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**BILL REQUEST - CODE REVISER'S OFFICE**

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BILL REQ. #: H-4270.6/12 6th draft

ATTY/TYPIST: BP:lcl

BRIEF DESCRIPTION: Making 2011-2013 supplemental transportation appropriations.

1 AN ACT Relating to transportation funding and appropriations;  
2 amending RCW 43.19.642; amending 2011 c 367 ss 101, 103, 105, 106, 201,  
3 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215,  
4 216, 217, 218, 219, 220, 221, 222, 223, 301, 302, 303, 304, 305, 306,  
5 307, 308, 309, 310, 401, 402, 403, 404, 405, 406, 407, 502, 503, 505,  
6 and 603 (uncodified); adding new sections to 2011 c 367 (uncodified);  
7 repealing 2011 1st sp.s. c 50 ss 718, 719, 720, and 721 (uncodified);  
8 making appropriations and authorizing expenditures for capital  
9 improvements; and declaring an emergency.

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

11 **2011-2013 FISCAL BIENNIUM**  
12 **GENERAL GOVERNMENT AGENCIES--OPERATING**

13 **Sec. 101.** 2011 c 367 s 101 (uncodified) is amended to read as  
14 follows:

15 **FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**  
16 Motor Vehicle Account--State Appropriation . . . . . ((\$430,000))  
17 \$415,000

1 The appropriation in this section is subject to the following  
2 conditions and limitations: The entire appropriation is provided  
3 solely for staffing costs to be dedicated to state transportation  
4 activities. Staff hired to support transportation activities must have  
5 practical experience with complex construction projects.

6 **Sec. 102.** 2011 c 367 s 103 (uncodified) is amended to read as  
7 follows:

8 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

9 Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$2,216,000</del> ))
	<u>\$1,727,000</u>
11 Puget Sound Ferry Operations Account--State	
12 Appropriation . . . . .	(( <del>\$4,624,000</del> ))
	<u>\$1,260,000</u>
14 TOTAL APPROPRIATION . . . . .	(( <del>\$6,840,000</del> ))
	<u>\$2,987,000</u>

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

18 (1) The office of financial management, in consultation with the  
19 transportation committees of the legislature, shall conduct a budget  
20 evaluation study for the new traffic management center proposed by the  
21 department of transportation. The study must consider data resulting  
22 from the plan identified in section 604 of this act. The budget  
23 evaluation study team approach using value engineering techniques must  
24 be utilized by the office of financial management in conducting the  
25 study. The office of financial management shall select the budget  
26 evaluation study team members, contract for the study, and report the  
27 results to the transportation committees of the legislature and the  
28 department of transportation in a timely manner following the study.  
29 Options reviewed must include use of existing facilities, including the  
30 Wheeler building data center in Olympia. Funds allocated for the new  
31 traffic management center must be used by the office of financial  
32 management through an interagency agreement with the department of  
33 transportation to cover the cost of the study.

34 (2) (~~(\$4,480,000 of the Puget Sound ferry operations account--state~~  
35 ~~appropriation is provided solely for marine insurance. The~~  
36 ~~appropriation is intended to fully fund a two-year policy, and the~~  
37 ~~office of financial management shall increase the deductible to~~

1 ~~\$10,000,000 and reduce components of the policy in order to keep the~~  
2 ~~total cost of the two-year policy at or below the appropriation in this~~  
3 ~~subsection.~~

4 ~~(+5))~~ \$1,116,000 of the Puget Sound ferry operations account--state  
5 appropriation is provided solely for marine insurance. The amount in  
6 this subsection as well as the amount in section 103(2) of this act is  
7 intended to fully fund a two-year policy. For fiscal year 2012, the  
8 office of financial management shall increase the deductible to ten  
9 million dollars and reduce components of the policy in order to keep  
10 the total cost of the two-year policy at or below the appropriation in  
11 this subsection and section 103(2) of this act.

12 (3) \$840,000 of the motor vehicle account--state appropriation is  
13 provided out of funds set aside out of statewide fuel taxes distributed  
14 to counties according to RCW 46.68.120(3) solely for the office of  
15 financial management to contract with the Washington state association  
16 of counties to identify, evaluate, and implement performance measures  
17 associated with county transportation activities. The performance  
18 measures must include, at a minimum, those related to safety, system  
19 preservation, mobility, environmental protection, and project  
20 completion. A report on the county transportation performance  
21 implementation project must be provided to the transportation  
22 committees of the legislature by December 31, 2012.

23 ~~((+6))~~ (4) \$169,000 of the motor vehicle account--state  
24 appropriation is provided solely for the office of regulatory  
25 assistance integrated permitting project.

26 ~~((+7))~~ (5) \$40,000 of the Puget Sound ferry operations account--  
27 state appropriation is provided solely for the state's share of the  
28 marine salary survey.

29 ~~((+8))~~ (6) The office of financial management shall study the  
30 available data regarding statewide transit, bicycle, and pedestrian  
31 trips and recommend additional performance measures that will  
32 effectively measure the state's performance in increasing transit  
33 ridership and bicycle and pedestrian trips. The office of financial  
34 management shall report its findings and recommendations to the  
35 transportation committees of the legislature by November 15, 2011, and  
36 integrate the new performance measures into the report prepared by the  
37 office of financial management pursuant to RCW 47.04.280 regarding

1 progress towards achieving Washington state's transportation system  
2 policy goals.

3 NEW SECTION. **Sec. 103.** A new section is added to 2011 c 367  
4 (uncodified) to read as follows:

5 **FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

6 Motor Vehicle Account--State Appropriation . . . . .	\$462,000
7 Puget Sound Ferry Operations Account--State	
8 Appropriation . . . . .	\$3,360,000
9 TOTAL APPROPRIATION . . . . .	\$3,822,000

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

12 (1) \$462,000 of the motor vehicle account--state appropriation is  
13 provided solely for the transportation executive management system.

14 (2) \$3,360,000 of the Puget Sound ferry operations account--state  
15 appropriation is provided solely for marine insurance. The amount in  
16 this subsection as well as the amount in section 102(2) of this act is  
17 intended to fully fund a two-year policy. For fiscal year 2013, the  
18 department of enterprise services shall increase the deductible to ten  
19 million dollars and reduce components of the policy in order to keep  
20 the total cost of the two-year policy at or below the appropriation in  
21 this subsection and section 102(2) of this act.

22 NEW SECTION. **Sec. 104.** A new section is added to 2011 c 367  
23 (uncodified) to read as follows:

24 **FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

25 Puget Sound Ferry Operations Account--State	
26 Appropriation . . . . .	\$75,000

27 The appropriation in this section is subject to the following  
28 conditions and limitations: \$75,000 of the Puget Sound ferry  
29 operations account--state appropriation is provided solely for  
30 implementing chapter 16, Laws of 2011 1st sp. sess. (Washington state  
31 ferry system). \$43,200 of the appropriation is provided solely for  
32 closing out the marine employees' commission lease agreement in fiscal  
33 year 2012, and the remainder of the appropriation is provided solely  
34 for costs associated with marine employees' commission commissioner  
35 payments and travel.

1       **Sec. 105.** 2011 c 367 s 105 (uncodified) is amended to read as  
2 follows:

3 **FOR THE DEPARTMENT OF AGRICULTURE**

4 Motor Vehicle Account--State Appropriation . . . . . ((~~\$1,210,000~~))  
5 \$1,183,000

6       The appropriation in this section is subject to the following  
7 conditions and limitations:

8       (1) \$351,000 of the motor vehicle account--state appropriation is  
9 provided solely for costs associated with the motor fuel quality  
10 program.

11       (2) \$686,000 of the motor vehicle account--state appropriation is  
12 provided solely to test the quality of biofuel. The department must  
13 test fuel quality at the biofuel manufacturer, distributor, and  
14 retailer.

15       **Sec. 106.** 2011 c 367 s 106 (uncodified) is amended to read as  
16 follows:

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

18 Motor Vehicle Account--State Appropriation . . . . . ((~~\$513,000~~))  
19 \$492,000

20 **TRANSPORTATION AGENCIES--OPERATING**

21       **Sec. 201.** 2011 c 367 s 201 (uncodified) is amended to read as  
22 follows:

23 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

24 Highway Safety Account--State Appropriation . . . . . ((~~\$3,003,000~~))  
25 \$2,982,000

26 Highway Safety Account--Federal Appropriation . . . . . ((~~\$42,625,000~~))  
27 \$42,502,000

28 Highway Safety Account--Private/Local Appropriation . . . . . \$50,000

29 School Zone Safety Account--State Appropriation . . . . . \$3,340,000

30       TOTAL APPROPRIATION . . . . . ((~~\$49,018,000~~))  
31 \$48,874,000

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

1 (1) \$1,673,900 of the highway safety account--federal appropriation  
2 is provided solely for the conclusion of the target zero trooper pilot  
3 program, which the commission has developed and implemented in  
4 collaboration with the Washington state patrol. The pilot program must  
5 continue to demonstrate the effectiveness of intense, high visibility,  
6 driving under the influence enforcement in Washington. The commission  
7 shall continue to apply to the national highway traffic safety  
8 administration for federal highway safety grants to cover the cost of  
9 the pilot program. State funding is provided in section 207 of this  
10 act for the state patrol to continue the target zero trooper program in  
11 fiscal year 2013.

12 (2) The commission may oversee pilot projects implementing the use  
13 of automated traffic safety cameras to detect speed violations within  
14 cities west of the Cascade mountains that have a population over one  
15 hundred ninety-five thousand. For the purposes of pilot projects in  
16 this subsection, no more than one automated traffic safety camera may  
17 be used to detect speed violations within any one jurisdiction.

18 (a) The commission shall comply with RCW 46.63.170 in administering  
19 the pilot projects.

20 (b) In order to ensure adequate time in the 2011-2013 fiscal  
21 biennium to evaluate the effectiveness of the pilot projects, any  
22 projects authorized by the commission must be authorized by December  
23 31, 2011.

24 (c) By January 1, 2013, the commission shall provide a report to  
25 the legislature regarding the use, public acceptance, outcomes, and  
26 other relevant issues regarding automated traffic safety cameras  
27 demonstrated by the pilot projects.

28 (3) \$460,000 of the highway safety account--state appropriation is  
29 provided solely for the implementation of chapter ... (Engrossed Second  
30 Substitute House Bill No. 1789), Laws of 2011 (addressing DUI  
31 accountability). If chapter ... (Engrossed Second Substitute House  
32 Bill No. 1789), Laws of 2011 is not enacted by June 30, 2011, the  
33 amount provided in this subsection lapses.

34 (4) The commission shall conduct a review of the literature on  
35 potential safety benefits realized from drivers using their headlights  
36 and windshield wipers simultaneously and shall report to the  
37 transportation committees of the legislature by December 1, 2011.

1 (5) \$22,000,000 of the highway safety account--federal  
2 appropriation is provided solely for federal funds that may be  
3 obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the  
4 2011-2013 fiscal biennium.

5 **Sec. 202.** 2011 c 367 s 202 (uncodified) is amended to read as  
6 follows:

7 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

8	Rural Arterial Trust Account--State Appropriation . . . . .	(( <del>\$948,000</del> ))
9		<u>\$914,000</u>
10	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$2,161,000</del> ))
11		<u>\$2,086,000</u>
12	County Arterial Preservation Account--State	
13	Appropriation . . . . .	(( <del>\$1,480,000</del> ))
14		<u>\$1,426,000</u>
15	TOTAL APPROPRIATION . . . . .	(( <del>\$4,589,000</del> ))
16		<u>\$4,426,000</u>

17 The appropriations in this section are subject to the following  
18 conditions and limitations: The county road administration board shall  
19 submit a report to the transportation committees of the legislature by  
20 December 1, 2011, on the implementation of the recommendations that  
21 resulted from the evaluation of efficiencies in the delivery of  
22 transportation funding and services to local governments that was  
23 required under section 204(8), chapter 247, Laws of 2010. The report  
24 must include a description of how recommendations were implemented,  
25 what efficiencies were achieved, and an explanation of any  
26 recommendations that were not implemented.

27 **Sec. 203.** 2011 c 367 s 203 (uncodified) is amended to read as  
28 follows:

29 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

30	Transportation Improvement Account--State	
31	Appropriation . . . . .	(( <del>\$3,707,000</del> ))
32		<u>\$3,621,000</u>

33 The appropriation in this section is subject to the following  
34 conditions and limitations: The transportation improvement board shall  
35 submit a report to the transportation committees of the legislature by  
36 December 1, 2011, on the implementation of the recommendations that



1 resulted from the evaluation of efficiencies in the delivery of  
2 transportation funding and services to local governments that was  
3 required under section 204(8), chapter 247, Laws of 2010. The report  
4 must include a description of how recommendations were implemented,  
5 what efficiencies were achieved, and an explanation of any  
6 recommendations that were not implemented.

7 **Sec. 204.** 2011 c 367 s 204 (uncodified) is amended to read as  
8 follows:

9 **FOR THE JOINT TRANSPORTATION COMMITTEE**

10 Motor Vehicle Account--State Appropriation . . . . . (~~(\$2,060,000)~~)  
11 \$1,978,000

12 The appropriation in this section is subject to the following  
13 conditions and limitations:

14 (1) \$200,000 of the motor vehicle account--state appropriation is  
15 for a study of Washington state ferries fares that recommends the most  
16 appropriate fare media for use with the reservation system and the  
17 implementation of demand management pricing and interoperability with  
18 other payment methods. The study must include direct collaboration  
19 with transportation commission members.

