as "Second Tier" projects on the document; and

19 (d) Within each tier of projects on ARRA Washington State Project
20 LEAP document 2009, as developed on February 24, 2009, the department
21 shall place the highest priority for allocating funds on the
22 transportation 2003 account (nickel account) projects and
23 transportation partnership account (TPA) projects listed to advance
24 their completion. The department shall prioritize funding for other
25 projects within the tier according to how soon the contract for the
26 project could be awarded.

27 (4) By June 30, 2009, the department of transportation shall report
28 to the legislative standing committees on transportation on the status
29 of federal stimulus funds including, but not limited to, identifying
30 the projects shown in ARRA Washington State Project LEAP document 2009,
31 as developed on February 24, 2009, for which federal stimulus funding
32 has already been obligated, the amount of federal recovery funds
33 estimated to be obligated to the projects, and the completion status of
34 each project. Subsequent status reports are due to the legislative
35 standing committees on transportation on August 31, 2009, and December
36 1, 2009.

1 NEW SECTION. **Sec. 3.** If the department of transportation receives
2 additional funding pursuant to the American Recovery and Reinvestment
3 Act of 2009, including funding redistributed from other states, the
4 department shall apply such funds to projects on ARRA Washington State
5 Project LEAP document 2009, as developed on February 24, 2009, as
6 prioritized by section 2(3)(c) and (d) of this act. If the funds are
7 in excess of the amounts shown on ARRA Washington State Project LEAP
8 document 2009, as developed on February 24, 2009, additional funds must
9 be applied to improvement, preservation, ferries, and rail capital
10 projects identified in the LEAP transportation documents in the enacted
11 2009-11 omnibus transportation appropriations act. The department
12 shall notify the legislative standing committees on transportation of
13 the amount of funds received and the projects receiving funding through
14 this process.

15 NEW SECTION. **Sec. 4.** To the extent practicable, the department of
16 transportation shall apply to the competitive grant programs created by
17 the American Recovery and Reinvestment Act of 2009 for all
18 transportation modes including, but not limited to, rail, projects of
19 regional significance, and ferries, as well as other grant programs
20 created by the act that may provide funding for transportation-related
21 activities. Concurrent with the submission of these applications, the
22 department of transportation shall report on these applications to the
23 legislative standing committees on transportation.

24 NEW SECTION. **Sec. 5.** For the distribution of funds to areas of
25 the state outside of the transportation management areas, the
26 department of transportation shall convene a local oversight and
27 accountability panel, which shall include representation from, at a
28 minimum, the associations of Washington cities and counties, the
29 Washington public ports association, and the transportation improvement
30 board. The panel, chaired by the executive director of the
31 transportation improvement board, shall ensure rapid project delivery
32 and accountability for funds. The panel shall proceed with an
33 expedited statewide process utilizing the metropolitan planning
34 organization and county lead agency prioritized listing of local
35 projects. The department shall monitor the projects selected to

1 receive stimulus funding to ensure that Washington state is successful
2 in obligating all of its funding.

3 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act are for the
4 period ending June 30, 2011.

5 **GENERAL GOVERNMENT AGENCIES--OPERATING**

6 **Sec. 101.** 2008 c 121 s 103 (uncodified) is amended to read as
7 follows:

8 **FOR THE MARINE EMPLOYEES COMMISSION**

9 Puget Sound Ferry Operations Account--State

10 Appropriation (~~(\$434,000)~~)
11 \$433,000

12 The appropriation in this section is subject to the following
13 conditions and limitations: A maximum of \$22,000 may be expended to
14 pay the department of personnel for conducting the 2007 salary survey.

15 **TRANSPORTATION AGENCIES--OPERATING**

16 **Sec. 201.** 2008 c 121 s 201 (uncodified) is amended to read as
17 follows:

18 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

19 Highway Safety Account--State Appropriation \$2,605,000
20 Highway Safety Account--Federal Appropriation (~~(\$15,845,000)~~)
21 \$15,844,000
22 School Zone Safety Account--State Appropriation \$3,376,000
23 TOTAL APPROPRIATION (~~(\$21,826,000)~~)
24 \$21,825,000

25 The appropriations in this section are subject to the following
26 conditions and limitations: \$76,000 of the school zone safety
27 account--state appropriation is provided solely for contracting with
28 the office of the superintendent of public instruction (OSPI) to
29 conduct pilot programs in three school districts for road safety
30 education and training for children, in order to teach children safe
31 walking, bicycling, and transit use behavior. The pilot projects shall

1 be conducted during the 2008-09 academic year, and shall be modeled
 2 after a program and curriculum successfully implemented in the Spokane
 3 school district. Funds are provided for curriculum resources, bicycle
 4 purchases, teacher training, other essential services and equipment,
 5 and OSPI administrative expenses which may include contracting out
 6 pilot program administration. The participating school districts shall
 7 be located as follows: One in Grant county, one in Island county, and
 8 one in Kitsap county. The OSPI shall evaluate the pilot programs, and
 9 report to the transportation committees of the legislature no later
 10 than December 1, 2009, on the outcomes of the pilot programs. The
 11 report shall include a survey identifying barriers to, interest in, and
 12 the likelihood of students traveling by biking, walking, or transit
 13 both prior to and following completion of the pilot program.

14 **Sec. 202.** 2008 c 121 s 202 (uncodified) is amended to read as
 15 follows:

16 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

17 Rural Arterial Trust Account--State Appropriation	\$900,000
18 Motor Vehicle Account--State Appropriation	((\$2,058,000))
19	<u>\$2,057,000</u>
20 County Arterial Preservation Account--State	
21 Appropriation	\$1,388,000
22 TOTAL APPROPRIATION	((\$4,346,000))
23	<u>\$4,345,000</u>

24 The appropriations in this section are subject to the following
 25 conditions and limitations: \$481,000 of the county arterial
 26 preservation account--state appropriation is provided solely for
 27 continued development and implementation of a maintenance management
 28 system to manage county transportation assets.

29 **Sec. 203.** 2008 c 121 s 203 (uncodified) is amended to read as
 30 follows:

31 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

32 Urban Arterial Trust Account--State Appropriation	\$1,778,000
33 Transportation Improvement Account--State	
34 Appropriation	((\$1,780,000))
35	<u>\$1,779,000</u>
36 TOTAL APPROPRIATION	((\$3,558,000))

Sec. 204. 2008 c 121 s 205 (uncodified) is amended to read as follows:

FOR THE JOINT TRANSPORTATION COMMITTEE

Motor Vehicle Account--State Appropriation	((\$2,513,000))
	<u>\$2,512,000</u>
Multimodal Transportation Account--State Appropriation	\$550,000
TOTAL APPROPRIATION	((\$3,063,000))
	<u>\$3,062,000</u>

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

(1) ((~~\$750,000~~)) \$950,000 of the motor vehicle account--state appropriation is for establishing a work group to implement Engrossed Substitute House Bill No. 2358 (regarding state ferries) and review other matters relating to Washington state ferries. The cochairs of the committee shall establish the work group comprising committee members or their designees, an appointee by the governor, and other stakeholders as appointed by the cochairs, to assist in the committee's work. The work group shall report on its tasks to the transportation committees of the legislature by December 2008. The work group is tasked with the following:

(a) Implementing the recommendations of Engrossed Substitute House Bill No. 2358 (regarding state ferries). As directed by Engrossed Substitute House Bill No. 2358, the committee work group shall participate in and provide a review of the following:

(i) The Washington transportation commission's development and interpretation of a survey of ferry customers;

(ii) The department of transportation's analysis and reestablishment of vehicle level of service standards. In reestablishing the standards, consideration must be given to whether boat wait is the appropriate measure;

(iii) The department's development of pricing policy proposals. In developing these policies, the policy, in effect on some routes, of collecting fares in only one direction must be evaluated to determine whether one-way fare pricing best serves the ferry system;

(iv) The department's development of operational strategies;

(v) The department's development of terminal design standards; and

1 (vi) The department's development of a long-range capital plan;
2 (b) Reviewing the following Washington state ferry programs:
3 (i) Ridership demand forecast;
4 (ii) Updated life cycle cost model, as directed by Engrossed
5 Substitute House Bill No. 2358;
6 (iii) Administrative operating costs, nonlabor and nonfuel
7 operating costs, Eagle Harbor maintenance facility program and
8 maintenance costs, administrative and systemwide capital costs, and
9 vessel preservation costs; and
10 (iv) The Washington state ferries' proposed capital cost allocation
11 plan methodology, as described in Engrossed Substitute House Bill No.
12 2358;
13 (c) Making recommendations regarding:
14 (i) The most efficient timing and sizing of future vessel
15 acquisitions beyond those currently authorized by the legislature.
16 Vessel acquisition recommendations must be based on the ridership
17 projections, level of service standards, and operational and pricing
18 strategies reviewed by the committee and must include the impact of
19 those recommendations on the timing and size of terminal capital
20 investments and the state ferries' long range operating and capital
21 finance plans; and
22 (ii) Capital financing strategies for consideration in the 2009
23 legislative session. This work must include confirming the
24 department's estimate of future capital requirements based on a long
25 range capital plan and must include the department's development of a
26 plan for codevelopment and public private partnership opportunities at
27 public ferry terminals; and
28 (d) Evaluate the capital cost allocation plan methodology developed
29 by the department to implement Engrossed Substitute House Bill No.
30 2358.
31 (2) \$250,000 of the motor vehicle account--state appropriation and
32 \$250,000 of the multimodal transportation account--state appropriation
33 are for the continuing implementation of chapter 514, Laws of 2007.
34 (3) \$300,000 of the multimodal transportation account--state
35 appropriation is for implementing Substitute House Bill No. 1694
36 (coordinated transportation). If Substitute House Bill No. 1694 is not
37 enacted by June 30, 2007, the amount provided in this subsection shall
38 lapse.

1 (4) \$150,000 of the motor vehicle account--state appropriation is
2 for the Puget Sound regional council to conduct a pilot program for
3 multimodal concurrency analysis. This pilot program will analyze total
4 trip needs for a regional growth center based on adopted land use
5 plans, identify the number of trips which can be accommodated by
6 planned roadway, transit service, and nonmotorized investments, and
7 identify gaps for trips that cannot be served and strategies to fill
8 those gaps. The purpose of this pilot is to demonstrate how this type
9 of multimodal concurrency analysis can be used to broaden and
10 strengthen local concurrency programs.

11 **Sec. 205.** 2008 c 121 s 206 (uncodified) is amended to read as
12 follows:

13 **FOR THE TRANSPORTATION COMMISSION**

14 Motor Vehicle Account--State Appropriation	((\$2,322,000))
	<u>\$2,321,000</u>
16 Multimodal Transportation Account--State Appropriation	\$112,000
17 TOTAL APPROPRIATION	((\$2,434,000))
	<u>\$2,433,000</u>

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

21 (1) \$350,000 of the motor vehicle account--state appropriation is
22 provided solely for the commission to conduct a survey of ferry
23 customers as described in Engrossed Substitute House Bill No. 2358.
24 Development and interpretation of the survey must be done with
25 participation of the joint transportation committee work group
26 established in section 205(1) of this act.

27 (2) The commission shall conduct a planning grade tolling study
28 that is based on the recommended policies in the commission's
29 comprehensive tolling study submitted September 20, 2006.

30 (3) Pursuant to RCW 43.135.055, during the 2007-09 fiscal biennium,
31 the transportation commission shall establish, periodically review,
32 and, if necessary, modify a schedule of toll charges applicable to the
33 state route 167 high-occupancy toll lane pilot project, as required by
34 RCW 47.56.403.

35 (4) Pursuant to RCW 43.135.055, during the 2007-09 fiscal biennium,
36 the transportation commission shall periodically review, and, if

1 necessary, modify the schedule of toll charges applicable to the Tacoma
2 Narrows bridge, taking into consideration the recommendations of the
3 citizen advisory committee created by RCW 47.46.091.

4 (5) \$205,000 of the motor vehicle account--state appropriation is
5 provided solely for a study of potential revenue sources for the
6 Washington state ferry system. The study must model and assess the
7 revenue generating potentials of feasible alternative funding sources.
8 The revenue forecasting models must be dynamic and ownership of these
9 models must be retained by the commission. The commission shall
10 develop revenue source recommendations that will generate revenue equal
11 to or greater than the funding level identified by the ferries finance
12 study of the joint transportation committee referenced in section 205
13 of this act, and shall report its recommendations to the transportation
14 committees of the legislature by November 15, 2008.

15 **Sec. 206.** 2008 c 121 s 208 (uncodified) is amended to read as
16 follows:

17 **FOR THE WASHINGTON STATE PATROL--FIELD OPERATIONS BUREAU**

18 State Patrol Highway Account--State	
19 Appropriation	((\$226,924,000))
20	<u>\$220,920,000</u>
21 State Patrol Highway Account--Federal	
22 Appropriation	\$10,602,000
23 State Patrol Highway Account--Private/Local	
24 Appropriation	\$410,000
25 TOTAL APPROPRIATION	((\$237,936,000))
26	<u>\$231,932,000</u>

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

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

1 (2) In addition to the user fees, the patrol shall transfer into
2 the state patrol nonappropriated airplane revolving account under RCW
3 43.79.470 no more than the amount of appropriated state patrol highway
4 account and general fund funding necessary to cover the costs for the
5 patrol's use of the aircraft. The state patrol highway account and
6 general fund--state funds shall be transferred proportionately in
7 accordance with a cost allocation that differentiates between highway
8 traffic enforcement services and general policing purposes.

9 (3) The patrol shall not account for or record locally provided DUI
10 cost reimbursement payments as expenditure credits to the state patrol
11 highway account. The patrol shall report the amount of expected
12 locally provided DUI cost reimbursements to the governor and
13 transportation committees of the senate and house of representatives by
14 September 30th of each year.