20 (~~(+3)~~) (2) \$200,000 of the motor vehicle account--state  
21 appropriation is from the cities statewide fuel tax distributions under  
22 RCW 46.68.110(2) for the joint transportation committee to study and  
23 make recommendations on RCW 90.03.525. The study must include: (a) An  
24 inventory of state highways subject to the federal clean water act (40  
25 C.F.R. Parts 122 through 124) (national pollutant discharge elimination  
26 system) that are within city boundaries; (b) a survey of cities that  
27 impose storm water fees or charges to the department of transportation,  
28 or otherwise manage storm water runoff from state highways within their  
29 jurisdiction; (c) case studies from a representative cross-section of  
30 cities on how the department and cities have used RCW 90.03.525; and  
31 (d) recommendations on how to achieve efficiencies in the cost and  
32 management of state highway storm water runoff within cities under RCW  
33 90.03.525.

34 (~~(+4)~~) (3) \$425,000 of the motor vehicle account--state  
35 appropriation is for the joint transportation committee to conduct a  
36 study to evaluate the potential for financing state transportation  
37 projects using public-private partnerships. The study must compare the

1 costs, advantages, and disadvantages of various forms of public-private  
2 partnerships with conventional financing. Projects to be evaluated  
3 include Interstate 405, state route number 509, state route number 167,  
4 the Columbia River crossing, and the Monroe bypass. At a minimum, the  
5 study must identify the public interest in the financing and  
6 construction of transportation projects, the public interest in the  
7 operation of transportation projects, and the provisions in public-  
8 private partnership agreements that best protect the public interest.  
9 To the extent possible, the study must identify the lowest-cost and  
10 best-value model for each project that best protects the public  
11 interest. In addition, the study must evaluate whether public-private  
12 partnerships serve the defined public interest including, but not  
13 limited to, the advantage and disadvantage of risk allocation, the  
14 effects of private versus public financing on the state's bonding  
15 capacity, the state's ability to retain public ownership of the asset,  
16 the process that would allow for the most transparency during the  
17 negotiation of terms of a public-private partnership agreement, and the  
18 state's ability to oversee the private entity's management of the  
19 asset. The study must identify any barriers to the implementation of  
20 funding models that best protect the public interest, including  
21 statutory and constitutional barriers. The committee shall issue a  
22 report of its evaluation to the house of representatives and senate  
23 transportation committees by December 16, 2011.

24 ((+5)) (4) \$100,000 of the motor vehicle account--state  
25 appropriation is for an investigation of the use of liquid natural gas  
26 on existing Washington state ferry vessels as well as the 144-car class  
27 vessels and report to the legislature by December 31, 2011.

28 **Sec. 205.** 2011 c 367 s 205 (uncodified) is amended to read as  
29 follows:

30 **FOR THE TRANSPORTATION COMMISSION**

31 Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$2,142,000</del> ))
	<u>\$2,866,000</u>
33 Multimodal Transportation Account--State Appropriation . . . .	\$112,000
34 TOTAL APPROPRIATION . . . . .	(( <del>\$2,254,000</del> ))
	<u>\$2,978,000</u>

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

1 (1) Consistent with RCW 43.135.055, 47.60.290, and 47.60.315,  
2 during the 2011-2013 fiscal biennium, the legislature authorizes the  
3 transportation commission to periodically review and, if necessary,  
4 adjust the schedule of fares for the Washington state ferry system only  
5 in amounts not greater than those sufficient to generate the amount of  
6 revenue required by the biennial transportation budget. When adjusting  
7 ferry fares, the commission must consider input from affected ferry  
8 users by public hearing and by review with the affected ferry advisory  
9 committees, in addition to the data gathered from the current ferry  
10 user survey.

11 (2) Consistent with RCW 43.135.055 and 47.46.100, during the  
12 2011-2013 fiscal biennium, the legislature authorizes the  
13 transportation commission to periodically review and, if necessary,  
14 adjust the schedule of toll charges applicable to the Tacoma Narrows  
15 bridge only in amounts not greater than those sufficient to support (a)  
16 any required costs for operating and maintaining the toll bridge,  
17 including the cost of insurance, (b) any amount required by law to meet  
18 the redemption of bonds and applicable interest payments, and (c)  
19 repayment of the motor vehicle fund.

20 ((+4)) (3) Consistent with its authority in RCW 47.56.840, the  
21 transportation commission shall consider the need for a citizen  
22 advisory group that provides oversight on new tolled facilities.

23 (4) \$775,000 of the motor vehicle account--state appropriation is  
24 provided solely to determine the feasibility of transitioning from the  
25 gas tax to a road user assessment system of paying for transportation.

26 (a) The transportation commission, with direction from the steering  
27 committee created in (b) of this subsection, must: Review relevant  
28 reports and data related to models of road user assessments and methods  
29 of transitioning to a road user assessment system; analyze the research  
30 to identify issues for policy decisions in Washington; make  
31 recommendations for the design of systemwide trials; develop a plan to  
32 assess public perspectives and educate the public on the current  
33 transportation funding system and options for a new system; and perform  
34 other tasks as deemed necessary by the steering committee.

35 (b) The transportation commission must convene a steering committee  
36 to provide direction to and guide the transportation commission's work.  
37 Membership of the steering committee must include, but is not limited  
38 to, members representing the following interests: The trucking

1 industry; business; cities and counties; public transportation;  
2 environmental; user fee technology; auto and light truck manufacturers;  
3 and the motoring public. In addition, a member from each of the two  
4 largest caucuses of the senate, appointed by the president of the  
5 senate, and a member from each of the two largest caucuses of the house  
6 of representatives, appointed by the speaker of the house of  
7 representatives, must serve on the steering committee.

8 (c) The transportation commission must update the governor and the  
9 legislature on this work by January 1, 2013. In addition, this update  
10 must include a plan and budget request for work to be completed during  
11 the 2013-2015 fiscal biennium.

12 **Sec. 206.** 2011 c 367 s 206 (uncodified) is amended to read as  
13 follows:

14 **FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**

15 Motor Vehicle Account--State Appropriation . . . . .	(((\$702,000))
16	<u>\$680,000</u>

17 The appropriation in this section is subject to the following  
18 conditions and limitations: The freight mobility strategic investment  
19 board shall submit a report to the transportation committees of the  
20 legislature by December 1, 2011, on the implementation of the  
21 recommendations that resulted from the evaluation of efficiencies in  
22 the delivery of transportation funding and services to local  
23 governments that was required under section 204(8), chapter 247, Laws  
24 of 2010. The report must include a description of how recommendations  
25 were implemented, what efficiencies were achieved, and an explanation  
26 of any recommendations that were not implemented.

27 **Sec. 207.** 2011 c 367 s 207 (uncodified) is amended to read as  
28 follows:

29 **FOR THE WASHINGTON STATE PATROL**

30 <del>((Vehicle Licensing Fraud Account--State Appropriation . . . \$100,000))</del>	
31 State Patrol Highway Account--State	
32 Appropriation . . . . .	(((\$349,812,000))
33	<u>\$355,048,000</u>
34 <u>Highway Safety Account--State Appropriation . . . . .</u>	<u>\$6,432,000</u>
35 State Patrol Highway Account--Federal	
36 Appropriation . . . . .	\$10,903,000

1 State Patrol Highway Account--Private/Local  
2 Appropriation . . . . . ((~~\$3,369,000~~))  
3 \$3,494,000  
4 TOTAL APPROPRIATION . . . . . ((~~\$364,184,000~~))  
5 \$375,877,000

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

8 (1) Washington state patrol officers engaged in off-duty uniformed  
9 employment providing traffic control services to the department of  
10 transportation or other state agencies may use state patrol vehicles  
11 for the purpose of that employment, subject to guidelines adopted by  
12 the chief of the Washington state patrol. The Washington state patrol  
13 must be reimbursed for the use of the vehicle at the prevailing state  
14 employee rate for mileage and hours of usage, subject to guidelines  
15 developed by the chief of the Washington state patrol. Cessna pilots  
16 funded from the state patrol highway account who are certified to fly  
17 the King Airs may pilot those aircraft for general fund purposes with  
18 the general fund reimbursing the state patrol highway account an hourly  
19 rate to cover the costs incurred during the flights since the aviation  
20 section is no longer part of the Washington state patrol cost  
21 allocation system as of July 1, 2009.

22 (2) The Washington state patrol shall continue to collaborate with  
23 the Washington traffic safety commission on the target zero trooper  
24 pilot program referenced in section 201(1) of this act.

25 (3) \$370,000 of the state patrol highway account--state  
26 appropriation is provided solely for costs associated with the pilot  
27 program described under section 216(5) of this act. The Washington  
28 state patrol may incur costs related only to the assignment of cadets  
29 and necessary computer equipment and to the reimbursement of the  
30 Washington state department of transportation for contract costs. The  
31 appropriation in this subsection must be funded from the portion of the  
32 automated traffic safety camera fines deposited into the state patrol  
33 highway account; however, if the fines deposited into the state patrol  
34 highway account from automated traffic safety camera infractions do not  
35 reach three hundred seventy thousand dollars, the department of  
36 transportation shall remit funds necessary to the Washington state  
37 patrol to ensure the completion of the pilot program. The Washington  
38 state patrol may not incur overtime as a result of this pilot program.

1 The Washington state patrol shall not assign troopers to operate or  
2 deploy the pilot program equipment used in the roadway construction  
3 zones.

4 (4) (~~(\$12,655,000)~~) \$12,178,000 of the total appropriation is  
5 provided solely for automobile fuel in the 2011-2013 fiscal biennium.  
6 The Washington state patrol shall analyze their fuel consumption and  
7 submit a report to the legislative transportation committees by  
8 December 31, 2011, on fuel conservation methods that could be used to  
9 minimize costs and ensure that the Washington state patrol is managing  
10 fuel consumption effectively.

11 (5) (~~(\$7,421,000)~~) \$7,672,000 of the total appropriation is  
12 provided solely for the purchase of pursuit vehicles.

13 (6) (~~(\$6,611,000)~~) \$6,695,000 of the total appropriation is  
14 provided solely for vehicle repair and maintenance costs of vehicles  
15 used for highway purposes.

16 (7) (~~(\$1,724,000)~~) \$1,865,000 of the total appropriation is  
17 provided solely for the purchase of mission vehicles used for highway  
18 purposes in the commercial vehicle and traffic investigation sections  
19 of the Washington state patrol.

20 (8) \$1,200,000 of the total appropriation is provided solely for  
21 outfitting officers. The Washington state patrol shall prepare a cost-  
22 benefit analysis of the standard trooper uniform as compared to a  
23 battle dress uniform and uniforms used by other states and  
24 jurisdictions. The Washington state patrol shall report the results of  
25 the analysis to the transportation committees of the legislature by  
26 December 1, 2011.

27 (9) The Washington state patrol shall not account for or record  
28 locally provided DUI cost reimbursement payments as expenditure credits  
29 to the state patrol highway account. The patrol shall report the  
30 amount of expected locally provided DUI cost reimbursements to the  
31 office of financial management and transportation committees of the  
32 legislature by September 30th of each year.

33 (10) During the 2011-2013 fiscal biennium, the Washington state  
34 patrol shall continue to perform traffic accident investigations on  
35 Thurston county roads, and shall work with Thurston county to  
36 transition the traffic accident investigations on Thurston county roads  
37 to Thurston county by July 1, 2013.

1        ~~(11) ((\$100,000 of the vehicle licensing fraud account--state~~  
2 ~~appropriation is provided solely to support the transportation portion~~  
3 ~~of the vehicle license fraud program during the 2011-2013 fiscal~~  
4 ~~biennium--)) \$2,187,000 of the state patrol highway account--state~~  
5 ~~appropriation is provided solely for mobile office platforms.~~

6        (12) \$1,500,000 of the state patrol highway account--state  
7 appropriation is provided solely for the auto theft investigation units  
8 in King county, the city of Spokane, and the city of Tacoma. If  
9 chapter ... (Engrossed Substitute Senate Bill No. 6455), Laws of 2012  
10 is not enacted by June 30, 2012, the amount provided in this subsection  
11 lapses.

12        (13) \$3,500,000 of the highway safety account--state appropriation  
13 is provided solely for equipment acquisition, installation,  
14 integration, and financing needs associated with the conversion of the  
15 existing communication system to narrowbanding as required by the  
16 federal communications commission. If chapter ... (Engrossed  
17 Substitute Senate Bill No. 6455), Laws of 2012 is not enacted by June  
18 30, 2012, the amount provided in this subsection lapses.

19        (14) \$900,000 of the highway safety account--state appropriation is  
20 provided solely for: The cadet detachment used to manage traffic and  
21 augment security at the Seattle ferry terminals; contracts for  
22 additional traffic control personnel for the Edmonds and Seattle ferry  
23 terminals; and K-9 explosives dogs. If chapter ... (Engrossed  
24 Substitute Senate Bill No. 6455), Laws of 2012 is not enacted by June  
25 30, 2012, the amount provided in this subsection lapses.