15 ~~(((\$1,662,000 of the state patrol highway account--state
16 appropriation is provided solely for the implementation of Substitute
17 House Bill No. 1304 (commercial vehicle enforcement). If Substitute
18 House Bill No. 1304 is not enacted by June 30, 2007, the amount
19 provided in this subsection shall lapse.~~

20 ~~(5))~~ During the 2007-2009 biennium, the Washington state patrol
21 shall continue to perform traffic accident investigations on Thurston,
22 Mason, and Lewis county roads when requested to do so by the respective
23 county; however, the counties shall conduct traffic accident
24 investigations on county roads beginning July 1, 2009.

25 ~~(((\$6) \$100,000 of the state patrol highway account--state
26 appropriation is provided solely for the implementation of Substitute
27 House Bill No. 1417 (health benefits for surviving dependents). If
28 Substitute House Bill No. 1417 is not enacted by June 30, 2007, the
29 amount provided in this subsection shall lapse.~~

30 ~~(7) \$3,300,000))~~ (5) \$1,832,767 of the state patrol highway
31 account--state appropriation is provided solely for the salaries and
32 benefits associated with accretion in the number of troopers employed
33 above 1,158 authorized commissioned troopers, or solely for training
34 new cadets; however, the amount provided in this subsection is
35 contingent on the Washington state patrol submitting a 2009-11 budget
36 request that fully funds field force operations without reliance on a
37 projected vacancy rate. The Washington state patrol shall perform a
38 study with a final report due to the legislative transportation

1 committees by December 1, 2008, on the advantages and disadvantages of
2 staffing the commercial vehicle enforcement section with commissioned
3 officers instead of commercial vehicle enforcement officers.

4 (8) By July 1, 2008, the Washington state patrol shall assign six
5 additional troopers to the Monroe detachment from among troopers
6 requesting transfer to Monroe or graduating cadet classes.

7 **Sec. 207.** 2008 c 121 s 209 (uncodified) is amended to read as
8 follows:

9 **FOR THE WASHINGTON STATE PATROL--INVESTIGATIVE SERVICES BUREAU**
10 State Patrol Highway Account--State Appropriation . . . ((~~\$1,552,000~~))
11 \$1,535,000

12 **Sec. 208.** 2008 c 121 s 210 (uncodified) is amended to read as
13 follows:

14 **FOR THE WASHINGTON STATE PATROL--TECHNICAL SERVICES BUREAU**
15 State Patrol Highway Account--State Appropriation . . ((~~\$102,726,000~~))
16 \$98,873,000
17 State Patrol Highway Account--Private/Local
18 Appropriation \$2,008,000
19 TOTAL APPROPRIATION ((~~\$104,734,000~~))
20 \$100,881,000

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

23 ((~~1~~)) The Washington state patrol shall work with the risk
24 management division in the office of financial management in compiling
25 the Washington state patrol's data for establishing the agency's risk
26 management insurance premiums to the tort claims account. The office
27 of financial management and the Washington state patrol shall submit a
28 report to the legislative transportation committees by December 31st of
29 each year on the number of claims, estimated claims to be paid, method
30 of calculation, and the adjustment in the premium.

31 (2) ((~~\$9,981,000 of the total appropriation is provided solely for~~
32 ~~automobile fuel in the 2007-2009 biennium.~~

33 (3) ~~\$7,461,000 of the total appropriation is provided solely for~~
34 ~~the purchase of pursuit vehicles.~~

35 (4) ~~\$6,328,000 of the total appropriation is provided solely for~~

1 ~~vehicle repair and maintenance costs of vehicles used for highway~~
2 ~~purposes.~~

3 ~~(5) \$384,000 of the total appropriation is provided solely for the~~
4 ~~purchase of mission vehicles used for highway purposes in the~~
5 ~~commercial vehicle and traffic investigation sections of the Washington~~
6 ~~state patrol.~~

7 ~~(6))~~ The Washington state patrol may submit information technology
8 related requests for funding only if the patrol has coordinated with
9 the department of information services as required by section 602 of
10 this act.

11 ~~((7))~~ (3) \$630,000 of the total appropriation is provided solely
12 for the ongoing software maintenance and technical support for the
13 digital microwave system. The Washington state patrol shall coordinate
14 with the other members of the Washington state interoperability
15 executive committee to ensure compatibility between emergency
16 communication systems.

17 NEW SECTION. **Sec. 209.** A new section is added to 2007 c 518
18 (uncodified) to read as follows:

19 **FOR THE WASHINGTON STATE PATROL.** The appropriations to the Washington
20 state patrol in chapter 121, Laws of 2008 and this act must be expended
21 for the programs and in the amounts specified in this act. However,
22 after May 1, 2009, unless specifically prohibited, the state patrol may
23 transfer state patrol highway account--state appropriations for the
24 2007-2009 fiscal biennium between programs after approval by the
25 director of financial management. However, the state patrol shall not
26 transfer state moneys that are provided solely for a specified purpose.
27 The director of financial management shall notify the appropriate
28 fiscal committees of the senate and house of representatives in writing
29 prior to approving any allotment modifications or transfers under this
30 section.

31 **Sec. 210.** 2008 c 121 s 211 (uncodified) is amended to read as
32 follows:

33 **FOR THE DEPARTMENT OF LICENSING**
34 Marine Fuel Tax Refund Account--State Appropriation \$32,000
35 Motorcycle Safety Education Account--State
36 Appropriation ~~((3,898,000))~~

1 (b) Of the amount provided in (a) of this subsection, up to
2 \$1,000,000 is for a statewide educational campaign, which must include
3 coordination with existing public and private entities, to inform the
4 Washington public of the benefits of the new enhanced drivers' licenses
5 and identicards. Funds may be spent on educational campaigns only
6 after the caseload for enhanced drivers' licenses and identicards falls
7 below levels that can be reasonably processed by the department within
8 the appropriation provided by this subsection. \$300,000 of the
9 \$1,000,000 is for the department to partner with cross-border tourism
10 businesses to create an educational campaign.

11 (c) Of the amount provided in (a) of this subsection,
12 (~~(\$10,722,000)~~) \$8,985,000 is provided solely for costs associated with
13 providing enhanced driver's license processing at 14 licensing services
14 offices.

15 (d) Of the amount provided in (a) of this subsection, \$700,000 is
16 provided solely for costs associated with extending hours beyond
17 current regular business hours at the 14 licensing service offices that
18 provide enhanced driver's license processing services.

19 (4) (~~(\$91,000)~~) \$6,300 of the motor vehicle account--state
20 appropriation and (~~(\$152,000)~~) \$10,500 of the highway safety account--
21 state appropriation are provided solely for contracting with the office
22 of the attorney general to investigate criminal activity uncovered in
23 the course of the agency's licensing and regulatory activities.
24 Funding is provided for the 2008 fiscal year. The department may
25 request funding for the 2009 fiscal year if the request is submitted
26 with measurable data indicating the department's progress in meeting
27 its goal of increased prosecution of illegal activity.

28 (5) \$350,000 of the highway safety account--state appropriation is
29 provided solely for the costs associated with the systems development
30 of the interface that will allow insurance carriers and their agents
31 real time, online access to drivers' records. If Substitute Senate
32 Bill No. 5937 is not enacted by June 30, 2007, the amount provided in
33 this subsection shall lapse.

34 (6) (~~(\$1,145,000)~~) \$625,000 of the state patrol highway account--
35 state appropriation is provided solely for the implementation of
36 Substitute House Bill No. 1304 (modifying commercial motor vehicle
37 carrier provisions). If Substitute House Bill No. 1304 is not enacted
38 by June 30, 2007, the amount provided in this subsection shall lapse.

1 (7) The department may submit information technology related
2 requests for funding only if the department has coordinated with the
3 department of information services as required by section 602 of this
4 act.

5 (8) (~~(\$116,000)~~) \$81,000 of the motor vehicle account--state
6 appropriation is provided solely for the department to prepare draft
7 legislation that streamlines title and registration statutes to
8 specifically address apparent conflicts, fee distribution, and other
9 relevant issues that are revenue neutral and which do not change
10 legislative policy. The department shall submit the draft legislation
11 to the transportation committees of the legislature by the end of the
12 biennium.

13 (9) \$246,000 of the department of licensing services account--state
14 appropriation is provided solely for the implementation of Substitute
15 House Bill No. 3029 (secure vehicle licensing system). If Substitute
16 House Bill No. 3029 is not enacted by June 30, 2008, the amount
17 provided in this subsection shall lapse.

18 (10) \$200,000 of the highway safety account--state appropriation is
19 provided solely for the implementation of Senate Bill No. 6885 (driving
20 record abstracts). If Senate Bill No. 6885 is not enacted by June 30,
21 2008, the amount provided in this subsection shall lapse.

22 (11) (~~(\$417,000)~~) \$413,000 of the highway safety account--state
23 appropriation is provided solely for the implementation of Engrossed
24 Second Substitute House Bill No. 3254 (ignition interlock drivers'
25 license). If Engrossed Second Substitute House Bill No. 3254 is not
26 enacted by June 30, 2008, the amount provided in this subsection shall
27 lapse.

28 (12) \$100,000 of the department of licensing services
29 account--state appropriation is provided solely for the implementation
30 of Engrossed Second Substitute House Bill No. 2817 (contaminated
31 vehicles). If Engrossed Second Substitute House Bill No. 2817 is not
32 enacted by June 30, 2008, the amount provided in this subsection shall
33 lapse.

34 (13) The department shall investigate instituting a program whereby
35 individual registered vehicle owners may have license plates tested for
36 reflectivity to determine whether the department's requirement that the
37 license plates be replaced after seven years can be waived for that
38 particular set of license plates.

1 NEW SECTION. **Sec. 211.** A new section is added to 2007 c 518
2 (uncodified) to read as follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION.** (1) The appropriations to the
4 department of transportation in chapter 121, Laws of 2008 and this act
5 shall be expended for the programs and in the amounts specified in this
6 act. However, after May 1, 2009, unless specifically prohibited, the
7 department may transfer state appropriations for the 2007-2009 fiscal
8 biennium among operating programs after approval by the director of
9 financial management. However, the department shall not transfer state
10 moneys that are provided solely for a specified purpose.

11 (2) The department shall not transfer funds, and the director of
12 financial management shall not approve the transfer, unless the
13 transfer is consistent with the objective of conserving, to the maximum
14 extent possible, the expenditure of state funds and not federal funds.
15 The director of financial management shall notify the appropriate
16 transportation committees of the legislature prior to approving any
17 allotment modifications or transfers under this section. The written
18 notification shall include a narrative explanation and justification of
19 the changes, along with expenditures and allotments by program and
20 appropriation, both before and after any allotment modifications or
21 transfers.

22 **Sec. 212.** 2008 c 121 s 212 (uncodified) is amended to read as
23 follows:

24 **FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND**
25 **MAINTENANCE--PROGRAM B**

26	High-Occupancy Toll Lanes Account--State	
27	Appropriation	\$2,253,000
28	Motor Vehicle Account--State Appropriation	(\$600,000)
29		<u>\$604,000</u>
30	Tacoma Narrows Toll Bridge Account--State	
31	Appropriation	(\$28,322,000)
32		<u>\$26,622,000</u>
33	TOTAL APPROPRIATION	(\$31,175,000)
34		<u>\$29,479,000</u>

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

1 ((+2)) The department shall solicit private donations to fund
2 activities related to the opening ceremonies of the Tacoma Narrows
3 bridge project.

4 **Sec. 213.** 2008 c 121 s 213 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM**
7 **C**

8	Transportation Partnership Account--State	
9	Appropriation	((\$5,892,000))
10		<u>\$5,142,000</u>
11	Motor Vehicle Account--State Appropriation	((\$67,710,000))
12		<u>\$66,850,000</u>
13	Motor Vehicle Account--Federal Appropriation	((\$1,096,000))
14		<u>\$856,000</u>
15	Puget Sound Ferry Operations Account--State	
16	Appropriation	\$9,143,000
17	Multimodal Transportation Account--State	
18	Appropriation	\$363,000
19	Transportation 2003 Account (Nickel Account)--State	
20	Appropriation	((\$5,337,000))
21		<u>\$4,587,000</u>
22	TOTAL APPROPRIATION	((\$89,541,000))
23		<u>\$86,941,000</u>

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

26 (1) The department shall consult with the office of financial
27 management and the department of information services to ensure that
28 (a) the department's current and future system development is
29 consistent with the overall direction of other key state systems; and
30 (b) when possible, use or develop common statewide information systems
31 to encourage coordination and integration of information used by the
32 department and other state agencies and to avoid duplication.

33 (2) The department shall provide updated information on six project
34 milestones for all active projects, funded in part or in whole with
35 2005 transportation partnership account funds or 2003 nickel account
36 funds, on a quarterly basis in the transportation executive information
37 system (TEIS). The department shall also provide updated information

1 on six project milestones for projects, funded with preexisting funds
2 and that are agreed to by the legislature, office of financial
3 management, and the department, on a quarterly basis in TEIS.

4 ~~(3) ((\$3,300,000 of the motor vehicle account--state appropriation~~
5 ~~is provided solely for preliminary work needed to transition the~~
6 ~~department to the state government network. In collaboration with the~~
7 ~~department of information services the department shall complete an~~
8 ~~inventory of the current network infrastructure, develop an~~
9 ~~implementation plan for transition to the state government network,~~
10 ~~improve security, and initiate connection to the state government~~
11 ~~network.~~

12 ~~(4))~~ \$1,000,000 of the motor vehicle account--state appropriation,
13 ~~(\$5,892,000))~~ \$5,142,000 of the transportation partnership account--
14 state appropriation, and ~~(\$5,337,000))~~ \$4,587,000 of the
15 transportation 2003 account (nickel account)--state appropriation are
16 provided solely for the department to develop a project management and
17 reporting system which is a collection of integrated tools for capital
18 construction project managers to use to perform all the necessary tasks
19 associated with project management. The department shall integrate
20 commercial off-the-shelf software with existing department systems and
21 enhanced approaches to data management to provide web-based access for
22 multi-level reporting and improved business workflows and reporting.
23 Beginning September 1, 2007, and on a quarterly basis thereafter, the
24 department shall report to the office of financial management and the
25 transportation committees of the legislature on the status of the
26 development and integration of the system. The first report shall
27 include a detailed work plan for the development and integration of the
28 system including timelines and budget milestones. At a minimum the
29 ensuing reports shall indicate the status of the work as it compares to
30 the work plan, any discrepancies, and proposed adjustments necessary to
31 bring the project back on schedule or budget if necessary.