26        (15) \$3,500,000 of the state patrol highway account--state  
27 appropriation and \$1,600,000 of the highway safety account--state  
28 appropriation are provided solely for the ongoing operations of the  
29 Washington state patrol. If chapter ... (Engrossed Substitute Senate  
30 Bill No. 6455), Laws of 2012 is not enacted by June 30, 2012, the  
31 amount provided in this subsection lapses.

32        (16) \$432,000 of the highway safety account--state appropriation is  
33 provided solely for implementation of chapter . . . (Second Substitute  
34 House Bill No. 2443), Laws of 2012 (persons who drive impaired). If  
35 chapter . . . (Second Substitute House Bill No. 2443), Laws of 2012 is  
36 not enacted by June 30, 2012, the amount provided in this subsection  
37 lapses.

1       **Sec. 208.** 2011 c 367 s 208 (uncodified) is amended to read as  
2 follows:

3 **FOR THE DEPARTMENT OF LICENSING**

4	Marine Fuel Tax Refund Account--State Appropriation . . . . .	\$32,000
5	<u>License Plate Technology Account--State</u>	
6	<u>Appropriation . . . . .</u>	<u>\$1,250,000</u>
7	Motorcycle Safety Education Account--State	
8	Appropriation . . . . .	(( <del>\$4,411,000</del> ))
9		<u>\$4,365,000</u>
10	Wildlife Account--State Appropriation . . . . .	(( <del>\$859,000</del> ))
11		<u>\$825,000</u>
12	Highway Safety Account--State Appropriation . . . . .	(( <del>\$149,904,000</del> ))
13		<u>\$146,889,000</u>
14	Highway Safety Account--Federal Appropriation . . . . .	(( <del>\$2,884,000</del> ))
15		<u>\$4,299,000</u>
16	<u>Highway Safety Account--Private/Local Appropriation . . . . .</u>	<u>\$200,000</u>
17	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$78,586,000</del> ))
18		<u>\$76,034,000</u>
19	Motor Vehicle Account--Private/Local Appropriation . . .	(( <del>\$1,721,000</del> ))
20		<u>\$1,714,000</u>
21	Motor Vehicle Account--Federal Appropriation . . . . .	(( <del>\$242,000</del> ))
22		<u>\$380,000</u>
23	Department of Licensing Services Account--State	
24	Appropriation . . . . .	(( <del>\$5,815,000</del> ))
25		<u>\$6,095,000</u>
26	Ignition Interlock Device Revolving Account--State	
27	Appropriation . . . . .	(( <del>\$1,315,000</del> ))
28		<u>\$2,027,000</u>
29	TOTAL APPROPRIATION . . . . .	(( <del>\$245,769,000</del> ))
30		<u>\$244,110,000</u>

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

33       (1) ~~((~~\$62,000~~ of the motor vehicle account--state appropriation is~~  
34 ~~provided solely for the implementation of chapter ... (Engrossed~~  
35 ~~Substitute Senate Bill No. 5251), Laws of 2011 (electric vehicle fee).~~  
36 ~~If chapter ... (Engrossed Substitute Senate Bill No. 5251), Laws of~~  
37 ~~2011 is not enacted by June 30, 2011, the amount provided in this~~  
38 ~~subsection lapses.~~



1       ~~(2))~~ \$231,000 of the motor vehicle account--state appropriation is  
2 provided solely for the implementation of chapter ... (Substitute  
3 Senate Bill No. 5800), Laws of 2011 (off-road motorcycles). If chapter  
4 ... (Substitute Senate Bill No. 5800), Laws of 2011 is not enacted by  
5 June 30, 2011, the amount provided in this subsection lapses.

6       ~~((3))~~ (2) \$193,000 of the department of licensing services  
7 account--state appropriation is provided solely for a phased  
8 implementation of chapter ... (Substitute House Bill No. 1046), Laws of  
9 2011 (vehicle and vessel quick titles). Funding is contingent upon  
10 revenues associated with the vehicle and vessel quick title program  
11 paying all direct and indirect expenditures associated with the  
12 department's implementation of this subsection. If chapter ...  
13 (Substitute House Bill No. 1046), Laws of 2011 is not enacted by June  
14 30, 2011, the amount provided in this subsection lapses.

15       ~~((4) The department may seek federal funds to implement a driver's  
16 license and identicard biometric matching system pilot program to  
17 verify the identity of applicants for, and holders of, drivers'  
18 licenses and identicards if applicants are provided the opportunity to  
19 opt out of participating in the program, which meets the requirement of  
20 RCW 46.20.037 that such a program be voluntary. If funds are received,  
21 the department shall report any benefits or problems identified during  
22 the course of the pilot program to the transportation committees of the  
23 legislature upon the completion of the program.~~

24       ~~(5) \$1,938,000))~~ (3) The department may seek federal funds to  
25 implement a facial recognition matching system for drivers' licenses,  
26 permits, and identicards, consistent with Substitute House Bill No.  
27 2433 (facial recognition matching system).

28       (4) \$4,299,000 of the highway safety account--federal appropriation  
29 is for federal funds that may be received during the 2011-2013 fiscal  
30 biennium. Upon receipt of the funds, the department shall provide a  
31 report on the use of the funds to the transportation committees of the  
32 legislature and the office of financial management.

33       ~~((6))~~ (5) By December 31, 2011, the department shall submit to  
34 the office of financial management and the transportation committees of  
35 the legislature draft legislation that rewrites the tow truck statutes  
36 (chapter 46.55 RCW) in plain language and is revenue and policy  
37 neutral.

1        ~~((+7))~~ (6) \$128,000 of the highway safety account--state  
2 appropriation is provided solely for the implementation of chapter ...  
3 (Engrossed Substitute House Bill No. 1635), Laws of 2011 (driver's  
4 license exams). If chapter ... (Engrossed Substitute House Bill No.  
5 1635), Laws of 2011 is not enacted by June 30, 2011, the amount  
6 provided in this subsection lapses.

7        ~~((+8))~~ (7) \$68,000 of the highway safety account--state  
8 appropriation is provided solely for the implementation of chapter ...  
9 (Engrossed Second Substitute House Bill No. 1789), Laws of 2011  
10 ~~((driving under the influence))~~ (addressing DUI accountability). If  
11 chapter ... (Engrossed Second Substitute House Bill No. 1789), Laws of  
12 2011 is not enacted by June 30, 2011, the amount provided in this  
13 subsection lapses.

14        ~~((+9))~~ (8) \$63,000 of the highway safety account--state  
15 appropriation is provided solely for the implementation of chapter ...  
16 (Substitute House Bill No. 1237), Laws of 2011 (selective service  
17 system). If chapter ... (Substitute House Bill No. 1237), Laws of 2011  
18 is not enacted by June 30, 2011, the amount provided in this subsection  
19 lapses.

20        ~~((+10))~~ (9) \$340,000 of the motor vehicle account--private/local  
21 appropriation is provided solely for the implementation of chapter ...  
22 (Engrossed Substitute Senate Bill No. 5457), Laws of 2011 (congestion  
23 reduction charge). If chapter ... (Engrossed Substitute Senate Bill  
24 No. 5457), Laws of 2011 is not enacted by June 30, 2011, the amount  
25 provided in this subsection lapses.

26        ~~((+12))~~ (10) \$1,738,000 of the department of licensing services  
27 account--state appropriation is provided solely for purchasing  
28 equipment for field licensing service offices and subagent offices.

29        (11) \$176,000 of the highway safety account--state appropriation is  
30 provided solely for the implementation of Substitute House Bill No.  
31 2234 (notifying employers of commercial driver's license suspension).  
32 If Substitute House Bill No. 2234 is not enacted by June 30, 2012, the  
33 amount provided in this subsection lapses.

34        (12) \$34,000 of the motor vehicle account--state appropriation is  
35 provided solely for the implementation of Substitute House Bill No.  
36 2299 (4-H special license plates). If Substitute House Bill No. 2299  
37 is not enacted by June 30, 2012, the amount provided in this subsection  
38 lapses.

1       (13) \$69,000 of the motor vehicle account--state appropriation is  
2 provided solely for the implementation of Substitute House Bill No.  
3 2312 (military service award emblems). If Substitute House Bill No.  
4 2312 is not enacted by June 30, 2012, the amount provided in this  
5 subsection lapses.

6       (14) \$275,000 of the motor vehicle account--state appropriation is  
7 provided solely for the implementation of Substitute House Bill No.  
8 2751 (local option transportation revenue). If Substitute House Bill  
9 No. 2751 is not enacted by June 30, 2012, the amount provided in this  
10 subsection lapses.

11       (15) \$712,000 of the ignition interlock device revolving account--  
12 state appropriation is provided solely for the implementation of Second  
13 Substitute House Bill No. 2443 (DUI accountability). If Second  
14 Substitute House Bill No. 2443 is not enacted by June 30, 2012, the  
15 amount provided in this subsection lapses.

16       (16) \$420,000 of the highway safety account--state appropriation is  
17 provided solely for the implementation of chapter ... (Engrossed  
18 Substitute Senate Bill No. 6150), Laws of 2012 and chapter ...  
19 (Engrossed Substitute Senate Bill No. 6455), Laws of 2012. If chapter  
20 ... (Engrossed Substitute Senate Bill No. 6150), Laws of 2012 or  
21 chapter ... (Engrossed Substitute Senate Bill No. 6455), Laws of 2012  
22 are not enacted by June 30, 2012, the amount provided in this  
23 subsection lapses.

24       (17) Consistent with RCW 43.135.055 and 43.24.086, during the  
25 2011-2013 fiscal biennium, the legislature authorizes the department to  
26 adjust the business and vehicle fees for the for hire licensing program  
27 in amounts sufficient to recover the costs of administering the for  
28 hire licensing program.

29       **Sec. 209.** 2011 c 367 s 209 (uncodified) is amended to read as  
30 follows:

31	<b>FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND</b>	
32	<b>MAINTENANCE--PROGRAM B</b>	
33	High Occupancy Toll Lanes Operations Account--State	
34	Appropriation . . . . .	(((\$1,295,000))
35		\$1,274,000
36	Motor Vehicle Account--State Appropriation . . . . .	(((\$550,000))
37		\$537,000

1	Tacoma Narrows Toll Bridge Account--State	
2	Appropriation . . . . .	(( <del>\$23,429,000</del> ))
3		<u>\$23,361,000</u>
4	State Route Number 520 Corridor Account--State	
5	Appropriation . . . . .	\$27,295,000
6	State Route Number 520 Civil Penalties	
7	Account--State Appropriation . . . . .	(( <del>\$4,622,000</del> ))
8		<u>\$3,622,000</u>
9	TOTAL APPROPRIATION . . . . .	(( <del>\$57,191,000</del> ))
10		<u>\$56,089,000</u>

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

13       (1) The department shall make detailed quarterly expenditure  
14 reports available to the transportation commission and to the public on  
15 the department's web site using current department resources. The  
16 reports must include a summary of toll revenue by facility on all  
17 operating toll facilities and high occupancy toll lane systems, and an  
18 itemized depiction of the use of that revenue.

19       (2) \$4,622,000 of the state route number 520 civil penalties  
20 account--state appropriation and \$1,458,000 of the Tacoma Narrows toll  
21 bridge account--state appropriation are provided solely for  
22 expenditures related to the toll adjudication process. All costs  
23 associated with the toll adjudication process are anticipated to be  
24 covered by revenue collected from the toll adjudication process. The  
25 department shall report quarterly on the civil penalty process to the  
26 office of financial management and the house of representatives and  
27 senate transportation committees beginning September 30, 2011. The  
28 reports must include a summary table for each toll facility that  
29 includes: The number of notices of civil penalty issued; the number of  
30 recipients who pay before the notice becomes a penalty; the number of  
31 recipients who request a hearing and the number who do not respond;  
32 workload costs related to hearings; the cost and effectiveness of debt  
33 collection activities; and revenues generated from notices of civil  
34 penalty.

35       (3) It is the intent of the legislature that transitioning to a  
36 statewide tolling operations center and preparing for all-electronic  
37 tolling on certain toll facilities will have no adverse revenue or  
38 expenditure impact on the Tacoma Narrows toll bridge account. Any

1 increased costs related to this transition shall not be allocated to  
2 the Tacoma Narrows toll bridge account. (~~All costs associated with~~  
3 ~~the toll adjudication process are anticipated to be covered by revenue~~  
4 ~~collected from the toll adjudication process.~~)

5 (4) The department shall ensure that, at no cost to the Tacoma  
6 Narrows toll bridge account, new electronic tolling tag readers are  
7 installed on the Tacoma Narrows bridge as soon as practicable that are  
8 able to read existing and new electronic tolling tags.

9 (5) \$17,786,000 of the state route number 520 corridor account--  
10 state appropriation is provided solely for nonvendor costs associated  
11 with tolling the state route number 520 bridge. Funds from the state  
12 route number 520 corridor account--state appropriation shall not be  
13 used to pay for items prohibited by Executive Order No. 1057, including  
14 subscriptions to technical publications, employee educational expenses,  
15 professional membership dues and fees, employee recognition and safety  
16 awards, meeting meals and light refreshments, commute trip reduction  
17 incentives, and employee travel.