32 ~~((+5))~~ (4) The department may submit information technology
33 related requests for funding only if the department has coordinated
34 with the department of information services as required by section 602
35 of this act.

36 ~~((+6))~~ (5) \$1,600,000 of the motor vehicle account--state
37 appropriation is provided solely for the critical application
38 assessment implementation project. The department shall submit a

1 progress report on the critical application assessment implementation
2 project to the house of representatives and senate transportation
3 committees on or before December 1, 2007, and December 1, 2008, with a
4 final report on or before June 30, 2009.

5 **Sec. 214.** 2008 c 121 s 214 (uncodified) is amended to read as
6 follows:

7 **FOR THE DEPARTMENT OF TRANSPORTATION--FACILITY MAINTENANCE, OPERATIONS**
8 **AND CONSTRUCTION--PROGRAM D--OPERATING**
9 Motor Vehicle Account--State Appropriation (~~(\$33,982,000)~~)
10 \$33,988,000

11 **Sec. 215.** 2008 c 121 s 215 (uncodified) is amended to read as
12 follows:

13 **FOR THE DEPARTMENT OF TRANSPORTATION--AVIATION--PROGRAM F**
14 Aeronautics Account--State Appropriation (~~(\$7,866,000)~~)
15 \$7,659,000
16 Aeronautics Account--Federal Appropriation \$2,150,000
17 Multimodal Transportation Account--State Appropriation \$631,000
18 TOTAL APPROPRIATION (~~(\$10,647,000)~~)
19 \$10,440,000

20 The appropriations in this section are subject to the following
21 conditions and limitations: The entire multimodal transportation
22 account--state appropriation and (~~(\$400,000)~~) \$350,000 of the
23 aeronautics account--state appropriation are provided solely for the
24 aviation planning council as provided for in RCW 47.68.410.

25 **Sec. 216.** 2008 c 121 s 216 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM DELIVERY MANAGEMENT AND**
28 **SUPPORT--PROGRAM H**
29 Transportation Partnership Account--State
30 Appropriation \$2,422,000
31 Motor Vehicle Account--State Appropriation (~~(\$52,275,000)~~)
32 \$50,425,000
33 Motor Vehicle Account--Federal Appropriation \$500,000
34 Multimodal Transportation Account--State
35 Appropriation \$250,000

1		<u>\$350,320,000</u>
2	Motor Vehicle Account--Federal Appropriation	((\$5,000,000))
3		<u>\$25,000,000</u>
4	Motor Vehicle Account--Private/Local Appropriation	\$5,797,000
5	TOTAL APPROPRIATION	((\$342,139,000))
6		<u>\$381,117,000</u>

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

9 (1) If portions of the appropriations in this section are required
10 to fund maintenance work resulting from major disasters not covered by
11 federal emergency funds such as fire, flooding, and major slides,
12 supplemental appropriations must be requested to restore state funding
13 for ongoing maintenance activities.

14 (2) The department shall request an unanticipated receipt for any
15 federal moneys received for emergency snow and ice removal and shall
16 place an equal amount of the motor vehicle account--state into
17 unallotted status. This exchange shall not affect the amount of
18 funding available for snow and ice removal.

19 (3) The department shall request an unanticipated receipt for any
20 private or local funds received for reimbursements of third party
21 damages that are in excess of the motor vehicle account--private/local
22 appropriation.

23 (4) \$5,000,000 of the motor vehicle account--federal appropriation
24 is provided for unanticipated federal funds that may be received during
25 the 2007-09 biennium. Upon receipt of the funds, the department shall
26 provide a report on the use of the funds to the transportation
27 committees of the legislature and the office of financial management.

28 (5) Funding is provided for maintenance on the state system to
29 deliver service level targets as listed in LEAP Transportation Document
30 2007-C, as developed April 20, 2007. In delivering the program and
31 aiming for these targets, the department should concentrate on the
32 following areas:

33 (a) Eliminating the number of activities delivered in the "f" level
34 of service at the region level; and

35 (b) Evaluating, analyzing, and potentially redistributing resources
36 within and among regions to provide greater consistency in delivering
37 the program statewide and in achieving overall level of service
38 targets.

1 (6) The department may work with the department of corrections to
2 utilize corrections crews for the purposes of litter pickup on state
3 highways.

4 (7) \$650,000 of the motor vehicle account--state appropriation is
5 provided solely for increased asphalt costs.

6 (8) The department shall prepare a comprehensive listing of
7 maintenance backlogs and related costs and report to the office of
8 financial management and the transportation committees of the
9 legislature by December 31, 2008.

10 (9) (~~(\$76,026,000)~~) \$92,526,000 of the motor vehicle account--state
11 appropriation is for snow and ice related expenses, within which is a
12 one-time increase of (~~(\$3,250,000)~~) \$19,750,000 provided solely for
13 extraordinary snow and ice removal expenses incurred during the winters
14 of 2007-08 and 2008-09.

15 **Sec. 218.** 2008 c 121 s 219 (uncodified) is amended to read as
16 follows:

17 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
18 **OPERATING**

19 Motor Vehicle Account--State Appropriation	((\$51,340,000))
	<u>\$51,354,000</u>
21 Motor Vehicle Account--Federal Appropriation	\$2,050,000
22 Motor Vehicle Account--Private/Local Appropriation	\$127,000
23 TOTAL APPROPRIATION	((\$53,517,000))
24	<u>\$53,531,000</u>

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

27 (1) \$654,000 of the motor vehicle account--state appropriation is
28 provided solely for the department to time state-owned and operated
29 traffic signals. This funding may also be used to program incident,
30 emergency, or special event signal timing plans.

31 (2) \$346,000 of the motor vehicle account--state appropriation is
32 provided solely for the department to implement a pilot tow truck
33 incentive program. The department may provide incentive payments to
34 towing companies that meet clearance goals on accidents that involve
35 heavy trucks.

36 (3) \$6,800,000 of the motor vehicle account--state appropriation is
37 provided solely for low-cost enhancements. The department shall give

1 priority to low-cost enhancement projects that improve safety or
2 provide congestion relief. The department shall prioritize low-cost
3 enhancement projects on a statewide rather than regional basis. By
4 January 1, 2008, and January 1, 2009, the department shall provide a
5 report to the legislature listing all low-cost enhancement projects
6 prioritized on a statewide rather than regional basis completed in the
7 prior year.

8 (4) The department, in consultation with the Washington state
9 patrol, may conduct a pilot program for the patrol to issue infractions
10 based on information from automated traffic safety cameras in roadway
11 construction zones on state highways when workers are present.

12 (a) In order to ensure adequate time in the 2007-09 biennium to
13 evaluate the effectiveness of the pilot program, any projects
14 authorized by the department must be authorized by December 31, 2007.

15 (b) The department shall use the following guidelines to administer
16 the program:

17 (i) Automated traffic safety cameras may only take pictures of the
18 vehicle and vehicle license plate and only while an infraction is
19 occurring. The picture must not reveal the face of the driver or of
20 passengers in the vehicle;

21 (ii) The department shall plainly mark the locations where the
22 automated traffic safety cameras are used by placing signs on locations
23 that clearly indicate to a driver that he or she is entering a roadway
24 construction zone where traffic laws are enforced by an automated
25 traffic safety camera;

26 (iii) Notices of infractions must be mailed to the registered owner
27 of a vehicle within fourteen days of the infraction occurring;

28 (iv) The owner of the vehicle is not responsible for the violation
29 if the owner of the vehicle, within fourteen days of receiving
30 notification of the violation, mails to the patrol, a declaration under
31 penalty of perjury, stating that the vehicle involved was, at the time,
32 stolen or in the care, custody, or control of some person other than
33 the registered owner, or any other extenuating circumstances;

34 (v) For purposes of the 2007-09 biennium pilot project, infractions
35 detected through the use of automated traffic safety cameras are not
36 part of the registered owner's driving record under RCW 46.52.101 and
37 46.52.120. Additionally, infractions generated by the use of automated
38 traffic safety cameras must be processed in the same manner as parking

1	Appropriation	\$1,760,000
2	Multimodal Transportation Account--Federal	
3	Appropriation	\$2,809,000
4	Multimodal Transportation Account--Private/Local	
5	Appropriation	\$100,000
6	TOTAL APPROPRIATION	((\$51,589,000))
7		<u>\$50,865,000</u>

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

10 (1) \$1,559,000 of the motor vehicle account--state appropriation is
11 provided solely for costs incurred for the 2007 regional transportation
12 investment district election.

13 (2) \$800,000 of the multimodal transportation account--state
14 appropriation is provided solely for a transportation demand management
15 program, developed by the Whatcom council of governments, to further
16 reduce drive-alone trips and maximize the use of sustainable
17 transportation choices. The community-based program must focus on all
18 trips, not only commute trips, by providing education, assistance, and
19 incentives to four target audiences: (a) Large work sites; (b)
20 employees of businesses in downtown areas; (c) school children; and (d)
21 residents of Bellingham.

22 (3) ((~~\$320,000~~)) \$77,000 of the motor vehicle account--state
23 appropriation and ((~~\$128,000~~)) \$47,000 of the motor vehicle account--
24 federal appropriation are provided solely for development of a freight
25 database to help guide freight investment decisions and track project
26 effectiveness. The database will be based on truck movement tracked
27 through geographic information system technology. TransNow will
28 contribute an additional \$192,000 in federal funds which are not
29 appropriated in the transportation budget. The department shall work
30 with the freight mobility strategic investment board to implement this
31 project.

32 (4) By December 1, 2008, the department shall require confirmation
33 from jurisdictions that plan under the growth management act, chapter
34 36.70A RCW, and that receive state transportation funding under this
35 act, that the jurisdictions have adopted standards for access
36 permitting on state highways that meet or exceed department standards
37 in accordance with RCW 47.50.030. The objective of this subsection is
38 to encourage local governments, through the receipt of state

1 transportation funding, to adhere to best practices in access control
2 applicable to development activity significantly impacting state
3 transportation facilities. By January 1, 2009, the department shall
4 submit a report to the appropriate committees of the legislature
5 detailing the progress of the local jurisdictions in adopting the
6 highway access permitting standards.

7 ~~(5) ((\$150,000 of the motor vehicle account--federal appropriation~~
8 ~~is provided solely for the costs to develop an electronic map-based~~
9 ~~computer application that will enable law enforcement officers and~~
10 ~~others to more easily locate collisions and other incidents in the~~
11 ~~field.~~

12 (+6)) The department shall add a position within the freight
13 systems division to provide expertise regarding the trucking aspects of
14 the state's freight system.

15 ((+7)) (6) The department shall evaluate the feasibility of
16 developing a freight corridor bypass from Everett to Gold Bar on US 2,
17 including a connection to SR 522. US 2 is an important freight
18 corridor, and is an alternative route for I-90. Congestion, safety
19 issues, and flooding concerns have all contributed to the need for
20 major improvements to the corridor. The evaluation shall consider the
21 use of toll lanes for the project. The department must report to the
22 transportation committees of the legislature by December 1, 2007, on
23 its analysis and recommendations regarding the benefit of a freight
24 corridor and the potential use of freight toll lanes to improve safety
25 and congestion in the corridor.

26 ((+8)) (7) The department shall work with the department of
27 ecology, the county road administration board, and the transportation
28 improvement board to develop model procedures and municipal and state
29 rules in regard to maximizing the use of recycled asphalt on road
30 construction and preservation projects. The department shall report to
31 the joint transportation committee by December 1, 2008, with
32 recommendations on increasing the use of recycled asphalt at the state
33 and local level.

34 ((+9)) (8) \$140,000 of the multimodal transportation account--
35 state appropriation is provided solely for a full-time employee to
36 develop vehicle miles traveled and other greenhouse gas emissions
37 benchmarks as described in Engrossed Second Substitute House Bill No.

1 2815. If Engrossed Second Substitute House Bill No. 2815 is not
2 enacted by June 30, 2008, the amount provided in this subsection shall
3 lapse.

4 ~~((+10+))~~ (9) \$80,000 of the motor vehicle account--state
5 appropriation is provided solely to study the feasibility of a new
6 interchange on interstate 5 between the city of Rochester and harrison
7 avenue.

8 ~~((+11+))~~ (10) \$100,000 of the multimodal transportation
9 account--state appropriation is provided solely to support the commuter
10 rail study between eastern Snohomish county and eastern King county as
11 defined in Substitute House Bill No. 3224. Funds are provided to the
12 Puget Sound regional council for one time only. If Substitute House
13 Bill No. 3224 is not enacted by June 30, 2008, the amount provided in
14 this subsection shall lapse.

15 **Sec. 220.** 2008 c 121 s 222 (uncodified) is amended to read as
16 follows:

17 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**
18 **PROGRAM U**

19 Motor Vehicle Account--State Appropriation	(((\$66,102,000))
	<u>\$60,519,000</u>
21 Motor Vehicle Account--Federal Appropriation	\$400,000
22 Multimodal Transportation Account--State	
23 Appropriation	(((\$259,000))
	<u>\$247,000</u>
25 TOTAL APPROPRIATION	(((\$66,761,000))
	<u>\$61,166,000</u>

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

29 (1) \$36,665,000 of the motor vehicle fund--state appropriation is
30 provided solely for the liabilities attributable to the department of
31 transportation. The office of financial management must provide a
32 detailed accounting of the revenues and expenditures of the self-
33 insurance fund to the transportation committees of the legislature on
34 December 31st and June 30th of each year.

35 (2) Payments in this section represent charges from other state
36 agencies to the department of transportation.

37 (a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT

1	Appropriation	((\$40,000,000))
2		<u>\$12,732,000</u>
3	Multimodal Transportation Account--State	
4	Appropriation	((\$85,601,000))
5		<u>\$80,583,000</u>
6	Multimodal Transportation Account--Federal	
7	Appropriation	\$2,582,000
8	Multimodal Transportation Account--Private/Local	
9	Appropriation	\$659,000
10	TOTAL APPROPRIATION	((\$128,842,000))
11		<u>\$96,556,000</u>

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

14 (1) \$25,000,000 of the multimodal transportation account--state
15 appropriation is provided solely for a grant program for special needs
16 transportation provided by transit agencies and nonprofit providers of
17 transportation.

18 (a) \$5,500,000 of the amount provided in this subsection is
19 provided solely for grants to nonprofit providers of special needs
20 transportation. Grants for nonprofit providers shall be based on need,
21 including the availability of other providers of service in the area,
22 efforts to coordinate trips among providers and riders, and the cost
23 effectiveness of trips provided.

24 (b) \$19,500,000 of the amount provided in this subsection is
25 provided solely for grants to transit agencies to transport persons
26 with special transportation needs. To receive a grant, the transit
27 agency must have a maintenance of effort for special needs
28 transportation that is no less than the previous year's maintenance of
29 effort for special needs transportation. Grants for transit agencies
30 shall be prorated based on the amount expended for demand response
31 service and route deviated service in calendar year 2005 as reported in
32 the "Summary of Public Transportation - 2005" published by the
33 department of transportation. No transit agency may receive more than
34 thirty percent of these distributions.

35 (2) Funds are provided for the rural mobility grant program as
36 follows:

37 (a) \$8,500,000 of the multimodal transportation account--state
38 appropriation is provided solely for grants for those transit systems

1 serving small cities and rural areas as identified in the Summary of
2 Public Transportation - 2005 published by the department of
3 transportation. Noncompetitive grants must be distributed to the
4 transit systems serving small cities and rural areas in a manner
5 similar to past disparity equalization programs.

6 (b) \$8,500,000 of the multimodal transportation account--state
7 appropriation is provided solely to providers of rural mobility service
8 in areas not served or underserved by transit agencies through a
9 competitive grant process.

10 (3) \$8,600,000 of the multimodal transportation account--state
11 appropriation is provided solely for a vanpool grant program for: (a)
12 Public transit agencies to add vanpools; and (b) incentives for
13 employers to increase employee vanpool use. The grant program for
14 public transit agencies will cover capital costs only; no operating
15 costs for public transit agencies are eligible for funding under this
16 grant program. No additional employees may be hired from the funds
17 provided in this section for the vanpool grant program, and supplanting
18 of transit funds currently funding vanpools is not allowed. Additional
19 criteria for selecting grants must include leveraging funds other than
20 state funds.

21 (4) (~~(\$40,000,000)~~) \$12,732,000 of the regional mobility grant
22 program account--state appropriation is provided solely for the
23 regional mobility grant projects identified on the LEAP Transportation
24 Document 2007-B as developed April 20, 2007. The department shall
25 review all projects receiving grant awards under this program at least
26 semiannually to determine whether the projects are making satisfactory
27 progress. Any project that has been awarded funds, but does not report
28 activity on the project within one year of the grant award, shall be
29 reviewed by the department to determine whether the grant should be
30 terminated. The department shall promptly close out grants when
31 projects have been completed, and any remaining funds available to the
32 office of transit mobility shall be used only to fund projects on the
33 LEAP Transportation Document 2007-B as developed April 20, 2007. The
34 department shall provide annual status reports on December 15, 2007,
35 and December 15, 2008, to the office of financial management and the
36 transportation committees of the legislature regarding the projects
37 receiving the grants.

1 (5) (~~(\$17,168,087)~~) \$12,150,087 of the multimodal transportation
2 account--state appropriation is reappropriated and provided solely for
3 the regional mobility grant projects identified on the LEAP
4 Transportation Document 2006-D, regional mobility grant program
5 projects as developed March 8, 2006. The department shall continue to
6 review all projects receiving grant awards under this program at least
7 semiannually to determine whether the projects are making satisfactory
8 progress. The department shall promptly close out grants when projects
9 have been completed, and any remaining funds available to the office of
10 transit mobility shall be used only to fund projects on the LEAP
11 Transportation Document 2007-B as developed April 20, 2007, or the LEAP
12 Transportation Document 2006-D as developed March 8, 2006.

13 (6) \$200,000 of the multimodal transportation account--state
14 appropriation is provided solely for the department to study and then
15 develop pilot programs aimed at addressing commute trip reduction
16 strategies for K-12 students and for college and university students.
17 The department shall submit to the legislature by January 1, 2009, a
18 summary of the program results and recommendations for future student
19 commute trip reduction strategies. The pilot programs are described as
20 follows:

21 (a) The department shall consider approaches, including mobility
22 education, to reducing and removing traffic congestion in front of
23 schools by changing travel behavior for elementary, middle, and high
24 school students and their parents; and

25 (b) The department shall design a program that includes student
26 employment options as part of the pilot program applicable to college
27 and university students.

28 (7) \$2,400,000 of the multimodal account--state appropriation is
29 provided solely for establishing growth and transportation efficiency
30 centers (GTEC). Funds are appropriated for one time only. The
31 department shall provide in its annual report to the legislature an
32 evaluation of the GTEC concept and recommendations on future funding
33 levels.

34 (8) \$381,000 of the multimodal transportation account--state
35 appropriation is provided solely for the implementation of Substitute
36 House Bill No. 1694 (reauthorizing the agency council on coordinated
37 transportation). If Substitute House Bill No. 1694 is not enacted by
38 June 30, 2007, the amount provided in this subsection shall lapse.

1 (9) \$504,000 of the multimodal transportation account--
2 private/local appropriation is provided solely for the implementation
3 of Senate Bill No. 5084 (updating rail transit safety plans). If
4 Senate Bill No. 5084 is not enacted by June 30, 2007, the amount
5 provided in this subsection shall lapse.

6 (10) \$60,000 of the multimodal transportation account--state
7 appropriation is provided solely for low-income car ownership programs.
8 The department shall collaborate with interested regional
9 transportation planning organizations and metropolitan planning
10 organizations to determine the effectiveness of the programs at
11 providing transportation solutions for low-income persons who depend
12 upon cars to travel to their places of employment.

13 (11) \$1,000,000 of the multimodal transportation account--state
14 appropriation is provided solely for additional funding for the trip
15 reduction performance program, including telework enhancement projects.
16 Funds are appropriated for one time only.

17 (12) \$2,309,000 of the multimodal transportation account--state
18 appropriation is provided solely for the tri-county connection service
19 for Island, Skagit, and Whatcom transit agencies.

20 (13) \$150,000 of the multimodal transportation account--state
21 appropriation is provided solely as a grant for a telework pilot
22 project to be developed, administered, and monitored by the Kitsap
23 regional coordinating council. Funds are appropriated for one time
24 only. The primary purposes of the pilot project are to educate
25 employers about telecommuting, develop telework policies and resources
26 for employers, and reduce traffic congestion by encouraging teleworking
27 in the workplace. As part of the pilot project, the council shall
28 recruit public and private sector employer participants throughout the
29 county, identify telework sites, develop an employer's toolkit
30 consisting of teleworking resources, and create a telecommuting
31 template that may be applied in other communities. The council shall
32 submit to the legislature by July 1, 2009, a summary of the program
33 results and any recommendations for future telework strategies.

34 **Sec. 222.** 2008 c 121 s 224 (uncodified) is amended to read as
35 follows:

36 **FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X**

37 Puget Sound Ferry Operations Account--State

1	Appropriation	((\$426,761,000))
2		<u>\$439,120,000</u>
3	Multimodal Transportation Account--State	
4	Appropriation	((\$1,914,000))
5		<u>\$3,035,000</u>
6	TOTAL APPROPRIATION	((\$428,675,000))
7		<u>\$442,155,000</u>

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

10 (1) ((~~\$90,299,000~~)) \$96,443,000 of the Puget Sound ferry
11 operations--state appropriation is provided solely for auto ferry
12 vessel operating fuel in the 2007-2009 biennium.

13 (2) The Washington state ferries must work with the department's
14 information technology division to implement an electronic fare system,
15 including the integration of the regional fare coordination system
16 (smart card). Each December and June, semiannual updates must be
17 provided to the transportation committees of the legislature concerning
18 the status of implementing and completing this project, with updates
19 concluding the first December after full project implementation.

20 (3) The Washington state ferries shall continue to provide service
21 to Sidney, British Columbia.

22 (4) \$1,914,000 of the multimodal transportation account--state
23 appropriation is provided solely to provide passenger-only ferry
24 service. The ferry system shall continue passenger-only ferry service
25 from Vashon Island to Seattle through June 30, 2008. Ferry system
26 management shall continue to implement its agreement with the
27 inlandboatmen's union of the pacific and the international organization
28 of masters, mates and pilots providing for part-time passenger-only
29 work schedules.

30 (5) ((~~\$932,000~~)) \$674,000 of the Puget Sound ferries operations
31 account--state appropriation is provided solely for compliance with
32 department of ecology rules regarding the transfer of oil on or near
33 state waters. Funding for compliance with on-board fueling rules is
34 provided for the 2008 fiscal year. The department may request funding
35 for the 2009 fiscal year if the request is submitted with an
36 alternative compliance plan filed with the department of ecology, as
37 allowed by rule.

1 (6) (~~(\$1,116,000)~~) \$1,006,000 of the Puget Sound ferry operations
2 account--state appropriation is provided solely for ferry security
3 operations necessary to comply with the ferry security plan submitted
4 by the Washington state ferry system to the United States coast guard.
5 The department shall track security costs and expenditures. Ferry
6 security operations costs shall not be included as part of the
7 operational costs that are used to calculate farebox recovery.

8 (7) \$378,000 of the Puget Sound ferry operations account--state
9 appropriation is provided solely to meet the United States coast guard
10 requirements for appropriate rest hours between shifts for vessel crews
11 on the Bainbridge to Seattle and Edmonds to Kingston ferry routes.

12 (8) \$694,000 of the Puget Sound ferries operating account--state
13 appropriation is provided solely for implementing Engrossed Substitute
14 House Bill No. 2358 as follows:

15 (a) The department shall allow the joint transportation committee
16 work group established in section 205(1) of this act to participate in
17 the following elements as they are described in Engrossed Substitute
18 House Bill No. 2358:

19 (i) Development and implementation of a survey of ferry customers;

20 (ii) Analysis and reestablishment of vehicle level of service
21 standards. In reestablishing the standards, consideration shall be
22 given to whether boat wait is the appropriate measure. The level of
23 service standard shall be reestablished in conjunction with or after
24 the survey has been implemented;

25 (iii) Development of pricing policy proposals. In developing these
26 policies, the policies, in effect on some routes, of collecting fares
27 in only one direction shall be evaluated to determine whether one-way
28 fare pricing best serves the ferry system. The pricing policy
29 proposals must be developed in conjunction with or after the survey has
30 been implemented;

31 (iv) Development of operational strategies. The operational
32 strategies shall be reestablished in conjunction with the survey or
33 after the survey has been implemented;

34 (v) Development of terminal design standards. The terminal design
35 standards shall be finalized after the provisions of subsections (a)(i)
36 through (iv) and subsection (b) of this section have been developed and
37 reviewed by the joint transportation committee; and

1 (vi) Development of a capital plan. The capital plan shall be
2 finalized after terminal design standards have been developed by the
3 department and reviewed by the joint transportation committee.

4 (b) The department shall develop a ridership demand forecast that
5 shall be used in the development of a long-range capital plan. If more
6 than one forecast is developed they must be reconciled.

7 (c) The department shall update the life cycle cost model to meet
8 the requirements of Engrossed Substitute House Bill No. 2358 no later
9 than August 1, 2007.

10 (d) The department shall develop a cost allocation methodology
11 proposal to meet the requirements described in Engrossed Substitute
12 House Bill No. 2358. The proposal shall be completed and presented to
13 the joint transportation committee no later than August 1, 2007.

14 (9) \$200,000 of the Puget Sound ferry operations account--state
15 appropriation is provided solely for the initial acquisition of
16 transportation worker identification credentials required by the United
17 States department of homeland security for unescorted access to secure
18 areas of ferries and terminals.

19 (10) The legislature finds that a rigorous incident investigation
20 process is an essential component of marine safety. The department is
21 directed to review its accident and incident investigation procedures
22 and report the results of its review with any proposals for changes to
23 the legislature by November 1, 2008.

24 (11) The department shall allow the use, by two separate drivers,
25 of fare media allowing for multiple discounted vehicle trips aboard
26 Washington state ferries vessels.

27 ~~((+13))~~ (12) While developing fare and pricing policy proposals,
28 the department may consider the desirability of reasonable fares for
29 persons using the ferry system to commute daily to work and other
30 frequent users who live in ferry-dependent communities.

31 **Sec. 223.** 2008 c 121 s 225 (uncodified) is amended to read as
32 follows:

33 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING**

34 Multimodal Transportation Account--State

35 Appropriation ((~~\$37,010,000~~))
36 \$35,096,000

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

3 (1) The department shall publish a final long-range plan for Amtrak
4 Cascades by September 30, 2007. By December 31, 2008, the department
5 shall submit to the office of financial management and the
6 transportation committees of the legislature a midrange plan for Amtrak
7 Cascades that identifies specific steps the department would propose to
8 achieve additional service beyond current levels.

9 (2)(a) (~~(\$29,091,000)~~) \$28,577,000 of the multimodal transportation
10 account--state appropriation is provided solely for the Amtrak service
11 contract and Talgo maintenance contract associated with providing and
12 maintaining the state-supported passenger rail service. Upon
13 completion of the rail platform project in the city of Stanwood, the
14 department shall provide daily Amtrak Cascades service to the city.

15 (b) The department shall negotiate with Amtrak and Burlington
16 Northern Santa Fe to adjust the Amtrak Cascades schedule to leave
17 Bellingham at a significantly earlier hour.