18 **Sec. 210.** 2011 c 367 s 210 (uncodified) is amended to read as  
19 follows:

20 **FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM**  
21 **C**

22	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$69,107,000</del> ))
23		<u>\$67,327,000</u>
24	Transportation Partnership Account--State	
25	Appropriation . . . . .	\$1,460,000
26	Multimodal Transportation Account--State	
27	Appropriation . . . . .	\$363,000
28	Transportation 2003 Account (Nickel Account)--State	
29	Appropriation . . . . .	\$1,460,000
30	TOTAL APPROPRIATION . . . . .	(( <del>\$72,390,000</del> ))
31		<u>\$70,610,000</u>

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

34 (1) The department shall consult with the office of financial  
35 management and the department of (~~information~~) enterprise services  
36 to: (a) Ensure that the department's current and future system  
37 development is consistent with the overall direction of other key state

1 systems; and (b) when possible, use or develop common statewide  
2 information systems to encourage coordination and integration of  
3 information used by the department and other state agencies and to  
4 avoid duplication.

5 (2) \$1,460,000 of the transportation partnership account--state  
6 appropriation and \$1,460,000 of the transportation 2003 account (nickel  
7 account)--state appropriation are provided solely for maintaining the  
8 department's project management reporting system.

9 (3) \$210,000 of the motor vehicle account--state appropriation is  
10 provided solely for the department's compliance with its national  
11 pollution discharge elimination system permit.

12 ((+5)) (4) \$502,000 of the motor vehicle account--state  
13 appropriation is provided solely to provide support for the  
14 transportation executive information system.

15 **Sec. 211.** 2011 c 367 s 211 (uncodified) is amended to read as  
16 follows:

17 **FOR THE DEPARTMENT OF TRANSPORTATION--FACILITY MAINTENANCE, OPERATIONS**  
18 **AND CONSTRUCTION--PROGRAM D--OPERATING**

19 Motor Vehicle Account--State Appropriation . . . . . ((~~\$25,851,000~~)  
20 \$25,440,000)

21 The appropriation in this section is subject to the following  
22 conditions and limitations:

23 (1) The department shall submit a predesign proposal for a new  
24 traffic management center to the office of financial management  
25 consistent with the process followed by nontransportation capital  
26 construction projects. The department shall not award a contract for  
27 construction of a new traffic management center until the predesign  
28 proposal has been submitted and the office of financial management has  
29 completed a budget evaluation study that indicates a new building is  
30 the recommended option for accommodating additional traffic management  
31 operations.

32 (2) \$850,000 of the motor vehicle account--state appropriation is  
33 provided solely for the department's compliance with its national  
34 pollution discharge elimination system permit.

35 **Sec. 212.** 2011 c 367 s 212 (uncodified) is amended to read as  
36 follows:

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

2 Aeronautics Account--State Appropriation . . . . . ((\$6,066,000))

3 \$5,999,000

4 Aeronautics Account--Federal Appropriation . . . . . \$2,150,000

5 TOTAL APPROPRIATION . . . . . ((\$8,216,000))

6 \$8,149,000

7 The appropriations in this section are subject to the following  
8 conditions and limitations: \$200,000 of the aeronautics account--state  
9 appropriation is a reappropriation provided solely to complete runway  
10 preservation projects.

11 **Sec. 213.** 2011 c 367 s 213 (uncodified) is amended to read as  
12 follows:

13 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM DELIVERY MANAGEMENT AND**

14 **SUPPORT--PROGRAM H**

15 Motor Vehicle Account--State Appropriation . . . . . ((\$47,418,000))

16 \$45,725,000

17 Motor Vehicle Account--Federal Appropriation . . . . . ((\$500,000))

18 \$1,796,000

19 Multimodal Transportation Account--State

20 Appropriation . . . . . \$250,000

21 TOTAL APPROPRIATION . . . . . ((\$48,168,000))

22 \$47,771,000

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

25 ~~(1) ((The department shall provide updated information on six~~  
26 ~~project milestones for all active projects, funded in part or in whole~~  
27 ~~with 2005 transportation partnership account funds or 2003 nickel~~  
28 ~~account funds, on a quarterly basis in the transportation executive~~  
29 ~~information system. The department shall also provide updated~~  
30 ~~information on six project milestones for projects funded with~~  
31 ~~preexisting funds and that are agreed to by the legislature, office of~~  
32 ~~financial management, and the department, on a quarterly basis.~~

33 ~~(2))~~ \$3,754,000 of the motor vehicle account--state appropriation  
34 is provided solely for the department's compliance with its national  
35 pollution discharge elimination system permit.

36 ~~((3))~~ (2) It is the intent of the legislature that the real

1 estate services division of the department will recover the cost of its  
2 efforts from future sale proceeds.

3 ~~((+4))~~ (3) The legislature recognizes that the Dryden pit site  
4 (WSDOT Inventory Control (IC) No. 2-04-00103) is unused state-owned  
5 real property under the jurisdiction of the department of  
6 transportation, and that the public would benefit significantly from  
7 the complete enjoyment of the natural scenic beauty and recreational  
8 opportunities available at the site. Therefore, pursuant to RCW  
9 47.12.080, the legislature declares that transferring the property to  
10 the department of fish and wildlife for recreational use and fish and  
11 wildlife restoration efforts is consistent with the public interest in  
12 order to preserve the area for the use of the public and the betterment  
13 of the natural environment. The department of transportation shall  
14 work with the department of fish and wildlife, and shall transfer and  
15 convey the Dryden pit site to the department of fish and wildlife as is  
16 for an adjusted fair market value reflecting site conditions, the  
17 proceeds of which must be deposited in the motor vehicle fund. The  
18 department of transportation is not responsible for any costs  
19 associated with the cleanup or transfer of this property. By July 1,  
20 2011, and annually thereafter until the entire Dryden pit property has  
21 been transferred, the department shall submit a status report regarding  
22 the transaction to the chairs of the legislative transportation  
23 committees.

24 (4) The legislature recognizes that the trail known as the Apple  
25 Capital Loop, and its extensions, serve to separate motor vehicle  
26 traffic from pedestrians and bicyclists, increasing motor vehicle  
27 safety on existing state route number 28. Consistent with chapter  
28 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that  
29 transferring portions of WSDOT Inventory Control (IC) Nos. 2-09-04537  
30 and 2-09-04569 to Douglas county and the city of East Wenatchee is  
31 consistent with the public interest. The legislature directs the  
32 department to transfer the property to Douglas county and the city of  
33 East Wenatchee. The department must be paid fair market value for any  
34 portions of the transferred real property that is later abandoned,  
35 vacated, or ceases to be publicly maintained for trail purposes.  
36 Douglas county and the city of East Wenatchee must agree to accept  
37 responsibility for trail segments within their respective jurisdictions  
38 and sign an agreement with the state that the transfer of these parcels



1 to their respective jurisdictions extinguishes any state obligations to  
2 improve, maintain, or be in any way responsible for these assets. The  
3 department shall report to the transportation committees of the  
4 legislature by June 30, 2013, and annually thereafter, on the status of  
5 the transfer until complete.

6 **Sec. 214.** 2011 c 367 s 214 (uncodified) is amended to read as  
7 follows:

8 **FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM**  
9 **K**

10 Motor Vehicle Account--State Appropriation . . . . .	(\$622,000)
	<u>\$826,000</u>
12 Multimodal Transportation Account--State Appropriation . . . . .	\$110,000
13 TOTAL APPROPRIATION . . . . .	(\$732,000)
14	<u>\$936,000</u>

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

17 (1)(a) \$225,000 of the motor vehicle account--state appropriation  
18 is provided solely to carry out work related to assessing the  
19 operational feasibility of a road user assessment, including  
20 technology, agency administration, multistate and federal standards,  
21 and other necessary elements. This work must be carried out under the  
22 guidance of the steering committee and in coordination with the  
23 transportation commission's policy assessment and public outreach  
24 planning authorized in section 205(4)(a) of this act.

25 (b) If subsequent appropriations are provided, the department may  
26 conduct a limited scope pilot project to test the feasibility of a road  
27 user assessment system to be applied to electric vehicles. The pilot  
28 project must be carried out under the guidance of the steering  
29 committee described under section 205(4)(a) of this act and in  
30 coordination with the transportation commission.

31 (2) The department shall conduct a study on the potential to  
32 generate revenue from off-premise outdoor advertising signs that are  
33 erected or maintained adjacent and visible to the interstate system  
34 highways, primary system highways, or scenic system highways. The  
35 study must provide an evaluation of the market for outdoor advertising  
36 signs, including an evaluation of the number of potential advertisers  
37 and the amount charged by other jurisdictions for sign permits, and

1 must provide a recommendation for a revised fee structure that  
2 recognizes the market value for off-premise signs and considers  
3 charging differential fees based on the size, type, and location of the  
4 sign.

5 **Sec. 215.** 2011 c 367 s 215 (uncodified) is amended to read as  
6 follows:

7 **FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE--PROGRAM M**

8 Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$380,327,000</del> ))
9	<u>\$373,209,000</u>
10 Motor Vehicle Account--Federal Appropriation . . . . .	\$7,000,000
11 <u>Highway Safety Account--State Appropriation . . . . .</u>	<u>\$4,000,000</u>
12 TOTAL APPROPRIATION . . . . .	(( <del>\$387,327,000</del> ))
13	<u>\$384,209,000</u>

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

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

21 (2) \$7,000,000 of the motor vehicle account--state appropriation is  
22 provided solely for third-party damages to the highway system where the  
23 responsible party is known and reimbursement is anticipated. The  
24 department shall request additional appropriation authority for any  
25 funds received for reimbursements of third-party damages that are in  
26 excess of this appropriation.

27 (3) \$7,000,000 of the motor vehicle account--federal appropriation  
28 is for unanticipated federal funds that may be received during the  
29 2011-2013 fiscal biennium. Upon receipt of the funds, the department  
30 shall provide a report on the use of the funds to the transportation  
31 committees of the legislature and the office of financial management.

32 (4) The department may work with the department of corrections to  
33 utilize corrections crews for the purposes of litter pickup on state  
34 highways.

35 (5) \$4,530,000 of the motor vehicle account--state appropriation is  
36 provided solely for the department's compliance with its national  
37 pollution discharge elimination system permit.

1 (6) The department shall continue to report maintenance  
2 accountability process (MAP) targets and achievements on an annual  
3 basis. The department shall use available funding to target and  
4 deliver a minimum MAP grade of C for the activity of roadway striping.

5 (7) \$6,884,000 of the motor vehicle account--state appropriation is  
6 provided solely for the high priority maintenance backlog. Addressing  
7 the maintenance backlog must result in increased levels of service. If  
8 chapter ... (Engrossed Substitute Senate Bill No. 5251), Laws of 2011  
9 (electric vehicle fee) is not enacted by June 30, 2011, \$500,000 of the  
10 appropriation provided in this subsection lapses.

11 (8) \$317,000 of the motor vehicle account--state appropriation is  
12 provided solely for maintaining a new active traffic management system  
13 on Interstate 5, Interstate 90, and state route number 520. The  
14 department shall track the costs associated with these systems on a  
15 corridor basis and report to the transportation committees of the  
16 legislature on the costs and benefits of the systems by December 1,  
17 ((2011)) 2012.

18 (9) \$4,000,000 of the highway safety account--state appropriation  
19 is provided solely to further reduce the highway maintenance backlog in  
20 order to maintain or increase levels of service. If chapter ...  
21 (Engrossed Substitute Senate Bill No. 6150), Laws of 2012 is not  
22 enacted by June 30, 2012, the amount provided in this subsection  
23 lapses.

24 **Sec. 216.** 2011 c 367 s 216 (uncodified) is amended to read as  
25 follows:

26 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**  
27 **OPERATING**

28 Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$50,166,000</del> ))
	<u>\$48,741,000</u>
29 Motor Vehicle Account--Federal Appropriation . . . . .	\$2,050,000
30 Motor Vehicle Account--Private/Local Appropriation . . . . .	(( <del>\$127,000</del> ))
	<u>\$250,000</u>
31	
32	
33 TOTAL APPROPRIATION . . . . .	(( <del>\$52,343,000</del> ))
	<u>\$51,041,000</u>

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

1 (1) \$6,000,000 of the motor vehicle account--state appropriation is  
2 provided solely for low-cost enhancements. The department shall give  
3 priority to low-cost enhancement projects that improve safety or  
4 provide congestion relief. The department shall prioritize low-cost  
5 enhancement projects on a statewide rather than regional basis. By  
6 September 1st of each even-numbered year, the department shall provide  
7 a report to the legislature listing all low-cost enhancement projects  
8 prioritized on a statewide rather than regional basis completed in the  
9 prior year.

10 (2) \$145,000 of the motor vehicle account--state appropriation is  
11 provided solely for the department to continue a pilot tow truck  
12 incentive program and to expand the program to other areas of the  
13 state. The department may provide incentive payments to towing  
14 companies that meet clearance goals on accidents that involve heavy  
15 trucks.