18 (c) When Amtrak Cascades expands the second roundtrip between
19 Vancouver, B.C. and Seattle, the department shall negotiate for the
20 second roundtrip to leave Bellingham southbound no later than 8:30 a.m.

21 (3) No Amtrak Cascade runs may be eliminated.

22 (4) \$40,000 of the multimodal transportation account--state
23 appropriation is provided solely for the produce railcar program. The
24 department is encouraged to implement the produce railcar program by
25 maximizing private investment.

26 (5) The department shall begin planning for a third roundtrip
27 Cascades train between Seattle and Vancouver, B.C. by 2010.

28 **TRANSPORTATION AGENCIES--CAPITAL**

29 **Sec. 301.** 2008 c 121 s 302 (uncodified) is amended to read as
30 follows:

31 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

32 Rural Arterial Trust Account--State Appropriation	\$64,000,000
33 Motor Vehicle Account--State Appropriation	((\$2,370,000))
34	<u>\$1,555,000</u>
35 County Arterial Preservation Account--State	

1	Appropriation	((\$32,641,000))
2		<u>\$31,541,000</u>
3	TOTAL APPROPRIATION	((\$99,011,000))
4		<u>\$97,096,000</u>

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

7 (1) ((~~\$2,370,000~~)) \$1,555,000 of the motor vehicle account--state
8 appropriation may be used for county ferry projects as set forth in RCW
9 47.56.725(4).

10 (2) The appropriations contained in this section include funding to
11 counties to assist them in efforts to recover from ((~~winter storm and~~
12 ~~flood damage~~)) federally declared emergencies, by providing
13 capitalization advances and local match for federal emergency funding
14 as determined by the county road administration board. The county road
15 administration board shall specifically identify any such selected
16 projects and shall include information concerning them in its next
17 annual report to the legislature.

18 **Sec. 302.** 2008 c 121 s 303 (uncodified) is amended to read as
19 follows:

20 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

21	Small City Pavement and Sidewalk Account--State	
22	Appropriation	\$5,900,000
23	Urban Arterial Trust Account--State Appropriation	((\$126,600,000))
24		<u>\$106,600,000</u>
25	Transportation Improvement Account--State	
26	Appropriation	((\$87,143,000))
27		<u>\$77,495,000</u>
28	TOTAL APPROPRIATION	((\$219,643,000))
29		<u>\$189,995,000</u>

30 ((~~The appropriations in this section are subject to the following~~
31 ~~conditions and limitations:~~

32 (1) ~~The transportation improvement account state appropriation~~
33 ~~includes up to \$7,143,000 in proceeds from the sale of bonds authorized~~
34 ~~in RCW 47.26.500.~~

35 (2) ~~The urban arterial trust account state appropriation includes~~
36 ~~up to \$15,000,000 in proceeds from the sale of bonds authorized in~~

1 ~~Substitute House Bill No. 2394. If Substitute House Bill No. 2394 is~~
2 ~~not enacted by June 30, 2007, the amount provided in this subsection~~
3 ~~shall lapse.))~~

4 **Sec. 303.** 2008 c 121 s 305 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM D (DEPARTMENT OF**
7 **TRANSPORTATION-ONLY PROJECTS)--CAPITAL**

8 Motor Vehicle Account--State Appropriation ((~~\$6,255,000~~)
9 \$6,555,000)

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

12 (1) \$584,000 of the motor vehicle account--state appropriation is
13 for statewide administration.

14 (2) \$803,000 of the motor vehicle account--state appropriation is
15 for regional minor projects.

16 (3) \$568,000 of the motor vehicle account--state appropriation is
17 for the Olympic region headquarters property payments.

18 (4) By September 1, 2007, the department shall submit to the
19 transportation committees of the legislature predesign plans, developed
20 using the office of financial management's predesign process, for all
21 facility replacement projects to be proposed in the facilities 2008
22 budget proposal.

23 (5) \$1,600,000 of the motor vehicle account--state appropriation is
24 for site acquisition for the Tri-cities area maintenance facility.

25 (6) \$2,700,000 of the motor vehicle account--state appropriation is
26 for site acquisition for the Vancouver light industrial facility.

27 (7) \$300,000 of the motor vehicle account--state appropriation is
28 for the repair of the Wandermere facility.

29 (8) The department shall work with the office of financial
30 management and staff of the transportation committees of the
31 legislature to develop a statewide inventory of all department-owned
32 surplus property that is suitable for development for department
33 facilities or that should be sold. By December 1, 2008, the department
34 shall report to the joint transportation committee on the findings of
35 this study.

1 occur between projects for those amounts listed subject to the
2 conditions and limitations in section 603 of this act.) Federal funds
3 may be transferred between programs I and P.

4 (2) The department shall not commence construction on any part of
5 the state route number 520 bridge replacement and HOV project until a
6 record of decision has been reached providing reasonable assurance that
7 project impacts will be avoided, minimized, or mitigated as much as
8 practicable to protect against further adverse impacts on neighborhood
9 environmental quality as a result of repairs and improvements made to
10 the state route 520 bridge and its connecting roadways, and that any
11 such impacts will be addressed through engineering design choices,
12 mitigation measures, or a combination of both. The requirements of
13 this section shall not apply to off-site pontoon construction
14 supporting the state route number 520 bridge replacement and HOV
15 project.

16 (3) Within the amounts provided in this section, (~~(\$1,895,000)~~)
17 \$11,363 of the transportation partnership account--state appropriation,
18 (~~(\$2,147,000)~~) \$505,099 of the motor vehicle account--federal
19 appropriation, and (~~(\$10,331,000)~~) \$11,031,179 of the transportation
20 2003 account (nickel account)--state appropriation are for project
21 109040T as identified in the LEAP transportation document referenced in
22 subsection (1) of this section: I-90/Two Way Transit-Transit and HOV
23 Improvements - Stage 1. Expenditure of the funds on construction is
24 contingent upon revising the access plan for Mercer Island traffic such
25 that Mercer Island traffic will have access to the outer roadway high
26 occupancy vehicle (HOV) lanes during the period of operation of such
27 lanes following the removal of Mercer Island traffic from the center
28 roadway and prior to conversion of the outer roadway HOV lanes to high
29 occupancy toll (HOT) lanes. Sound transit may only have access to the
30 center lanes when alternative R8A is complete.

31 (4) The Tacoma Narrows toll bridge account--state appropriation
32 includes up to (~~(\$18,000,000)~~) \$16,242,000 in proceeds from the sale of
33 bonds authorized by RCW 47.10.843.

34 (5) The funding described in this section includes (~~(\$36,693,000)~~)
35 \$46,693,000 of the transportation 2003 account (nickel account)--state
36 appropriation (~~(and \$208,000)~~), \$188,357 of the freight mobility
37 multimodal account--state appropriation, and \$20,000 of the motor
38 vehicle account--private/local appropriation, which are for the SR 519

1 project identified as project number 851902A in the LEAP Transportation
2 Document referenced in subsection (1) of this section. The total
3 project is expected to cost no more than (~~(\$74,400,000)~~) \$84,467,000
4 including (~~(\$10,610,000)~~) \$10,792,000 in contributions from project
5 partners, including Burlington Northern Santa Fe railroad.

6 (6) To promote and support community-specific noise reduction
7 solutions, the department shall:

8 (a) Prepare a draft directive that establishes how each community's
9 priorities and concerns may be identified and addressed in order to
10 allow consideration of a community's preferred methods of advanced
11 visual shielding and aesthetic screening, for the purpose of improving
12 the noise environment of major state roadway projects in locations that
13 do not meet the criteria for standard noise barriers. The intent is
14 for these provisions to be supportable by existing project budgets.
15 The directive shall also include direction on the coordination and
16 selection of visual and aesthetic options with local communities. The
17 draft directive shall be provided to the standing transportation
18 committees of the legislature by January 2008; and

19 (b) Pilot the draft directive established in (a) of this subsection
20 in two locations along major state roadways. If practicable, the
21 department should begin work on the pilot projects while the directive
22 is being developed. One pilot project shall be located in Clark county
23 on a significant capacity improvement project. The second pilot
24 project shall be located in urban King county, which shall be on a
25 corridor highway project through mixed land use areas that is nearing
26 or under construction. The department shall provide a written report
27 to the standing transportation committees of the legislature on the
28 findings of the Clark county pilot project by January 2009, and the
29 King county pilot project by January 2010. Based on results of the
30 pilot projects, the department shall update its design manual,
31 environmental procedures, or other appropriate documents to incorporate
32 the directive.

33 (7) If the "Green Highway" provisions of Engrossed Second
34 Substitute House Bill No. 1303 (cleaner energy) are enacted, the
35 department shall erect signs on the interstate highways included in
36 those provisions noting that these interstates have been designated
37 "Washington Green Highways."

1 (8) If on the I-405/I-90 to SE 8th Street Widening project the
2 department finds that there is an alternative investment to preserve
3 reliable rail accessibility to major manufacturing sites within the
4 I-405 corridor that are less expensive than replacing the Wilburton
5 Tunnel, the department may enter into the necessary agreements to
6 implement that alternative provided that costs remain within the
7 approved project budget.

8 (9) The department shall apply for surface transportation program
9 (STP) enhancement funds to be expended in lieu of or in addition to
10 state funds for eligible costs of projects in Programs I and P,
11 including, but not limited to, the SR 518, SR 519, SR 520, and Alaskan
12 Way Viaduct projects.

13 (10) \$250,000 of the motor vehicle account--state appropriation and
14 \$226,000 of the motor vehicle account--federal appropriation are
15 provided solely for an inland pacific hub study to develop an inland
16 corridor for the movement of freight and goods to and through eastern
17 Washington; and \$500,000 of the motor vehicle account--state
18 appropriation is provided solely for the SR3/SR16 corridor study to
19 plan and prioritize state and local improvements needed over the next
20 10-20 years to support safety, capacity development, and economic
21 development within the corridor.

22 (11) The department shall, on a quarterly basis beginning July 1,
23 2007, provide to the office of financial management and the legislature
24 reports providing the status on each active project funded in part or
25 whole by the transportation 2003 account (nickel account) or the
26 transportation partnership account. Funding provided at a programmatic
27 level for transportation partnership account and transportation 2003
28 account (nickel account) projects relating to bridge rail, guard rail,
29 fish passage barrier removal, and roadside safety projects should be
30 reported on a programmatic basis. Projects within this programmatic
31 level funding should be completed on a priority basis and scoped to be
32 completed within the current programmatic budget. Other projects may
33 be reported on a programmatic basis. The department shall work with
34 the office of financial management and the transportation committees of
35 the legislature to agree on report formatting and elements. Elements
36 shall include, but not be limited to, project scope, schedule, and
37 costs. The department shall also provide the information required

1 under this subsection on a quarterly basis via the transportation
2 executive information systems (TEIS).

3 (12) The department shall apply for the competitive portion of
4 federal transit administration funds for eligible transit-related costs
5 of the SR 520 bridge replacement and HOV project. The federal funds
6 described in this subsection shall not include those federal transit
7 administration funds distributed by formula.

8 (13) Funding provided by this act for the Alaskan Way Viaduct
9 project shall not be spent for preliminary engineering, design, right-
10 of-way acquisition, or construction on the project if completion of the
11 project would more likely than not reduce the capacity of the facility.
12 Capacity shall be measured by including the consideration of the
13 efficient movement of people and goods on the facility.

14 (14) The governor shall convene a collaborative process involving
15 key leaders to determine the final project design for the Alaskan Way
16 Viaduct.

17 (a) The process shall be guided by the following common principles:
18 Public safety must be maintained; the final project shall meet both
19 capacity and mobility needs; and taxpayer dollars must be spent
20 responsibly.

21 (b) The state's project expenditures shall not exceed
22 \$2,800,000,000.

23 (c) A final design decision shall be made by December 31, 2008.

24 (15) During the 2007-09 biennium, the department shall proceed with
25 a series of projects on the Alaskan Way Viaduct that are common to any
26 design alternative. Those projects include relocation of two
27 electrical transmission lines, Battery Street tunnel upgrades, seismic
28 upgrades from Lenora to the Battery Street tunnel, viaduct removal from
29 Holgate to King Street, and development of transit enhancements and
30 other improvements to mitigate congestion during construction.

31 (16) The transportation 2003 account (nickel account)--state
32 appropriation includes up to (~~(\$874,610,000)~~) \$712,000,000 in proceeds
33 from the sale of bonds authorized by RCW 47.10.861.

34 (17) The transportation partnership account--state appropriation
35 includes up to (~~(\$900,000,000)~~) \$613,100,000 in proceeds from the sale
36 of bonds authorized in RCW 47.10.873.

37 (18) The special category C account--state appropriation includes
38 up to (~~(\$21,497,000)~~) \$21,100,000 in proceeds from the sale of bonds

1 authorized in Substitute House Bill No. 2394. If Substitute House Bill
2 No. 2394 is not enacted by June 30, 2007, the amount provided in this
3 subsection shall lapse.

4 (19) \$4,500,000 of the motor vehicle account--federal appropriation
5 is provided solely for cost increases on the SR 304/Bremerton tunnel
6 project.

7 (20) \$2,071,000 of the motor vehicle account--federal appropriation
8 is provided solely for initial design and right of way work on a new
9 southbound SR 509 to eastbound SR 518 freeway-to-freeway elevated ramp.

10 (21) \$500,000 of the motor vehicle account--federal appropriation
11 to the SR 543/I-5 to Canadian border project is provided solely for
12 retaining wall facia improvements.

13 (22) (~~(\$950,000)~~) \$846,700 of the motor vehicle account--federal
14 appropriation and (~~(\$24,000)~~) \$17,280 of the motor vehicle
15 account--state appropriation are provided solely for the Westview
16 school noise wall.

17 (23) (~~(\$1,600,000)~~) \$1,567,600 of the motor vehicle account--state
18 appropriation is provided solely for two noise walls on SR 161 in King
19 county.

20 (24) (~~(\$20,000)~~) \$10,640 of the motor vehicle account--state
21 appropriation and (~~(\$280,000)~~) \$252,300 of the motor vehicle account--
22 federal appropriation are provided solely for interchange design and
23 planning work on US 12 at A street and tank farm road.

24 (25) The funding described in this section includes (~~(\$19,939,000)~~)
25 \$19,928,000 of the transportation partnership account--state
26 appropriation, (~~(\$29,000)~~) \$26,000 of the motor vehicle account--state
27 appropriation, (~~(\$308,000)~~) \$6,747,000 of the motor vehicle account--
28 private/local appropriation, and (~~(\$17,900,000)~~) \$17,821,000 of the
29 motor vehicle account--federal appropriation for the I-5/Columbia river
30 crossing/Vancouver project. The funding described in this subsection
31 includes up to \$15,000,000 awarded to Washington and Oregon jointly
32 through the U.S. department of transportation corridors of the future
33 program in the 2007 federal highway authority discretionary fund
34 allocations.

35 (26) The department shall study any outstanding issues, including
36 financial issues that may apply to the I-5/Columbia river
37 crossing/Vancouver project. The department's efforts must include an
38 analysis of current bi-state efforts in planning, coordination, and

1 funding for the project; opportunities for the joining of state and
2 local government agencies and the private sector in a strong
3 partnership that contributes to the completion of the project; and
4 opportunities to work with the congressional delegations of Oregon and
5 Washington to provide federal funding and other assistance that will
6 advance this project of national and regional significance.

7 (27) (~~(\$1,500,000)~~) \$1,928,232 of the motor vehicle
8 account--federal appropriation (~~(and \$4,908,000)~~), \$2,611,000 of the
9 transportation partnership account--state appropriation, and \$14,682 of
10 the transportation 2003 account (nickel account)--state appropriation
11 are provided solely for project 109040Q as identified in the LEAP
12 transportation document in subsection (1) of this section:
13 I-90/Two-Way Transit-Transit and HOV Improvements, Stages 2 and 3. Of
14 these amounts, up to \$550,000 of the transportation partnership
15 account--state appropriation is to provide funding for an independent
16 technical review, overseen by the joint transportation committee, of
17 light rail impacts on the Interstate 90 - Homer Hadley Floating Bridge.
18 The technical review shall complement sound transit's current and
19 planned engineering design work to expand light rail in the central
20 Puget Sound region. The department shall coordinate its work with
21 sound transit and seek contributions from sound transit for the review.

22 (28) (~~(\$1,400,000)~~) \$800,000 of the motor vehicle account--state
23 appropriation is provided solely for safety improvements on US Highway
24 2 between Monroe and Gold Bar. Additional project funding of
25 (~~(\$8,600,000)~~) \$9,200,000 is assumed in the 2009-2011 biennium,
26 bringing the total project funding to \$10,000,000. This high priority
27 safety project will provide safety enhancements on US Highway 2 between
28 Gold Bar and Monroe, such as a passing lane or interchange/turning lane
29 improvements. The department shall seek input from the US Highway 2
30 safety coalition to select projects that will help reduce fatalities on
31 this corridor.

32 (29) (~~(\$2,267,000)~~) \$1,663,700 of the motor vehicle account--
33 federal appropriation, (~~(\$218,500)~~) \$234,000 of the motor vehicle
34 account--state appropriation, and \$1,500,000 of the motor vehicle
35 account--private/local appropriation are provided solely for installing
36 centerline rumble strips and related improvements on US Highway 2
37 between Monroe and Sultan. The section of US Highway 2 from Monroe to
38 Deception Creek has a high frequency of centerline crossover

1 collisions. By installing centerline rumble strips, the project will
2 reduce the risk of crossover collisions. This project will also place
3 shoulder rumble strips between Monroe and Sultan.

4 (30) (~~(\$1,500,000)~~) \$688,000 of the motor vehicle account--state
5 appropriation is provided solely for the SR 28/E End of the George
6 Sellar bridge (202802V) for the purpose of funding a pedestrian tunnel
7 connection. This funding is provided in anticipation of a federal
8 grant specific to this project, which, if received, must be used to
9 reimburse the state funding provided in this subsection.

10 (31) For the period of preconstruction tolling on the state route
11 520 bridge, the department shall develop improvements of traffic flow
12 from the eastern Lake Washington shoreline to 108th avenue northeast in
13 Bellevue including:

14 (a) Near-term, low-cost enhancements which relocate the high-
15 occupancy vehicle lanes to the inside of the alignment; and

16 (b) A plan for an accelerated improvement project for the
17 construction of median flyer stops, reconfiguration of interchanges,
18 addition of direct access ramps, community enhancement lids, and
19 pedestrian/bike path connections.

20 The department shall report to the joint transportation committee by
21 September 1, 2008, on the short-term low-cost improvement plans and
22 include in their budget submittal to the office of financial management
23 a proposal for the accelerated improvement project.

24 **Sec. 305.** 2008 c 121 s 307 (uncodified) is amended to read as
25 follows:

26 **FOR THE DEPARTMENT OF TRANSPORTATION--PRESERVATION--PROGRAM P**
27 Transportation Partnership Account--State

28 Appropriation	((\$181,666,000))
	<u>\$181,316,000</u>
30 Motor Vehicle Account--State Appropriation	((\$86,540,000))
	<u>\$94,594,000</u>
32 Motor Vehicle Account--Federal Appropriation	((\$463,338,000))
	<u>\$462,427,000</u>
34 Motor Vehicle Account--Private/Local Appropriation	((\$18,138,000))
	<u>\$19,049,000</u>
36 Transportation 2003 Account (Nickel Account)--State	
37 Appropriation	((\$11,136,000))

1 Klallam Tribe to be disbursed by the department in accordance with
2 terms and conditions of the settlement agreement.

3 (b) \$3,308,000 of the transportation partnership account--state
4 appropriation is provided solely for the department's remediation work
5 on the graving dock property in accordance with the terms and
6 conditions of the settlement agreement.

7 (4) The department shall apply for surface transportation program
8 (STP) enhancement funds to be expended in lieu of or in addition to
9 state funds for eligible costs of projects in Programs I and P,
10 including, but not limited to, the SR 518, SR 519, SR 520, and Alaskan
11 Way Viaduct projects.

12 (5) The department shall, on a quarterly basis beginning July 1,
13 2007, provide to the office of financial management and the legislature
14 reports providing the status on each active project funded in part or
15 whole by the transportation 2003 account (nickel account) or the
16 transportation partnership account. Funding provided at a programmatic
17 level for transportation partnership account projects relating to
18 seismic bridges should be reported on a programmatic basis. Projects
19 within this programmatic level funding should be completed on a
20 priority basis and scoped to be completed within the current
21 programmatic budget. Other projects may be reported on a programmatic
22 basis. The department shall work with the office of financial
23 management and the transportation committees of the legislature to
24 agree on report formatting and elements. Elements shall include, but
25 not be limited to, project scope, schedule, and costs. The department
26 shall also provide the information required under this subsection on a
27 quarterly basis via the transportation executive information systems
28 (TEIS).

29 (6) The department of transportation shall continue to implement
30 the lowest life cycle cost planning approach to pavement management
31 throughout the state to encourage the most effective and efficient use
32 of pavement preservation funds. Emphasis should be placed on
33 increasing the number of roads addressed on time and reducing the
34 number of roads past due.

35 (7) \$13,257,000 of the motor vehicle account--federal appropriation
36 and \$5,000,000 of the motor vehicle account--state appropriation are
37 for expenditures on damaged state roads due to flooding, mudslides,
38 rock fall, or other unforeseen events.

1 (8) (~~(\$188,000)~~) \$213,000 of the motor vehicle account--state
2 appropriation, (~~(\$28,749,000)~~) \$52,930,000 of the motor vehicle
3 account--federal appropriation, and (~~(\$105,653,000)~~) \$117,544,000 of
4 the transportation partnership account--state appropriation are
5 provided solely for the Hood Canal bridge project.

6 (9) (~~(\$12,500,000)~~) \$6,000,000 of the Puyallup tribal settlement
7 account--state appropriation is provided solely for mitigation costs
8 associated with the Murray Morgan/11th Street Bridge demolition. The
9 department may negotiate with the city of Tacoma for the purpose of
10 transferring ownership of the Murray Morgan/11th Street Bridge to the
11 city. If the city agrees to accept ownership of the bridge, the
12 department may use the Puyallup tribal settlement account appropriation
13 and other appropriated funds for bridge rehabilitation, bridge
14 replacement, bridge demolition, and related mitigation. In no event
15 shall the department's participation exceed \$39,953,000. No funds may
16 be expended unless the city of Tacoma agrees to take ownership of the
17 bridge in its entirety and provides that the payment of these funds
18 extinguishes any real or implied agreements regarding future bridge
19 expenditures.

20 **Sec. 306.** 2008 c 121 s 308 (uncodified) is amended to read as
21 follows:

22 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
23 **CAPITAL**

24	Motor Vehicle Account--State Appropriation	((\$9,462,000))
25		<u>\$7,588,000</u>
26	Motor Vehicle Account--Federal Appropriation	((\$15,951,000))
27		<u>\$14,809,000</u>
28	Motor Vehicle Account--Private/Local Appropriation	\$74,000
29	TOTAL APPROPRIATION	((\$25,487,000))
30		<u>\$22,471,000</u>

31 The appropriations in this section are subject to the following
32 conditions and limitations: The motor vehicle account--state
33 appropriation includes (~~(\$8,959,335)~~) \$7,007,066 provided solely for
34 state matching funds for federally selected competitive grant or
35 congressional earmark projects. These moneys shall be placed into
36 reserve status until such time as federal funds are secured that
37 require a state match.

1 ~~purchase for a holding area during construction;~~) and completion of
2 design and permitting on the terminal building, pick-up and drop-off
3 sites, and pedestrian and bicycle facilities;

4 (b) Bainbridge Island ferry terminal - environmental planning and
5 a traffic signalization project in the vicinity of SR 305 Harborview
6 drive;

7 (c) Bremerton ferry terminal - overhead loading control system and
8 moving the terminal agent's office;

9 (d) Clinton ferry terminal - septic system replacement;

10 (e) Edmonds ferry terminal - right-of-way acquisition costs,
11 federal match requirements, and removal of Unocal Pier;

12 (f) Friday Harbor ferry terminal - parking resurfacing;

13 (g) Keystone and Port Townsend ferry terminals - route
14 environmental planning;

15 (h) Kingston ferry terminal - transfer span retrofit and overhead
16 vehicle holding control system modifications;

17 (i) Mukilteo ferry terminal - right-of-way acquisition,
18 archaeological studies, environmental planning, and additional vehicle
19 holding;

20 (j) Orcas ferry terminal - dolphin replacement;

21 (k) Port Townsend ferry terminal - wingwall replacement(~~(, interim~~
22 ~~holding, tie-up slip,~~) and initial reservation system;

23 (l) Seattle ferry terminal - environmental planning, coordination
24 with local jurisdictions, coordination with highway projects, and
25 contractor payment for automated re-entry gates;

26 (m) (~~Southworth ferry terminal - federal grant to conduct~~
27 ~~preliminary studies and planning for a 2nd operating slip; and~~

28 ~~(n)~~) Vashon Island and Seattle ferry terminals - modify the
29 passenger-only facilities.

30 (3) (~~(\$46,020,666)~~) \$31,036,000 of the transportation 2003 account
31 (nickel account)--state appropriation and \$3,750,000 of the Puget Sound
32 capital construction account--federal appropriation are provided solely
33 for the procurement of up to three 144-vehicle auto-passenger ferry
34 vessels.

35 (4) (~~(\$18,716,000)~~) \$5,867,000 of the Puget Sound capital
36 construction account--state appropriation is provided solely for the
37 Eagle Harbor maintenance facility preservation project. These funds

1 may not be used for relocating any warehouses not currently on the
2 Eagle Harbor site.

3 (5) The department shall research an asset management system to
4 improve Washington state ferries' management of capital assets and the
5 department's ability to estimate future preservation needs. The
6 department shall report its findings regarding a new asset management
7 system to the governor and the transportation committees of the
8 legislature no later than January 15, 2008.

9 (6) The department shall sell the M.V. Chinook and M.V. Snohomish
10 passenger-only fast ferries as soon as practicable and deposit the
11 proceeds of the sales into the passenger ferry account created in RCW
12 47.60.645. Once the department ceases to provide passenger-only ferry
13 service, the department shall sell the M.V. Kalama and M.V. Skagit
14 passenger-only ferries and deposit the proceeds of the sales into the
15 passenger ferry account created in RCW 47.60.645.

16 (7) The department shall, on a quarterly basis beginning July 1,
17 2007, provide to the office of financial management and the legislature
18 reports providing the status on each project listed in this section and
19 in the project lists submitted pursuant to this act and on any
20 additional projects for which the department has expended funds during
21 the 2007-09 fiscal biennium. Elements shall include, but not be
22 limited to, project scope, schedule, and costs. The department shall
23 also provide the information required under this subsection via the
24 transportation executive information systems (TEIS).

25 (8) \$1,105,000 of the Puget Sound capital construction
26 account--state appropriation and \$8,038,000 of the transportation 2003
27 account (nickel account)--state appropriation are provided solely for
28 a dolphin replacement project at the Vashon Island ferry terminal. The
29 department shall submit a predesign study to the joint transportation
30 committee before beginning design or construction of this project.

31 (9) The department of transportation is authorized to sell up to
32 (~~(\$105,000,000)~~) \$66,200,000 in bonds authorized by RCW 47.10.843 for
33 vessel and terminal acquisition, major and minor improvements, and long
34 lead-time materials acquisition for the Washington state ferries.

35 (10) The department shall review the costs and benefits of
36 continued use of the primavera scheduling system in the Washington
37 state ferries marine division and include that review with its 2009-
38 2011 budget submittal.

1 (11) The department shall review staffing in its capital
2 engineering divisions to ensure core competency in, and a focus on,
3 terminal and vessel preservation, with staffing sufficient to implement
4 the preservation program in the capital plan. Until the completion of
5 the capital plan, the department shall maintain capital staffing levels
6 at or below the level of staffing on January 1, 2008.