16 (3) During the 2011-2013 fiscal biennium, the department shall  
17 implement a pilot program that expands private transportation  
18 providers' access to high occupancy vehicle lanes. Under the pilot  
19 program, when the department reserves a portion of a highway based on  
20 the number of passengers in a vehicle, the following vehicles must be  
21 authorized to use the reserved portion of the highway if the vehicle  
22 has the capacity to carry eight or more passengers, regardless of the  
23 number of passengers in the vehicle: (a) Auto transportation company  
24 vehicles regulated under chapter 81.68 RCW; (b) passenger charter  
25 carrier vehicles regulated under chapter 81.70 RCW, except marked or  
26 unmarked stretch limousines and stretch sport utility vehicles as  
27 defined under department of licensing rules; (c) private nonprofit  
28 transportation provider vehicles regulated under chapter 81.66 RCW; and  
29 (d) private employer transportation service vehicles. For purposes of  
30 this subsection, "private employer transportation service" means  
31 regularly scheduled, fixed-route transportation service that is offered  
32 by an employer for the benefit of its employees. By June 30, 2013, the  
33 department shall report to the transportation committees of the  
34 legislature on whether private transportation provider use of high  
35 occupancy vehicle lanes under the pilot program reduces the speeds of  
36 high occupancy vehicle lanes. Nothing in this subsection is intended  
37 to authorize the conversion of public infrastructure to private, for-  
38 profit purposes or to otherwise create an entitlement or other claim by

1 private users to public infrastructure. If chapter ... (Substitute  
2 Senate Bill No. 5836), Laws of 2011 is enacted by June 30, 2011, this  
3 subsection is null and void.

4 (4) \$9,000,000 of the motor vehicle account--state appropriation is  
5 provided solely for the department's incident response program.

6 (5) The department, in consultation with the Washington state  
7 patrol, must continue a pilot program for the patrol to issue  
8 infractions based on information from automated traffic safety cameras  
9 in roadway construction zones on state highways. The department must  
10 report to the joint transportation committee by January 1, 2012, and  
11 January 1, 2013, on the status of this pilot program. For the purpose  
12 of this pilot program, during the 2011-2013 fiscal biennium, a roadway  
13 construction zone includes areas where public employees or private  
14 contractors may be present or where a driving condition exists that  
15 would make it unsafe to drive at higher speeds, such as, when the  
16 department is redirecting or realigning lanes on any public roadway  
17 pursuant to ongoing construction. The department shall use the  
18 following guidelines to administer the program:

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

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

28 (c) Notices of infractions must be mailed to the registered owner  
29 of a vehicle within fourteen days of the infraction occurring;

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

36 (e) For purposes of the 2011-2013 fiscal biennium pilot program,  
37 infractions detected through the use of automated traffic safety  
38 cameras are not part of the registered owner's driving record under RCW

1 46.52.101 and 46.52.120. Additionally, infractions generated by the  
2 use of automated traffic safety cameras must be processed in the same  
3 manner as parking infractions for the purposes of RCW 3.50.100,  
4 35.20.220, 46.16A.120, and 46.20.270(3). However, the amount of the  
5 fine issued under this subsection (5) for an infraction generated  
6 through the use of an automated traffic safety camera is one hundred  
7 thirty-seven dollars. The court shall remit thirty-two dollars of the  
8 fine to the state treasurer for deposit into the state patrol highway  
9 account; and

10 (f) If a notice of infraction is sent to the registered owner and  
11 the registered owner is a rental car business, the infraction must be  
12 dismissed against the business if it mails to the patrol, within  
13 fourteen days of receiving the notice, a declaration under penalty of  
14 perjury of the name and known mailing address of the individual driving  
15 or renting the vehicle when the infraction occurred. If the business  
16 is unable to determine who was driving or renting the vehicle at the  
17 time the infraction occurred, the business must sign a declaration  
18 under penalty of perjury to this effect. The declaration must be  
19 mailed to the patrol within fourteen days of receiving the notice of  
20 traffic infraction. Timely mailing of this declaration to the issuing  
21 agency relieves a rental car business of any liability under this  
22 section for the notice of infraction. A declaration form suitable for  
23 this purpose must be included with each automated traffic infraction  
24 notice issued, along with instructions for its completion and use.

25 (6) The department shall track the costs associated with active  
26 traffic management systems on a corridor basis and report to the  
27 transportation committees of the legislature on the cost and benefits  
28 of the systems by December 1, 2011.

29 **Sec. 217.** 2011 c 367 s 217 (uncodified) is amended to read as  
30 follows:

31 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND**  
32 **SUPPORT--PROGRAM S**

33 Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$28,430,000</del> ))
34	<u>\$27,335,000</u>
35 Motor Vehicle Account--Federal Appropriation . . . . .	\$30,000
36 Multimodal Transportation Account--State	
37 Appropriation . . . . .	\$973,000

1 TOTAL APPROPRIATION . . . . . ((~~\$29,433,000~~))  
2 \$28,338,000

3 The appropriations in this section are subject to the following  
4 conditions and limitations: The department shall utilize existing  
5 resources and customer service staff to develop and implement new  
6 policies and procedures to ensure compliance with new federal passenger  
7 vessel Americans with disabilities act requirements.

8 **Sec. 218.** 2011 c 367 s 218 (uncodified) is amended to read as  
9 follows:

10 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**  
11 **AND RESEARCH--PROGRAM T**

12 Motor Vehicle Account--State Appropriation . . . . . ((~~\$23,394,000~~))  
13 \$22,055,000  
14 Motor Vehicle Account--Federal Appropriation . . . . . \$21,885,000  
15 Multimodal Transportation Account--State  
16 Appropriation . . . . . \$662,000  
17 Multimodal Transportation Account--Federal  
18 Appropriation . . . . . \$3,559,000  
19 Multimodal Transportation Account--Private/Local  
20 Appropriation . . . . . \$100,000  
21 TOTAL APPROPRIATION . . . . . ((~~\$49,600,000~~))  
22 \$48,261,000

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

25 (1) \$70,000 of the motor vehicle account--state appropriation is a  
26 reappropriation provided solely for a corridor study of state route  
27 number 516 from the eastern border of Maple Valley to state route  
28 number 167 to determine whether improvements are needed and the costs  
29 of any needed improvements.

30 (2) \$200,000 of the motor vehicle account--state appropriation is  
31 provided solely for extending the freight database pilot project that  
32 began in 2009. Global positioning system (GPS) data is intended to  
33 help guide freight investment decisions and track highway project  
34 effectiveness as it relates to freight traffic.

35 (3) Within available resources, the department must collaborate  
36 with the affected metropolitan planning organizations, regional  
37 transportation planning organizations, transit agencies, and private

1 transportation providers to develop a plan to reduce vehicle demand,  
2 increase public transportation options, and reduce vehicle miles  
3 traveled on corridors affected by growth at Joint Base Lewis-McChord.

4 (4) As part of their ongoing regional transportation planning, the  
5 regional transportation planning organizations across the state shall  
6 work together to provide a comprehensive framework for sources and uses  
7 of next-stage investments in transportation needed to improve  
8 structural conditions and ongoing operations and lay the groundwork for  
9 the transportation systems to support the long-term economic vitality  
10 of the state. This planning must include all forms of transportation  
11 to reflect the state's interests, including: Highways, streets, and  
12 roads; ferries; public transportation; systems for freight; and walking  
13 and biking systems. The department shall support this planning by  
14 providing information on potential state transportation uses and an  
15 analysis of potential sources of revenue to implement investments. In  
16 carrying out this planning, regional transportation planning  
17 organizations must be broadly inclusive of business, civic, labor,  
18 governmental, and environmental interests in regional communities  
19 across the state.

20 **Sec. 219.** 2011 c 367 s 219 (uncodified) is amended to read as  
21 follows:

22 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**  
23 **PROGRAM U**

24	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$85,209,000</del> ))
25		<u>\$74,734,000</u>
26	Motor Vehicle Account--Federal Appropriation . . . . .	\$400,000
27	Multimodal Transportation Account--State	
28	Appropriation . . . . .	(( <del>\$3,320,000</del> ))
29		<u>\$1,798,000</u>
30	TOTAL APPROPRIATION . . . . .	(( <del>\$88,929,000</del> ))
31		<u>\$76,932,000</u>

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

34 (1) The ((~~office of financial management~~)) department of enterprise  
35 services must provide a detailed accounting of the revenues and  
36 expenditures of the self-insurance fund to the transportation



1 committees of the legislature on December 31st and June 30th of each  
2 year.

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

5 ~~((a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT  
6 DIVISION OF RISK MANAGEMENT FEES . . . . . \$1,639,000~~

7 ~~(b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE  
8 STATE AUDITOR . . . . . \$937,000~~

9 ~~(c) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF  
10 GENERAL ADMINISTRATION . . . . . \$6,060,000~~

11 ~~(d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF  
12 PERSONNEL . . . . . \$6,347,000~~

13 ~~(e) FOR PAYMENT OF SELF-INSURANCE LIABILITY  
14 PREMIUMS AND ADMINISTRATION . . . . . \$44,418,000~~

15 ~~(f) FOR ARCHIVES AND RECORDS MANAGEMENT . . . . . \$623,000~~

16 ~~(g) FOR OFFICE OF MINORITIES AND WOMEN BUSINESS  
17 ENTERPRISES . . . . . \$1,008,000~~

18 ~~(h) FOR USE OF FINANCIAL AND REPORTING SYSTEMS  
19 PROVIDED BY THE OFFICE OF FINANCIAL MANAGEMENT . . . . . \$1,143,000~~

20 ~~(i) FOR POLICY AND SYSTEM ASSISTANCE FROM THE  
21 DEPARTMENT OF INFORMATION SERVICES . . . . . \$1,980,000~~

22 ~~(j) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY  
23 GENERAL'S OFFICE . . . . . \$8,526,000~~

24 ~~(k) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY  
25 GENERAL'S OFFICE FOR THE SECOND PHASE OF THE BOLDT  
26 LITIGATION . . . . . \$672,000))~~

27 (a) TO THE SECRETARY OF STATE--ARCHIVES AND  
28 RECORDS MANAGEMENT . . . . . \$512,000

29 (b) TO THE OFFICE OF THE STATE AUDITOR--AUDITOR  
30 SERVICES . . . . . \$488,000

31 (c) TO THE OFFICE OF THE ATTORNEY  
32 GENERAL--ATTORNEY GENERAL SERVICES . . . . . \$7,127,000

33 (d) TO THE OFFICE OF FINANCIAL MANAGEMENT--LABOR  
34 RELATIONS SERVICES . . . . . \$266,000

35 (e) TO THE OFFICE OF FINANCIAL  
36 MANAGEMENT--OFFICE OF CHIEF INFORMATION OFFICER . . . . . \$473,000

37 (f) TO THE OFFICE OF MINORITY AND WOMEN'S  
38 BUSINESS ENTERPRISES . . . . . \$840,000

1	<u>(g) TO CONSOLIDATED TECHNICAL SERVICES . . . . .</u>	<u>\$182,000</u>
2	<u>(h) TO THE DEPARTMENT OF ENTERPRISE</u>	
3	<u>SERVICES--HUMAN RESOURCE MANAGEMENT SYSTEM . . . . .</u>	<u>\$3,495,000</u>
4	<u>(i) TO THE DEPARTMENT OF ENTERPRISE</u>	
5	<u>SERVICES--PRODUCTION SUPPORT . . . . .</u>	<u>\$974,000</u>
6	<u>(j) TO THE DEPARTMENT OF ENTERPRISE</u>	
7	<u>SERVICES--REAL ESTATE SERVICES . . . . .</u>	<u>\$108,000</u>
8	<u>(k) TO THE DEPARTMENT OF ENTERPRISE</u>	
9	<u>SERVICES--PUBLICATIONS AND HISTORICAL SERVICES . . . . .</u>	<u>\$691,000</u>
10	<u>(l) TO THE DEPARTMENT OF ENTERPRISE</u>	
11	<u>SERVICES--CAMPUS RENT . . . . .</u>	<u>\$3,293,000</u>
12	<u>(m) TO THE DEPARTMENT OF ENTERPRISE</u>	
13	<u>SERVICES--CAPITAL PROJECT SURCHARGE . . . . .</u>	<u>\$879,000</u>
14	<u>(n) TO THE DEPARTMENT OF ENTERPRISE</u>	
15	<u>SERVICES--PERSONAL SERVICE CONTRACTS . . . . .</u>	<u>\$100,000</u>
16	<u>(o) TO THE DEPARTMENT OF ENTERPRISE</u>	
17	<u>SERVICES--SECURE FILE TRANSFER SERVICES . . . . .</u>	<u>\$39,000</u>
18	<u>(p) TO THE DEPARTMENT OF ENTERPRISE</u>	
19	<u>SERVICES--ACCESS SERVICES . . . . .</u>	<u>\$179,000</u>
20	<u>(q) TO THE DEPARTMENT OF ENTERPRISE</u>	
21	<u>SERVICES--RISK MANAGEMENT SERVICES . . . . .</u>	<u>\$1,290,000</u>
22	<u>(r) TO THE DEPARTMENT OF ENTERPRISE</u>	
23	<u>SERVICES--INFORMATION TECHNOLOGY SERVICES . . . . .</u>	<u>\$1,557,000</u>

24       **Sec. 220.** 2011 c 367 s 220 (uncodified) is amended to read as  
25 follows:

26 **FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM**  
27 **V**

28	State Vehicle Parking Account--State Appropriation . . . . .	\$452,000
29	Regional Mobility Grant Program Account--State	
30	Appropriation . . . . .	\$48,942,000
31	Multimodal Transportation Account--State	
32	Appropriation . . . . .	(( <del>\$41,706,000</del> ))
33		<u>\$51,857,000</u>
34	Multimodal Transportation Account--Federal	
35	Appropriation . . . . .	\$2,582,000
36	Multimodal Transportation Account--Private/Local	
37	Appropriation . . . . .	\$1,027,000

1	Rural Mobility Grant Program Account--State	
2	Appropriation . . . . .	\$17,000,000
3	TOTAL APPROPRIATION . . . . .	(( <del>\$111,709,000</del> ))
4		<u>\$121,860,000</u>

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

7 (1) \$25,000,000 of the multimodal transportation account--state  
8 appropriation is provided solely for a grant program for special needs  
9 transportation provided by transit agencies and nonprofit providers of  
10 transportation.