7 (12) The department shall sell, be in the process of selling, or
8 otherwise dispose of the four steel electric auto-ferry vessels in the
9 most cost effective way practicable no later than June 1, 2008.

10 **Sec. 308.** 2008 c 121 s 310 (uncodified) is amended to read as
11 follows:

12 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--CAPITAL**
13 (~~Essential Rail Assistance Account--State Appropriation . . . \$500,000~~)
14 Transportation Infrastructure Account--State
15 Appropriation ((~~\$1,713,000~~))
16 \$1,580,000
17 (~~Transportation Infrastructure Account--Federal~~
18 ~~Appropriation \$787,000~~)
19 Multimodal Transportation Account--State
20 Appropriation ((~~\$165,512,000~~))
21 \$104,564,000
22 Multimodal Transportation Account--Federal
23 Appropriation ((~~\$33,906,000~~))
24 \$20,165,000
25 Multimodal Transportation Account--Private/Local
26 Appropriation ((~~\$2,659,000~~))
27 \$363,000
28 TOTAL APPROPRIATION ((~~\$205,077,000~~))
29 \$126,672,000

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

32 (1)(a) Except as provided otherwise in this section, the entire
33 appropriations in this section are provided solely for the projects and
34 activities as listed by (~~fund,~~) project(~~, and amount~~) in LEAP
35 Transportation Document 2008-1, Rail Capital Program (Y) as developed
36 March 10, 2008. (~~However, limited transfers of specific line item~~

1 ~~project appropriations may occur between projects for those amounts~~
2 ~~listed subject to the conditions and limitations in section 603 of this~~
3 ~~act.))~~

4 (b) Within the amounts provided in this section, \$1,713,000 of the
5 transportation infrastructure account--state appropriation ((and
6 \$787,000 of the transportation infrastructure account federal
7 appropriation are)) is for low-interest loans for rail capital projects
8 through the freight rail investment bank program. The department shall
9 issue a call for projects based upon the legislative priorities
10 specified in subsection (7)(a) of this section. Application must be
11 received by the department by October 1, 2008. By November 1, 2008,
12 the department shall submit a prioritized list of recommended projects
13 to the office of financial management and the transportation committees
14 of the legislature. The department shall award low-interest loans to
15 the port of Moses Lake in the amount of \$213,000, and based upon the
16 prioritized list of rail capital projects most recently submitted to
17 the legislature pursuant to this subsection, as follows: Port of
18 Benton County (\$250,000); Port of Everett (\$250,000); Central
19 Terminals, LLC (\$250,000); Tacoma Rail--Maintenance Facility
20 (\$250,000); NW Container Service (\$250,000); Port of Chehalis
21 (\$250,000); Ballard Terminal Railroad (\$250,000); Eastern Washington
22 Gateway Railroad (\$36,875); Spokane County (\$250,000); Tacoma Rail--
23 Locomotive Idling (\$250,000).

24 (c) Within the amounts provided in this section, \$2,561,000 of the
25 multimodal transportation account--state appropriation is for statewide
26 - emergent freight rail assistance projects as listed in LEAP
27 Transportation Document 2008-1, Rail Capital Program (Y) as developed
28 March 10, 2008. ((However, the department shall perform a cost/benefit
29 analysis of the projects according to the legislative priorities
30 specified in subsection (7)(a) of this section, and shall give priority
31 to the following projects: Rail—Tacoma rail yard switching upgrades
32 (\$500,000); Rail—Port of Ephrata spur rehabilitation (\$127,000); Rail
33 —Lewis and Clark rail improvements (\$1,100,000); Rail—Port of Grays
34 Harbor rail access improvements (\$543,000); and Rail—Port of Longview
35 rail loop construction (\$291,000). If the relative cost of any of the
36 six projects identified in this subsection (1)(c) is not substantially
37 less than the public benefits to be derived from the project, then the
38 department shall not assign the funds to the project, and instead shall

1 use those funds toward those projects identified by the department in
2 the attachments to the "Washington State Department of Transportation
3 FREIGHT RAIL ASSISTANCE FUNDING PROGRAM: 2007-2009 Prioritized Project
4 List and Program Update" dated December 2006 for which the proportion
5 of public benefits to be gained compared to the cost of the project is
6 greatest.))

7 (d) Within the amounts provided in this section, \$339,000 of the
8 multimodal transportation account--state appropriation is for rescoping
9 and completion of required environmental documents for the Kelso to
10 Martin's Bluff - 3rd Mainline and Storage Tracks project. The rescoped
11 project may include funds that are committed to the project by local or
12 private funding partners. However, the rescoped project must be
13 capable of being completed with not more than \$49,470,000 in future
14 state funding, inclusive of inflation costs. Subject to this funding
15 constraint, the rescoped project must maximize capacity improvements
16 along the rail mainline.

17 (e) Within the amounts provided in this section, \$3,600,000 of the
18 multimodal transportation account--state appropriation is for work
19 items on the Palouse River and Coulee City Railroad lines.

20 (2) The multimodal transportation account--state appropriation
21 includes up to (~~(\$144,500,000)~~) \$91,000,000 in proceeds from the sale
22 of bonds authorized by RCW 47.10.867.

23 (3) The department is directed to seek the use of unprogrammed
24 federal rail crossing funds to be expended in lieu of or in addition to
25 state funds for eligible costs of projects in Program Y, including, but
26 not limited to the "Tacoma -- bypass of Pt. Defiance" project.

27 (4) If new federal funding for freight or passenger rail is
28 received, the department shall consult with the transportation
29 committees of the legislature and the office of financial management
30 prior to spending the funds on existing or additional projects.

31 (5) The department shall sell any ancillary property, acquired when
32 the state purchased the right-of-ways to the PCC rail line system, to
33 a lessee of the ancillary property who is willing to pay fair market
34 value for the property. The department shall deposit the proceeds from
35 the sale of ancillary property into the transportation infrastructure
36 account.

37 (6)(a) The department shall develop and implement the
38 benefit/impact evaluation methodology recommended in the statewide rail

1 capacity and needs study finalized in December 2006. The
2 benefit/impact evaluation methodology shall be developed using the
3 following priorities, in order of relative importance:

4 (i) Economic, safety, or environmental advantages of freight
5 movement by rail compared to alternative modes;

6 (ii) Self-sustaining economic development that creates family-wage
7 jobs;

8 (iii) Preservation of transportation corridors that would otherwise
9 be lost;

10 (iv) Increased access to efficient and cost-effective transport to
11 market for Washington's agricultural and industrial products;

12 (v) Better integration and cooperation within the regional,
13 national, and international systems of freight distribution; and

14 (vi) Mitigation of impacts of increased rail traffic on
15 communities.

16 (b) The department shall convene a work group to collaborate on the
17 development of the benefit/impact analysis method to be used in the
18 evaluation. The work group must include, at a minimum, the freight
19 mobility strategic investment board, the department of agriculture, and
20 representatives from the various users and modes of the state's rail
21 system.

22 (c) The department shall use the benefit/impact analysis and
23 priorities in (a) of this subsection when submitting requests for state
24 funding for rail projects. The department shall develop a standardized
25 format for submitting requests for state funding for rail projects that
26 includes an explanation of the analysis undertaken, and the conclusions
27 derived from the analysis.

28 (d) The department and the freight mobility strategic investment
29 board shall collaborate to submit a report to the office of financial
30 management and the transportation committees of the legislature by
31 September 1, 2008, listing proposed freight highway and rail projects.
32 The report must describe the analysis used for selecting such projects,
33 as required by this act for the department and as required by chapter
34 47.06A RCW for the board. When developing its list of proposed freight
35 highway and rail projects, the freight mobility strategic investment
36 board shall use the priorities identified in (a) of this subsection to
37 the greatest extent possible.

1 (7) The department shall apply at the earliest possible date for
2 grants, pursuant to the new competitive intercity rail grant program
3 announced by the federal railroad administration on February 19, 2008,
4 for any projects that may qualify for such federal grants and are
5 currently identified on the project list referenced in subsection
6 (1)(a) of this section.

7 (8) Up to \$8,500,000 of any underexpenditures of state funding
8 designated on the project list referenced in subsection (1)(a) of this
9 section for the "Vancouver-Rail Bypass and W 39th Street Bridge"
10 project may be used to upgrade, to class 2 condition, track owned by
11 Clark county between Vancouver and Battle Ground.

12 (9) Up to \$400,000 of the multimodal transportation account--state
13 appropriation is contingent upon the port of Chehalis submitting a full
14 copy of the FEMA application packet to the department in order to
15 assist the department in verifying the scope of the repairs and the
16 rail transportation value of the project identified on the project list
17 referenced in subsection (1)(a) of this section as "Port of
18 Chehalis-Track Rehabilitation" (F01002A).

19 (10) \$500,000 of the transportation infrastructure account--state
20 appropriation is provided solely for grants to any intergovernmental
21 entity or local rail district to which the department of transportation
22 assigns the management and oversight responsibility for the business
23 and economic development elements of existing operating leases on the
24 Palouse River and Coulee City (PCC) rail lines. The PCC rail line
25 system is made up of the CW, P&L, and PV Hooper rail lines. Business
26 and economic development elements include such items as levels of
27 service and business operating plans, but shall not include the state's
28 oversight of railroad regulatory compliance, rail infrastructure
29 condition, or real property management issues. The PCC rail system
30 must be managed in a self-sustaining manner and best efforts shall be
31 used to ensure that it does not require state capital or operating
32 subsidy beyond the level of state funding expended on it to date. The
33 assignment of the stated responsibilities to an intergovernmental
34 entity or rail district shall be on such terms and conditions as the
35 department of transportation and the intergovernmental entity or rail
36 district mutually agree. The grant funds may be used only to refurbish
37 the rail lines. It is the intent of the legislature to make the funds
38 appropriated in this section available as grants to an

1 intergovernmental entity or local rail district for the purposes stated
2 in this section at least until June 30, 2012, and to reappropriate as
3 necessary any portion of the appropriation in this section that is not
4 used by June 30, 2009.

5 **Sec. 309.** 2008 c 121 s 311 (uncodified) is amended to read as
6 follows:

7 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
8 **CAPITAL**

9	Highway Infrastructure Account--State Appropriation	\$207,000
10	Highway Infrastructure Account--Federal	
11	Appropriation	\$1,602,000
12	Freight Mobility Investment Account--State	
13	Appropriation	((\$12,378,000))
14		<u>\$5,630,000</u>
15	Transportation Partnership Account--State	
16	Appropriation	((\$3,906,000))
17		<u>\$2,543,000</u>
18	Motor Vehicle Account--State Appropriation	((\$12,870,000))
19		<u>\$7,545,000</u>
20	Motor Vehicle Account--Federal Appropriation	((\$63,823,000))
21		<u>\$30,916,000</u>
22	Freight Mobility Multimodal Account--State	
23	Appropriation	((\$12,750,000))
24		<u>\$4,848,000</u>
25	Freight Mobility Multimodal Account--	
26	Private/Local Appropriation	((\$3,755,000))
27		<u>\$750,000</u>
28	Multimodal Transportation Account--Federal	
29	Appropriation	((\$4,224,000))
30		<u>\$3,520,000</u>
31	Multimodal Transportation Account--State	
32	Appropriation	((\$32,134,000))
33		<u>\$17,517,000</u>
34	Transportation 2003 Account (Nickel Account)--State	
35	Appropriation	((\$2,721,000))
36		<u>\$2,012,000</u>
37	Passenger Ferry Account--State Appropriation	((\$8,500,000))

1 \$4,000,000
 2 TOTAL APPROPRIATION ((~~\$158,870,000~~))
 3 \$81,090,000

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

6 (1) The department shall, on a quarterly basis, provide status
 7 reports to the legislature on the delivery of projects as outlined in
 8 the project lists incorporated in this section. For projects funded by
 9 new revenue in the 2003 and 2005 transportation packages, reporting
 10 elements shall include, but not be limited to, project scope, schedule,
 11 and costs. Other projects may be reported on a programmatic basis.
 12 The department shall also provide the information required under this
 13 subsection on a quarterly basis via the transportation executive
 14 information system (TEIS).

15 (2) (~~(\$8,500,000)~~) \$4,000,000 of the passenger ferry account--state
 16 appropriation is provided solely for near and long-term costs of
 17 capital improvements in a business plan approved by the governor for
 18 passenger ferry service.

19 (3) The department shall seek the use of unprogrammed federal rail
 20 crossing funds to be expended in lieu of or in addition to state funds
 21 for eligible costs of projects in local programs, program Z capital.

22 (4) The department shall apply for surface transportation program
 23 (STP) enhancement funds to be expended in lieu of or in addition to
 24 state funds for eligible costs of projects in local programs, program
 25 Z capital.

26 (5) Federal funds may be transferred from program Z to programs I
 27 and P and state funds shall be transferred from programs I and P to
 28 program Z to replace those federal funds in a dollar-for-dollar match.
 29 Fund transfers authorized under this subsection shall not affect
 30 project prioritization status. Appropriations shall initially be
 31 allotted as appropriated in this act. The department may not transfer
 32 funds as authorized under this subsection without approval of the
 33 office of financial management. The department shall submit a report
 34 on those projects receiving fund transfers to the office of financial
 35 management and the transportation committees of the legislature by
 36 December 1, 2007, and December 1, 2008.

37 (6) The city of Winthrop may utilize a design-build process for the
 38 Winthrop bike path project. Of the amount appropriated in this section

1 for this project, \$500,000 of the multimodal transportation account--
2 state appropriation is contingent upon the state receiving from the
3 city of Winthrop \$500,000 in federal funds awarded to the city of
4 Winthrop by its local planning organization.