11 (a) \$5,500,000 of the amount provided in this subsection is  
12 provided solely for grants to nonprofit providers of special needs  
13 transportation. Grants for nonprofit providers must be based on need,  
14 including the availability of other providers of service in the area,  
15 efforts to coordinate trips among providers and riders, and the cost  
16 effectiveness of trips provided.

17 (b) \$19,500,000 of the amount provided in this subsection is  
18 provided solely for grants to transit agencies to transport persons  
19 with special transportation needs. To receive a grant, the transit  
20 agency must have a maintenance of effort for special needs  
21 transportation that is no less than the previous year's maintenance of  
22 effort for special needs transportation. Grants for transit agencies  
23 must be prorated based on the amount expended for demand response  
24 service and route deviated service in calendar year 2009 as reported in  
25 the "Summary of Public Transportation - 2009" published by the  
26 department of transportation. No transit agency may receive more than  
27 thirty percent of these distributions.

28 (2) \$395,000 of the multimodal transportation account--state  
29 appropriation is provided solely for administration costs of the  
30 regional and rural mobility grant programs.

31 (3) Funds are provided for the rural mobility grant program as  
32 follows:

33 (a) \$8,500,000 of the rural mobility grant program account--state  
34 appropriation is provided solely for grants for those transit systems  
35 serving small cities and rural areas as identified in the "Summary of  
36 Public Transportation - 2009" published by the department of  
37 transportation. Noncompetitive grants must be distributed to the  
38 transit systems serving small cities and rural areas in a manner

1 similar to past disparity equalization programs. If the funding  
2 provided in this subsection (~~(+2)~~) (3)(a) exceeds the amount required  
3 for recipient counties to reach eighty percent of the average per  
4 capita sales tax, funds in excess of that amount may be used for the  
5 competitive grant process established in (b) of this subsection.

6 (b) \$8,500,000 of the rural mobility grant program 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)~~) (4)(a) \$6,000,000 of the multimodal transportation  
11 account--state appropriation is provided solely for a vanpool grant  
12 program for: (a) Public transit agencies to add vanpools or replace  
13 vans; and (b) incentives for employers to increase employee vanpool  
14 use. The grant program for public transit agencies will cover capital  
15 costs only; operating costs for public transit agencies are not  
16 eligible for funding under this grant program. Additional employees  
17 may not be hired from the funds provided in this section for the  
18 vanpool grant program, and supplanting of transit funds currently  
19 funding vanpools is not allowed. The department shall encourage grant  
20 applicants and recipients to leverage funds other than state funds.

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

23 (c) \$520,000 of the amount provided in this subsection is provided  
24 solely for the purchase of additional vans for use by vanpools serving  
25 soldiers and civilian employees at Joint Base Lewis-McChord.

26 (~~(+4)~~) (5) \$8,942,000 of the regional mobility grant program  
27 account--state appropriation is reappropriated and provided solely for  
28 the regional mobility grant projects identified in LEAP Transportation  
29 Document 2007-B, as developed April 20, 2007, or LEAP Transportation  
30 Document 2009-B, as developed April 24, 2009. The department shall  
31 continue to review all projects receiving grant awards under this  
32 program at least semiannually to determine whether the projects are  
33 making satisfactory progress. The department shall promptly close out  
34 grants when projects have been completed, and any remaining funds must  
35 be used only to fund projects identified in: LEAP Transportation  
36 Document 2007-B, as developed April 20, 2007; LEAP Transportation  
37 Document 2009-B, as developed April 24, 2009; or LEAP Transportation  
38 Document 2011-B, as developed April 19, 2011. It is the intent of the

1 legislature to appropriate funds through the regional mobility grant  
2 program only for projects that will be completed on schedule and that  
3 all funds in the regional mobility grant program be used as soon as  
4 practicable to advance eligible projects.

5 ~~((+5))~~ (6)(a) \$40,000,000 of the regional mobility grant program  
6 account--state appropriation is provided solely for the regional  
7 mobility grant projects identified in LEAP Transportation Document  
8 2011-B, as developed April 19, 2011. The department shall review all  
9 projects receiving grant awards under this program at least  
10 semiannually to determine whether the projects are making satisfactory  
11 progress. Any project that has been awarded funds, but does not report  
12 activity on the project within one year of the grant award, must be  
13 reviewed by the department to determine whether the grant should be  
14 terminated. The department shall promptly close out grants when  
15 projects have been completed, and any remaining funds must be used only  
16 to fund projects identified in LEAP Transportation Document 2011-B, as  
17 developed April 19, 2011. The department shall provide annual status  
18 reports on December 15, 2011, and December 15, 2012, to the office of  
19 financial management and the transportation committees of the  
20 legislature regarding the projects receiving the grants. It is the  
21 intent of the legislature to appropriate funds through the regional  
22 mobility grant program only for projects that will be completed on  
23 schedule.

24 (b) In order to be eligible to receive a grant under (a) of this  
25 subsection during the 2011-2013 fiscal biennium, a transit agency must  
26 establish a process for private transportation providers to apply for  
27 the use of park and ride facilities. For purposes of this subsection,  
28 (i) "private transportation provider" means: An auto transportation  
29 company regulated under chapter 81.68 RCW; a passenger charter carrier  
30 regulated under chapter 81.70 RCW, except marked or unmarked stretch  
31 limousines and stretch sport utility vehicles as defined under  
32 department of licensing rules; a private nonprofit transportation  
33 provider regulated under chapter 81.66 RCW; or a private employer  
34 transportation service provider; and (ii) "private employer  
35 transportation service" means regularly scheduled, fixed-route  
36 transportation service that is offered by an employer for the benefit  
37 of its employees.

1           ~~((+6))~~ (7) \$2,309,000 of the multimodal transportation account--  
2 state appropriation is provided solely for the tri-county connection  
3 service for Island, Skagit, and Whatcom transit agencies.

4           ~~((+7))~~ (8) \$200,000 of the multimodal transportation account--  
5 state appropriation is contingent on the timely development of an  
6 annual report summarizing the status of public transportation systems  
7 as identified under RCW 35.58.2796.

8           ~~((+8))~~ (9) Funds provided for the commute trip reduction program  
9 may also be used for the growth and transportation efficiency center  
10 program.

11           ~~((+9))~~ (10) An affected urban growth area that has not previously  
12 implemented a commute trip reduction program is exempt from the  
13 requirements in RCW 70.94.527 if a solution to address the state  
14 highway deficiency that exceeds the person hours of delay threshold has  
15 been funded and is in progress during the 2011-2013 fiscal biennium.

16           (11) \$10,000,000 of the multimodal transportation account--state  
17 appropriation is provided solely for a grant program for transit  
18 authorities. The funding provided in this subsection must be  
19 distributed statewide to transit authorities according to the  
20 distribution formula in (a) of this subsection. Funding must be used  
21 for operations.

22           (a) Of the amounts provided in this subsection:

23           (i) One-third must be distributed based on vehicle miles of service  
24 provided;

25           (ii) One-third must be distributed based on the number of vehicle  
26 hours of service provided; and

27           (iii) One-third must be distributed based on the number of  
28 passenger trips.

29           (b) For the purposes of this subsection:

30           (i) "Transit authorities" has the same meaning as in RCW  
31 9.91.025(2).

32           (ii) "Vehicle miles of service," "vehicle hours of service," and  
33 "passenger trips" are transit service metrics as reported by the public  
34 transportation program of the department of transportation in the  
35 annual report required in RCW 35.58.2796 for calendar year 2010.

36           (c) If chapter ... (Engrossed Substitute Senate Bill No. 6455),  
37 Laws of 2012 is not enacted by June 30, 2012, the amount provided in  
38 this subsection lapses.



1 assigned to the vessel are represented by the same employee  
2 organizations as the Washington state ferries. The department shall  
3 report back to the transportation committees of the legislature  
4 regarding: The availability of a vessel; the cost of the vessel,  
5 including transport to the Puget Sound region; and the need for any  
6 statutory changes for the operation of the Sydney, British Columbia  
7 service by a private company.

8 ~~((+11+))~~ (6) For the 2011-2013 fiscal biennium, the department of  
9 transportation may enter into a distributor controlled fuel hedging  
10 program and other methods of hedging approved by the fuel hedging  
11 committee.

12 ~~((+12) The department shall target service reductions totaling~~  
13 ~~\$4,000,000, such that the shortening of shoulder seasons and~~  
14 ~~eliminations of off-peak runs on all routes are considered. Prior to~~  
15 ~~implementing the reductions, the department shall consult with ferry~~  
16 ~~employees and ferry advisory committees to determine which reductions~~  
17 ~~would impact the fewest number of riders. The reductions must be~~  
18 ~~identified and implementation must begin no later than the fall 2011~~  
19 ~~schedule.~~

20 ~~(+13) \$135,248,000))~~ (7) \$136,648,000 of the Puget Sound ferry  
21 operations account--state appropriation is provided solely for auto  
22 ferry vessel operating fuel in the 2011-2013 fiscal biennium. The  
23 amount provided in this appropriation represents the fuel budget for  
24 purposes of calculating any ferry fare fuel surcharge.

25 ~~((+14+))~~ (8) \$8,000,000 of the Puget Sound ferry operations  
26 account--state appropriation is provided solely for the purchase of  
27 fuel for marine operations. If chapter ... (Engrossed Substitute  
28 Senate Bill No. 6150), Laws of 2012 is not enacted by June 30, 2012,  
29 the amount provided in this subsection lapses.

30 (9) \$150,000 of the Puget Sound ferry operations account--state  
31 appropriation is provided solely for the department to increase  
32 recreation and tourist ridership by entering into agreements for  
33 marketing and outreach strategies with local economic development  
34 agencies. The department shall identify the number of tourist and  
35 recreation riders on the applicable ferry routes both before and after  
36 implementation of marketing and outreach strategies developed through  
37 the agreements. The department shall report results of the marketing



1 and outreach strategies to the transportation committees of the  
2 legislature by October 15, 2012.

3 ~~((+15+))~~ (10) The Washington state ferries shall participate in the  
4 facilities plan included in section 604 of this act and shall include  
5 an investigation and identification of less costly relocation options  
6 for the Seattle headquarters office. The department shall include  
7 relocation options for the Washington state ferries Seattle  
8 headquarters office in the facilities plan. Until September 1, 2012,  
9 the department may not enter into a lease renewal for the Seattle  
10 headquarters office.

11 ~~((+16+))~~ (11) The department, office of financial management, and  
12 transportation committees of the legislature shall make recommendations  
13 regarding an appropriate budget structure for the Washington state  
14 ferries. The recommendation may include a potential restructuring of  
15 the Washington state ferries budget. The recommendation must  
16 facilitate transparency in reporting and budgeting as well as provide  
17 the opportunity to link revenue sources with expenditures. Findings  
18 and recommendations must be reported to the office of financial  
19 management and the joint transportation committee by September 1, 2011.

20 ~~((+17+))~~ (12) Two Kwa-di-tabil class ferry vessels must be placed  
21 on the Port Townsend/Coupeville (Keystone) route to provide service at  
22 the same levels provided when the steel electric vessels were in  
23 service. After the vessels as funded under section 308~~((+7+))~~ (6) of  
24 this act are in service, the two most appropriate of these vessels for  
25 the Port Townsend/Coupeville (Keystone) route must be placed on the  
26 route. \$100,000 of the Puget Sound ferry operations account--state  
27 appropriation is provided solely for the additional staffing required  
28 to maintain a reservation system at this route when the second vessel  
29 is in service.

30 ~~((+19+))~~ (13) \$706,000 of the Puget Sound ferry operations  
31 account--state appropriation is provided solely for terminal operations  
32 to implement new federal passenger vessel Americans with disabilities  
33 act requirements.

34 ~~((+20+))~~ (14) \$152,000 of the Puget Sound ferry operations  
35 account--state appropriation is provided solely for the department's  
36 compliance with its national pollution discharge elimination system  
37 permit.

1 ((21) If chapter ... (Substitute House Bill No. 2053), Laws of  
2 2011 (additive transportation funding) is not enacted by June 30, 2011,  
3 the \$4,000,000 in service reductions identified in subsection (12) of  
4 this section must be restored and an identical amount must be reduced  
5 from the amount provided for the second 144 car vessel identified in  
6 section 308(8) of this act.)

7 **Sec. 222.** 2011 c 367 s 222 (uncodified) is amended to read as  
8 follows:

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

10	Multimodal Transportation Account--State	
11	Appropriation . . . . .	(((\$29,688,000))
12		<u>\$33,339,000</u>
13	Multimodal Transportation Account--Federal	
14	Appropriation . . . . .	(((\$300,000))
15		<u>\$400,000</u>
16	TOTAL APPROPRIATION . . . . .	(((\$29,988,000))
17		<u>\$33,739,000</u>

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

20 (1) (((\$24,091,000)) \$27,816,000 of the multimodal transportation  
21 account--state appropriation is provided solely for the Amtrak service  
22 contract and Talgo maintenance contract associated with providing and  
23 maintaining state-supported passenger rail service. The department is  
24 directed to continue to pursue efforts to reduce costs, increase  
25 ridership, and review fares or fare schedules. Within thirty days of  
26 each annual cost/revenue reconciliation under the Amtrak service  
27 contract, the department shall report annual credits to the office of  
28 financial management and the legislative transportation committees.  
29 Annual credits from Amtrak to the department including, but not limited  
30 to, credits for increased revenue due to higher ridership, and fare or  
31 fare schedule adjustments, must be used to offset corresponding amounts  
32 of the multimodal transportation account--state appropriation, which  
33 must be placed in reserve. Upon completion of the rail platform  
34 project in the city of Stanwood, the department shall continue to  
35 provide daily Amtrak Cascades service to the city.

36 (2) Amtrak Cascade runs may not be eliminated.

1 (3) The department shall plan for a third roundtrip Cascades train  
2 between Seattle and Vancouver, B.C.

3 (4) The department shall conduct a pilot program by partnering with  
4 the travel industry on the Amtrak Cascades service between Vancouver,  
5 British Columbia, and Seattle to test opportunities for increasing  
6 ridership, maximizing farebox recovery, and stimulating private  
7 investment. The pilot program must run from July 1, 2011, to June 30,  
8 2012. The department shall report on the results of the pilot program  
9 to the office of financial management and the legislature by September  
10 30, 2012.

11 **Sec. 223.** 2011 c 367 s 223 (uncodified) is amended to read as  
12 follows:

13 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**  
14 **OPERATING**

15 Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$8,853,000</del> ))
	<u>\$8,505,000</u>
17 Motor Vehicle Account--Federal Appropriation . . . . .	\$2,567,000
18 TOTAL APPROPRIATION . . . . .	(( <del>\$11,420,000</del> ))
	<u>\$11,072,000</u>

20 The appropriations in this section are subject to the following  
21 conditions and limitations: The department shall submit a report to  
22 the transportation committees of the legislature by December 1, 2011,  
23 on the implementation of the recommendations that resulted from the  
24 evaluation of efficiencies in the delivery of transportation funding  
25 and services to local governments that was required under section  
26 204(8), chapter 247, Laws of 2010. The report must include a  
27 description of how recommendations were implemented, what efficiencies  
28 were achieved, and an explanation of any recommendations that were not  
29 implemented.

30 **TRANSPORTATION AGENCIES--CAPITAL**

31 **Sec. 301.** 2011 c 367 s 301 (uncodified) is amended to read as  
32 follows:

33 **FOR THE WASHINGTON STATE PATROL**

34 State Patrol Highway Account--State Appropriation . . .	(( <del>\$6,487,000</del> ))
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The appropriation in this section is subject to the following conditions and limitations:

(1) (~~(\$653,000)~~) \$1,357,000 of the state patrol highway account--state appropriation is provided solely for the following minor works projects: \$200,000 for emergency infrastructure repairs; \$75,000 for water and sewer upgrades; \$210,000 for emergency backup system replacement; \$85,000 for chiller replacement; (~~and~~) \$83,000 for roof replacements; \$128,000 for septic system repairs; and \$576,000 for HVAC replacements and energy upgrades.

(2) (~~(\$3,226,000)~~) \$1,097,000 of the state patrol highway account--state appropriation is provided solely for the Shelton academy of the Washington state patrol for the new waste water treatment lines, waste water plants, reclaimed water lines, and water systems. (~~However, \$2,129,000 of this amount is contingent on the department of corrections receiving funding for its portion of the regional water project in the 2011-2013 omnibus capital appropriations act. If this funding is not provided by June 30, 2011, \$2,129,000 of the appropriation provided in this subsection lapses.~~)

(3) \$421,000 of the state patrol highway account--state appropriation is provided solely for the reappropriation of the Shelton regional water project.

(4) (~~(\$2,187,000 of the total appropriation is provided solely for mobile office platforms.~~

~~(5))~~) It is the intent of the legislature that the omnibus operating appropriations act provide funding for the portion of any applicable debt service payments, resulting from financial contracts identified under section 601 of this act, that are attributable to the general fund as identified in the Washington state patrol's cost allocation model.

**Sec. 302.** 2011 c 367 s 302 (uncodified) is amended to read as follows:

**FOR THE COUNTY ROAD ADMINISTRATION BOARD**

Motor Vehicle Account--State Appropriation . . . . .	\$874,000
Rural Arterial Trust Account--State Appropriation . . . ( <del>(\$37,417,000)</del> )	
	<u>\$62,510,000</u>

County Arterial Preservation Account--State

1	Appropriation . . . . .	\$29,360,000
2	<u>Highway Safety Account--State Appropriation . . . . .</u>	<u>\$4,000,000</u>
3	TOTAL APPROPRIATION . . . . .	(( <del>\$67,651,000</del> ))
4		<u>\$96,744,000</u>

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

7 (1) \$874,000 of the motor vehicle account--state appropriation may  
8 be used for county ferry projects as developed pursuant to RCW  
9 47.56.725(4).

10 (2) (~~(\$37,417,000)~~) \$62,510,000 of the rural arterial trust  
11 account--state appropriation is provided solely for county road  
12 preservation grant projects as approved by the county road  
13 administration board. These funds may be used to assist counties  
14 recovering from federally declared emergencies by providing  
15 capitalization advances and local match for federal emergency funding,  
16 and may only be made using existing fund balances. It is the intent of  
17 the legislature that the rural arterial trust account be managed based  
18 on cash flow. The county road administration board shall specifically  
19 identify any of the selected projects and shall include information  
20 concerning the selected projects in its next annual report to the  
21 legislature.

22 (3) \$4,000,000 of the highway safety account--state appropriation  
23 is provided solely for the county arterial preservation program to help  
24 counties meet urgent preservation needs. If chapter ... (Engrossed  
25 Substitute Senate Bill No. 6150), Laws of 2012 is not enacted by June  
26 30, 2012, the amount provided in this subsection lapses.

27 **Sec. 303.** 2011 c 367 s 303 (uncodified) is amended to read as  
28 follows:

29 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

30	Small City Pavement and Sidewalk Account--State	
31	Appropriation . . . . .	(( <del>\$3,812,000</del> ))
32		<u>\$5,270,000</u>
33	Transportation Improvement Account--State	
34	Appropriation . . . . .	(( <del>\$201,050,000</del> ))
35		<u>\$237,545,000</u>
36	<u>Highway Safety Account--State Appropriation . . . . .</u>	<u>\$4,000,000</u>
37	TOTAL APPROPRIATION . . . . .	(( <del>\$204,862,000</del> ))

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

(1) The transportation improvement account--state appropriation includes up to \$22,143,000 in proceeds from the sale of bonds authorized in RCW 47.26.500.

(2) \$4,000,000 of the highway safety account--state appropriation is provided solely to help cities meet urgent preservation and storm water needs.

(a) \$3,600,000 of the amount provided in this subsection is provided solely for the urban arterial program.

(b) \$400,000 of the amount provided in this subsection is provided solely for the small city pavement program.

(c) If chapter ... (Engrossed Substitute Senate Bill No. 6150), Laws of 2012 is not enacted by June 30, 2012, the amount provided in this subsection lapses.

Sec. 304. 2011 c 367 s 304 (uncodified) is amended to read as follows:

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

Motor Vehicle Account--State Appropriation . . . . . ((\$5,433,000))  
\$5,545,000

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

(1) \$1,364,000 of the motor vehicle account--state appropriation is provided solely for the Olympic region site acquisition debt service payments and administrative costs associated with capital improvement and preservation project and financial management.

(2) ((\$3,669,000)) \$3,781,000 of the motor vehicle account--state appropriation is provided solely for high priority safety projects that are directly linked to employee safety, environmental risk, or minor works that prevent facility deterioration.

(3) \$400,000 of the motor vehicle account--state appropriation is provided solely for the department's compliance with its national pollution discharge elimination system permit.



1 amounts listed subject to the conditions and limitations in section 603  
2 of this act.

3 ~~(2) ((The department shall, on a quarterly basis beginning July 1,~~  
4 ~~2011, provide to the office of financial management and the legislature~~  
5 ~~reports providing the status on each active project funded in part or~~  
6 ~~whole by the transportation 2003 account (nickel account) or the~~  
7 ~~transportation partnership account. Funding provided at a programmatic~~  
8 ~~level for transportation partnership account and transportation 2003~~  
9 ~~account (nickel account) projects relating to bridge rail, guard rail,~~  
10 ~~fish passage barrier removal, and roadside safety projects must be~~  
11 ~~reported on a programmatic basis. Projects within this programmatic~~  
12 ~~level funding must be completed on a priority basis and scoped to be~~  
13 ~~completed within the current programmatic budget. Report formatting~~  
14 ~~and elements must be consistent with the October 2009 quarterly project~~  
15 ~~report. The department shall also provide the information required~~  
16 ~~under this subsection on a quarterly basis.~~

17 ~~(3))~~ Within the motor vehicle account--state appropriation and  
18 motor vehicle account--federal appropriation, the department may  
19 transfer funds between programs I and P, except for funds that are  
20 otherwise restricted in this act.

21 ~~((+4))~~ (3) The department shall apply for surface transportation  
22 program enhancement funds to be expended in lieu of or in addition to  
23 state funds for eligible costs of projects in programs I and P  
24 including, but not limited to, the state route number 518, state route  
25 number 520, Columbia river crossing, and Alaskan Way viaduct projects.

26 ~~((+5))~~ (4) The department shall apply for the competitive portion  
27 of federal transit administration funds for eligible transit-related  
28 costs of the state route number 520 bridge replacement and HOV project  
29 and the Columbia river crossing project. The federal funds described  
30 in this subsection must not include those federal transit  
31 administration funds distributed by formula. The department shall  
32 provide a report regarding this effort to the legislature by October 1,  
33 2011.

34 ~~((+7))~~ (5) The department shall work with the department of  
35 archaeology and historic preservation to ensure that the cultural  
36 resources investigation is properly conducted on all mega-highway  
37 projects and large ferry terminal projects. These projects must be  
38 conducted with active archaeological management. Additionally, the



1 department shall establish a scientific peer review of independent  
2 archaeologists that are knowledgeable about the region and its cultural  
3 resources.

4 ~~((+8))~~ (6) For highway construction projects where the department  
5 considers agricultural lands of long-term commercial significance, as  
6 defined in RCW 36.70A.030, in reviewing and selecting sites to meet  
7 environmental mitigation requirements under the national environmental  
8 policy act (42 U.S.C. Sec. 4321 et seq.) and the state environmental  
9 policy act (chapter 43.21C RCW), the department shall, to the greatest  
10 extent possible, consider using public land first. If public lands are  
11 not available that meet the required environmental mitigation needs,  
12 the department may use other sites while making every effort to avoid  
13 any net loss of agricultural lands that have a designation of long-term  
14 commercial significance.

15 ~~((+9) \$361,000)~~ (7) \$561,000 of the transportation partnership  
16 account--state appropriation and ~~((+\$1,245,000))~~ \$1,176,000 of the  
17 transportation 2003 account (nickel account)--state appropriation are  
18 provided solely for project OBI4ENV, Environmental Mitigation Reserve -  
19 Nickel/TPA project, as indicated in the LEAP transportation document  
20 referenced in subsection (1) of this section. Funds may be used only  
21 for environmental mitigation work that is required by permits that were  
22 issued for projects funded by the transportation partnership account or  
23 transportation 2003 account (nickel account). ~~((As part of the 2012  
24 budget submittal, the department shall provide a list of all projects  
25 and associated amounts that are being charged to project OBI4ENV during  
26 the 2011-2013 fiscal biennium.~~

27 ~~(+10))~~ (8) The transportation 2003 account (nickel account)--state  
28 appropriation includes up to ~~((+\$361,005,000))~~ \$378,105,000 in proceeds  
29 from the sale of bonds authorized by RCW 47.10.861.

30 ~~((+11))~~ (9) The transportation partnership account--state  
31 appropriation includes up to ~~((+\$1,427,696,000))~~ \$869,365,000 in  
32 proceeds from the sale of bonds authorized in RCW 47.10.873.

33 ~~((+12))~~ (10) The motor vehicle account--state appropriation  
34 includes up to ~~((+\$66,373,000))~~ \$48,354,000 in proceeds from the sale of  
35 bonds authorized in RCW 47.10.843.

36 ~~((+13))~~ (11) The state route number 520 corridor account--state  
37 appropriation includes up to ~~((+\$987,717,000))~~ \$1,779,000,000 in  
38 proceeds from the sale of bonds authorized in RCW 47.10.879.

1        ~~((14) \$391,000)~~ (12) \$767,000 of the motor vehicle account--state  
2 appropriation and ~~((4,027,000))~~ \$3,736,000 of the motor vehicle  
3 account--federal appropriation are provided solely for the US 2 High  
4 Priority Safety project (100224I). Expenditure of these funds is for  
5 safety projects on state route number 2 between Monroe and Gold Bar,  
6 which may include median rumble strips, traffic cameras, and electronic  
7 message signs.