5 (7) (~~(\$11,591,224)~~) \$4,052,968 of the multimodal transportation
6 account--state appropriation(~~(, \$8,640,239 of the motor vehicle~~
7 ~~account--federal appropriation,)~~) and (~~(\$4,000,000)~~) \$3,412,837 of the
8 motor vehicle account--federal appropriation are provided solely for
9 the pedestrian and bicycle safety program projects and safe routes to
10 schools program projects identified in the LEAP Transportation Document
11 2007-A, pedestrian and bicycle safety program projects and safe routes
12 to schools program projects as developed April 20, 2007. Projects must
13 be allocated funding based on order of priority. The department shall
14 review all projects receiving grant awards under this program at least
15 semiannually to determine whether the projects are making satisfactory
16 progress. Any project that has been awarded funds, but does not report
17 activity on the project within one year of the grant award, shall be
18 reviewed by the department to determine whether the grant should be
19 terminated. The department shall promptly close out grants when
20 projects have been completed, and identify where unused grant funds
21 remain because actual project costs were lower than estimated in the
22 grant award.

23 (8) (~~Up to a maximum of \$5,000,000 of the multimodal~~
24 ~~transportation account--state appropriation and up to a maximum of~~
25 ~~\$2,000,000 of the motor vehicle account--federal appropriation are~~
26 ~~reappropriated for the pedestrian and bicycle safety program projects~~
27 ~~and safe routes to schools program projects identified in the LEAP~~
28 ~~transportation document 2006-B, pedestrian and bicycle safety program~~
29 ~~projects and safe routes to schools program projects as developed March~~
30 ~~8, 2006. Projects must be allocated funding based on order of~~
31 ~~priority. The department shall review all projects receiving grant~~
32 ~~awards under this program at least semiannually to determine whether~~
33 ~~the projects are making satisfactory progress. Any project that has~~
34 ~~been awarded funds, but does not report activity on the project within~~
35 ~~one year of the grant award, shall be reviewed by the department to~~
36 ~~determine whether the grant should be terminated. The department shall~~
37 ~~promptly close out grants when projects have been completed, and~~

1 ~~identify where unused grant funds remain because actual project costs~~
2 ~~were lower than estimated in the grant award.~~

3 ~~(9))~~ \$3,500,000 of the multimodal transportation account--federal
4 appropriation is provided solely for the Museum of Flight pedestrian
5 bridge safety project.

6 ~~((10) \$250,000))~~ (9) \$100,000 of the multimodal transportation
7 account--state appropriation is provided solely for the icicle rail
8 station in Leavenworth.

9 ~~((11))~~ (10) \$1,500,000 of the motor vehicle account--state
10 appropriation is provided solely for the Union Gap city road project.

11 ~~((12))~~ (11) \$250,000 of the motor vehicle account--state
12 appropriation is provided solely for the Saltwater state park bridge
13 project and off-site traffic control costs.

14 ~~((13))~~ (12) \$1,000,000 of the motor vehicle account--state
15 appropriation and ~~((\$4,688,000))~~ \$5,374,000 of the motor vehicle
16 account--federal appropriation are provided solely for the coal creek
17 parkway project.

18 ~~((14) \$250,000))~~ (13) \$150,790 of the multimodal transportation
19 account--state appropriation is provided solely for a streetcar
20 feasibility study in downtown Spokane.

21 ~~((15))~~ (14) \$500,000 of the motor vehicle account--~~(federal)~~
22 state appropriation is provided solely for slide repairs completed
23 during 2007 and 2008 at or in the vicinity of marine view drive bridge
24 on Marine View Drive and on Des Moines Memorial Drive in Des Moines.

25 ~~((16) \$1,100,000))~~ (15) \$225,000 of the motor vehicle account--
26 state appropriation is provided solely for local road improvements that
27 connect to the I-82 valley mall boulevard project (5082010). ~~((Planned~~
28 ~~funding of an additional \$2,000,000 shall be made available to this~~
29 ~~project in the 2009-11 biennium.~~

30 ~~(17) \$2,400,000 of the motor vehicle account--state appropriation~~
31 ~~is provided solely for completion of the riverside avenue extension~~
32 ~~project in the city of Spokane.~~

33 ~~(18))~~ \$2,875,000 is programmed to coincide with the I-82 valley
34 mall boulevard project (5082010).

35 (16) For the 2007-09 project appropriations, unless otherwise
36 provided in this act, the director of financial management may
37 authorize a transfer of appropriation authority between projects

1 managed by the freight mobility strategic investment board, in order
2 for the board to manage project spending and efficiently deliver all
3 projects in the respective program.

4 **TRANSFERS AND DISTRIBUTIONS**

5 **Sec. 401.** 2008 c 121 s 401 (uncodified) is amended to read as
6 follows:

7 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
8 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND**
9 **DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND**
10 **REVENUE**

11	Highway Bond Retirement Account Appropriation	((\$544,061,000))
12		<u>\$515,861,000</u>
13	Ferry Bond Retirement Account Appropriation	\$37,380,000
14	Transportation Improvement Board Bond Retirement	
15	Account--State Appropriation	((\$26,822,000))
16		<u>\$26,462,000</u>
17	Nondebt-Limit Reimbursable Account Appropriation	((\$13,059,000))
18		<u>\$8,248,000</u>
19	Transportation Partnership Account--State	
20	Appropriation	((\$1,823,000))
21		<u>\$2,223,000</u>
22	Motor Vehicle Account--State Appropriation	((\$457,000))
23		<u>\$301,000</u>
24	Transportation Improvement Account--State Appropriation	\$68,000
25	Multimodal Transportation Account--State	
26	Appropriation	((\$675,000))
27		<u>\$337,000</u>
28	Transportation 2003 Account (Nickel Account)--State	
29	Appropriation	((\$2,003,000))
30		<u>\$2,503,000</u>
31	Urban Arterial Trust Account--State Appropriation	\$113,000
32	Special Category C Account Appropriation	((\$99,000))
33		<u>\$78,000</u>
34	TOTAL APPROPRIATION	((\$626,560,000))
35		<u>\$593,574,000</u>

1 **Sec. 405.** 2008 c 121 s 406 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF LICENSING--TRANSFERS**

4 Motor Vehicle Account--State
5 Appropriation: For motor vehicle
6 fuel tax refunds and transfers ((~~\$445,345,000~~))
7 \$480,666,000

8 **Sec. 406.** 2008 c 121 s 407 (uncodified) is amended to read as
9 follows:

10 **FOR THE STATE TREASURER--ADMINISTRATIVE TRANSFERS**

11 (1) Recreational Vehicle Account--State
12 Appropriation: For transfer to the Motor Vehicle
13 Account--State \$4,505,000

14 (2) License Plate Technology Account--State
15 Appropriation: For the Multimodal Transportation
16 Account--State \$4,500,000

17 (3) Motor Vehicle Account--State Appropriation:
18 For transfer to the High-Occupancy Toll Lanes Operations--
19 State Account \$3,000,000

20 (4) Motor Vehicle Account--State Appropriation:
21 For transfer to the Puget Sound Capital Construction
22 Account--State ((~~\$20,000,000~~))
23 \$11,700,000

24 (5) Multimodal Transportation Account--State
25 Appropriation: For transfer to the Puget Sound
26 Ferry Operations Account--State ((~~\$66,000,000~~))
27 \$83,000,000

28 (6) Advanced Right-of-Way Revolving Account--State
29 Appropriation: For transfer to the Motor Vehicle
30 Account--State \$30,000,000

31 (7) Waste Tire Removal Account--State Appropriation:
32 For transfer to the Motor Vehicle Account--State \$5,600,000

33 (8) Motor Vehicle Account--State Appropriation:
34 For transfer to the Puget Sound Ferry Operations Account--
35 State \$3,000,000

36 (9) (~~Multimodal Transportation Account--State~~
37 ~~Appropriation: For transfer to the Transportation~~

1	Infrastructure Account--State	\$6,600,000
2	(10)) Highway Safety Account--State Appropriation:	
3	For transfer to the Multimodal Transportation	
4	Account--State	\$9,500,000
5	((11) Urban Arterial Trust Account--State Appropriation:	
6	For transfer to the Small City Pavement and Sidewalk	
7	Account--State	\$1,400,000))
8	<u>(10) Highway Infrastructure Account--State</u>	
9	<u>Appropriation: For transfer to the Transportation 2003</u>	
10	<u>Account (Nickel Account)--State</u>	<u>\$2,000,000</u>
11	<u>(11) Transportation Partnership Account--State</u>	
12	<u>Appropriation: For transfer to the Transportation 2003</u>	
13	<u>Account (Nickel Account)--State</u>	<u>\$41,500,000</u>
14	<u>(12) Highway Safety Account--State Appropriation:</u>	
15	<u>For transfer to the State Patrol Highway</u>	
16	<u>Account--State</u>	<u>\$7,000,000</u>
17	<u>(13) Regional Mobility Grant Program Account--State</u>	
18	<u>Appropriation: For transfer to the Motor Vehicle</u>	
19	<u>Account--State</u>	<u>\$17,000,000</u>
20	<u>(14) Multimodal Transportation Account--State</u>	
21	<u>Appropriation: For transfer to the Special Category C</u>	
22	<u>Account--State</u>	<u>\$2,000,000</u>
23	<u>(15) Multimodal Transportation Account--State</u>	
24	<u>Appropriation: For transfer to the Transportation 2003</u>	
25	<u>Account (Nickel Account)--State</u>	<u>\$11,000,000</u>
26	<u>(16) Miscellaneous Transportation Programs</u>	
27	<u>Account--State Appropriation: For transfer to the Motor</u>	
28	<u>Vehicle Account--State</u>	<u>\$10,000,000</u>
29	<u>(17) Transportation Infrastructure Account--State</u>	
30	<u>Appropriation: For transfer to the Multimodal</u>	
31	<u>Transportation Account--State</u>	<u>\$5,000,000</u>

32 The transfers identified in this section are subject to the
33 following conditions and limitations: The amount transferred in
34 subsection (3) of this section may be spent only on "highway purposes"
35 as that term is construed in Article II, section 40 of the Washington
36 state Constitution.

MISCELLANEOUS 2007-09 BIENNIUM

Sec. 501. 2008 c 121 s 605 (uncodified) is amended to read as follows:

SPECIAL APPROPRIATIONS TO THE GOVERNOR--INSURANCE ACCOUNTING SYSTEM

Table listing various state appropriations with amounts: Aeronautics Account--State Appropriation \$2,000; State Patrol Highway Account--State Appropriation \$338,000; Puget Sound Capital Construction Account--State Appropriation \$24,000; Transportation Partnership Account--State Appropriation \$44,000; Highway Safety Account--State Appropriation \$120,000; Motor Vehicle Account--State Appropriation \$882,000; Puget Sound Ferry Operating Account--State Appropriation \$294,000; Urban Arterial Trust Account--State Appropriation \$2,000; Transportation Improvement Account--State Appropriation \$2,000; Department of Licensing Services Account--State Appropriation \$2,000; Multimodal Transportation Account--State Appropriation \$12,000; Tacoma Narrows Bridge Toll Account--State Appropriation \$10,000; Transportation 2003 Account (Nickel Account)--State Appropriation \$120,000; TOTAL APPROPRIATION \$1,852,000.

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section fund various state transportation agencies to support the state insurance accounting system. ((From the applicable accounts, the office of financial management shall reduce allotments to the respective agencies by an amount that conforms with the insurance accounting system special appropriations enacted in the 2008 supplemental omnibus appropriations act, Engrossed Substitute House Bill No. 2687 (chapter . . . , Laws of 2008). The allotment reductions under this section shall be placed in reserve status and remain unexpended.)) The appropriations in this section are provided solely for expenditure into the health care authority administrative account.

NEW SECTION. Sec. 502. 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.

1 NEW SECTION. **Sec. 503.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of the
3 state government and its existing public institutions, and takes effect
4 immediately.

(End of bill)

INDEX	PAGE #
COUNTY ROAD ADMINISTRATION BOARD	6, 37
DEPARTMENT OF LICENSING	13
TRANSFERS	65
DEPARTMENT OF TRANSPORTATION	17
AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 IMPROVEMENTS AND PRESERVATION	2
AVIATION--PROGRAM F	20
CHARGES FROM OTHER AGENCIES--PROGRAM U	28
FACILITIES--PROGRAM D--OPERATING	20
HIGHWAY MAINTENANCE--PROGRAM M	21
IMPROVEMENTS--PROGRAM I	40
INFORMATION TECHNOLOGY--PROGRAM C	18
LOCAL PROGRAMS--PROGRAM Z--CAPITAL	59
MARINE--PROGRAM X	33
PRESERVATION--PROGRAM P	47
PROGRAM D (DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)--CAPITAL	39
PROGRAM DELIVERY MANAGEMENT AND SUPPORT--PROGRAM H	20
PUBLIC TRANSPORTATION--PROGRAM V	29
RAIL--PROGRAM Y--CAPITAL	54
RAIL--PROGRAM Y--OPERATING	36
TOLL OPERATIONS AND MAINTENANCE--PROGRAM B	17
TRAFFIC OPERATIONS--PROGRAM Q--OPERATING	23
TRAFFIC OPERATIONS--PROGRAM Q--CAPITAL	50
TRANSPORTATION PLANNING, DATA, AND RESEARCH--PROGRAM T	25
WASHINGTON STATE FERRIES CONSTRUCTION--PROGRAM W	51
JOINT TRANSPORTATION COMMITTEE	7
MARINE EMPLOYEES COMMISSION	5
SPECIAL APPROPRIATIONS TO THE GOVERNOR--INSURANCE ACCOUNTING SYSTEM	67
STATE TREASURER	
ADMINISTRATIVE TRANSFERS	65
BOND RETIREMENT AND INTEREST	63, 64
STATE REVENUES FOR DISTRIBUTION	64
TRANSFERS	64
TRANSPORTATION COMMISSION	9
TRANSPORTATION IMPROVEMENT BOARD	6, 38
WASHINGTON STATE PATROL	13
FIELD OPERATIONS BUREAU	10

INVESTIGATIVE SERVICES BUREAU 12
TECHNICAL SERVICES BUREAU 12
WASHINGTON TRAFFIC SAFETY COMMISSION 5

--- END ---