8        ~~((15) \$687,000)~~ (13) \$820,000 of the motor vehicle account--  
9 federal appropriation, \$16,308,000 of the motor vehicle account--  
10 private/local appropriation, and ~~((22,000))~~ \$48,000 of the motor  
11 vehicle account--state appropriation are provided solely for the US  
12 2/Bickford Avenue - Intersection Safety Improvements project (100210E).

13        ~~((16) \$435,000)~~ (14) \$595,000 of the motor vehicle account--state  
14 appropriation is provided solely for environmental work on the Belfair  
15 Bypass project (300344C).

16        ~~((17) \$108,000)~~ (15) \$372,000 of the motor vehicle account--  
17 federal appropriation and ~~((3,000))~~ \$9,000 of the motor vehicle  
18 account--state appropriation are provided solely for the I-5/Vicinity  
19 of Joint Base Lewis-McChord - Install Ramp Meters project (300596M).

20        ~~((18) \$253,444,000)~~ (16) \$202,863,000 of the transportation  
21 partnership account--state appropriation and ~~((66,034,000))~~  
22 \$51,138,000 of the transportation 2003 account (nickel account)--state  
23 appropriation are provided solely for the I-5/Tacoma HOV Improvements  
24 (Nickel/TPA) project (300504A). The use of funds in this subsection to  
25 renovate any buildings is subject to the requirements of section 604 of  
26 this act. The department shall report to the legislature and the  
27 office of financial management on any costs associated with building  
28 renovations funded in this subsection.

29        ~~((19))~~ (17)(a) ((8,321,000)) \$7,423,000 of the transportation  
30 partnership account--state appropriation ~~((and \$31,380,000))~~,  
31 \$62,779,000 of the motor vehicle account--federal appropriation, and  
32 \$29,548,000 of the motor vehicle account--private/local appropriation  
33 are provided solely for the I-5/Columbia River Crossing project  
34 (400506A). Of this amount, \$200,000 of the transportation partnership  
35 account--state appropriation is provided solely for the department to  
36 work with the department of archaeology and historic preservation to  
37 ensure that the cultural resources investigation is properly conducted  
38 on the Columbia river crossing project. This project must be conducted

1 with active archaeological management and result in one report that  
2 spans the single cultural area in Oregon and Washington. Additionally,  
3 the department shall establish a scientific peer review of independent  
4 archaeologists that are knowledgeable about the region and its cultural  
5 resources. No funding from any account may be expended until written  
6 confirmation has been received by the department that the state of  
7 Oregon is providing an equal amount of additional funding to the  
8 project.

9 (b) Consistent with the draft environmental impact statement and  
10 the Columbia river crossing project's independent review panel report,  
11 the Columbia river crossing project's financial plan must include  
12 recognition of state transportation funding contributions from both  
13 Washington and Oregon, federal transportation funding, and a funding  
14 contribution from toll bond proceeds. Following the refinement of the  
15 finance plan as recommended by the independent review panel, the  
16 department may seek authorization from the legislature to collect tolls  
17 on the existing Columbia river crossing or on a replacement crossing  
18 over Interstate 5.

19 ~~((20) \$107,000))~~ (18) \$309,000 of the motor vehicle account--  
20 federal appropriation and ~~((27,000))~~ \$78,000 of the motor vehicle  
21 account--state appropriation are provided solely for the SR 9/SR 204  
22 Intersection Improvement project (L2000040).

23 ~~((21) \$2,134,000))~~ (19) \$3,385,000 of the motor vehicle account--  
24 federal appropriation and ~~((47,000))~~ \$50,000 of the motor vehicle  
25 account--state appropriation are provided solely for the US 12/Nine  
26 Mile Hill to Woodward Canyon Vic - Build New Highway project (501210T).

27 ~~((22) \$294,000))~~ (20) \$391,000 of the motor vehicle account--  
28 federal appropriation and ~~((13,000))~~ \$16,000 of the motor vehicle  
29 account--state appropriation are provided solely for the SR 16/Rosedale  
30 Street NW Vicinity - Frontage Road project (301639C). The frontage  
31 road must be built for driving speeds of no more than thirty-five miles  
32 per hour.

33 ~~((23) \$1,000,000))~~ (21) \$621,000 of the motor vehicle account--  
34 federal appropriation is provided solely for the SR 20/Race Road to  
35 Jacob's Road safety project (L2200042).

36 ~~((24) \$24,002,000))~~ (22) \$32,162,000 of the transportation  
37 partnership account--state appropriation is provided solely for the SR  
38 28/ US 2 and US 97 Eastmont Avenue Extension project (202800D).

1        ~~((25) \$569,000))~~ (23) \$1,227,000 of the motor vehicle account--  
2 federal appropriation and ~~((9,000))~~ \$38,000 of the motor vehicle  
3 account--state appropriation are provided solely for design and right-  
4 of-way work on the I-82/Red Mountain Vicinity project (508208M). The  
5 department shall continue to work with the local partners in developing  
6 transportation solutions necessary for the economic growth in the Red  
7 Mountain American viticulture area of Benton county.

8        ~~((26))~~ (24) \$1,500,000 of the motor vehicle account--federal  
9 appropriation is provided solely for the I-90 Comprehensive Tolling  
10 Study and Environmental Review project (100067T). The department shall  
11 undertake a comprehensive environmental review of tolling Interstate 90  
12 between Interstate 5 and Interstate 405 for the purposes of both  
13 managing traffic and providing funding for construction of the unfunded  
14 state route number 520 from Interstate 5 to Medina project. The  
15 environmental review must include significant outreach to potentially  
16 affected communities. The department may consider traffic management  
17 options that extend as far east as Issaquah.

18        ~~((27) \$9,422,000))~~ (25) \$12,149,000 of the motor vehicle account--  
19 federal appropriation and ~~((193,000))~~ \$362,000 of the motor vehicle  
20 account--state appropriation are provided solely for the I-90/Sullivan  
21 Road to Barker Road - Additional Lanes project (609049N).

22        ~~((28))~~ (26) Up to \$8,000,000 in savings realized on the I-  
23 90/Snoqualmie Pass East - Hyak to Keechelus Dam - Corridor project  
24 (509009B) may be used for design work on the next two-mile segment of  
25 the corridor. Any additional savings on this project must remain on  
26 the corridor. ~~((590,000 of the funds appropriated for this project~~  
27 ~~may be used to purchase land currently owned by the state parks~~  
28 ~~department.))~~ Project funds may not be used to build or improve  
29 buildings until the plan described in section 604 of this act is  
30 complete.

31        ~~((29) \$932,000))~~ (27) \$657,000 of the motor vehicle account--  
32 federal appropriation is provided solely for the US 97A/North of  
33 Wenatchee - Wildlife Fence project (209790B).

34        ~~((30))~~ (28) The department shall reconvene an expert review panel  
35 of no more than three members as described under RCW 47.01.400 for the  
36 purpose of updating the work that was previously completed by the panel  
37 on the Alaskan Way viaduct replacement project and to ensure that an  
38 appropriate and viable financial plan is created and regularly

1 reviewed. The expert review panel must be selected cooperatively by  
2 the chairs of the senate and house of representatives transportation  
3 committees, the secretary of transportation, and the governor. The  
4 expert review panel must report findings and recommendations to the  
5 transportation committees of the legislature, the governor's Alaskan  
6 Way viaduct project oversight committee, and the transportation  
7 commission by October 2011, and annually thereafter until the project  
8 is operationally complete.

9 ~~((+31+))~~ (29) It is important that the public and policymakers have  
10 accurate and timely access to information related to the Alaskan Way  
11 viaduct replacement project as it proceeds to, and during, the  
12 construction of all aspects of the project including, but not limited  
13 to, information regarding costs, schedules, contracts, project status,  
14 and neighborhood impacts. Therefore, it is the intent of the  
15 legislature that the state, city, and county departments of  
16 transportation establish a single source of accountability for  
17 integration, coordination, tracking, and information of all requisite  
18 components of the replacement project, which must include, at a  
19 minimum:

20 (a) A master schedule of all subprojects included in the full  
21 replacement project or program; and

22 (b) A single point of contact for the public, media, stakeholders,  
23 and other interested parties.

24 ~~((+32+))~~ (30) Within the amounts provided in this section, \$20,000  
25 of the motor vehicle account--state appropriation and \$980,000 of the  
26 motor vehicle account--federal appropriation are provided solely for  
27 the department to continue work on a comprehensive tolling study of the  
28 state route number 167 corridor (project 316718S). As funding allows,  
29 the department shall also continue work on a comprehensive tolling  
30 study of the state route number 509 corridor.

31 ~~((+33+))~~ (31)(a) ~~(((\$131,303,000))~~ \$137,022,000 of the  
32 transportation partnership account--state appropriation(~~(-~~  
33 ~~\$51,410,000))~~ and \$50,623,000 of the transportation 2003 account  
34 (nickel account)--state appropriation(~~(, and \$10,000,000 of the motor~~  
35 ~~vehicle account--federal appropriation))~~ are provided solely for the I-  
36 405/Kirkland Vicinity Stage 2 - Widening project (8BI1002). This  
37 project must be completed as soon as practicable as a design-build

1 project and must be constructed with a footprint that would accommodate  
2 potential future express toll lanes.

3 (b) As part of the project, the department shall conduct a traffic  
4 and revenue analysis and complete a financial plan to provide  
5 additional information on the revenues, expenditures, and financing  
6 options available for active traffic management and congestion relief  
7 in the Interstate 405 and state route number 167 corridors. A report  
8 must be provided to the transportation committees of the legislature  
9 and the office of financial management by January 2012. However, this  
10 subsection (~~((+33+))~~) (31)(b) is null and void if chapter . . .  
11 (Engrossed House Bill No. 1382), Laws of 2011 (I-405 express toll  
12 lanes) is enacted by June 30, 2011.

13 (c) Within the amounts provided for this project, funding is  
14 provided solely for tolling equipment, such as gantries, barriers, or  
15 cameras, on Interstate 405, consistent with chapter 369, Laws of 2011.  
16 The department shall place amounts for tolling equipment into  
17 unallotted status until the traffic and revenue analysis required in  
18 RCW 47.56.886 is submitted to the governor and the legislature. Once  
19 the report has been submitted, the office of financial management may  
20 approve the allotment of funds for tolling equipment only after  
21 consultation with the joint transportation committee.

22 (32) Up to \$40,000,000 in savings realized on the I-405/Kirkland  
23 Vicinity Stage 2--Widening project (8BI1002) may be used for  
24 preliminary engineering and rights-of-way purchase on the Interstate  
25 405/state route number 167 direct connector. Any additional savings on  
26 this project must remain on the corridor.

27 (~~((+34+))~~) (33) Funding for a signal at state route number 507 and  
28 Yew Street is included in the appropriation for intersection and spot  
29 improvements (0BI2002).

30 (~~((+35) \$226,809,000))~~ (34) \$226,167,000 of the transportation  
31 partnership account--state appropriation (~~(and \$1,019,460,000)~~),  
32 \$898,286,000 of the state route number 520 corridor account--state  
33 appropriation, and \$63,003,000 of the motor vehicle account--federal  
34 appropriation are provided solely for the state route number 520 bridge  
35 replacement and HOV program (8BI1003). When developing the financial  
36 plan for the program, the department shall assume that all maintenance  
37 and operation costs for the new facility are to be covered by tolls  
38 collected on the toll facility, and not by the motor vehicle account.

1        ~~((36) \$650,000 of the motor vehicle account--federal appropriation~~  
2 ~~is provided solely for the SR 522 Improvements/61st Avenue NE and NE~~  
3 ~~181st Street project (L1000055)).~~

4        (37)) (35) \$500,000 of the motor vehicle account--state  
5 appropriation is provided solely for a multimodal corridor plan on  
6 state route number 520 between Interstate 405 and Avondale Road in  
7 Redmond (L1000054).

8        (36) \$300,000 of the motor vehicle account--federal appropriation  
9 is provided solely for the SR 523 Corridor study (L1000059).

10        ~~((38)) (37)~~ The department shall consider using the city of  
11 Mukilteo's off-site mitigation program in the event any projects on  
12 state route number 525 or 526 require environmental mitigation.

13        ~~((39)) (38)~~ Any savings on projects on the state route number 532  
14 corridor must be used within the corridor to begin work on flood  
15 prevention and raising portions of the highway above flood and storm  
16 influences.

17        (39) \$5,791,000 of the Tacoma Narrows toll bridge account--state  
18 appropriation is provided solely for deferred sales tax expenses on the  
19 construction of the new Tacoma Narrows bridge (L1000054).

20        (40) Construction of a new traffic management center may not  
21 commence until the budget evaluation study in section 102(1) of this  
22 act is complete and the office of financial management has determined  
23 that a new traffic management center is the preferred option and has  
24 approved this project.

25        (41) \$8,000,000 of the motor vehicle account--state appropriation  
26 is provided solely for the design and preliminary engineering of  
27 projects and for rights-of-way acquisition, as provided in LEAP  
28 Transportation Document 2012-3 and referenced as project (L110040) on  
29 LEAP Transportation Document 2012-2 ALL PROJECTS as developed February  
30 16, 2012. Funds must be used to promote the initial development of  
31 these projects for the purpose of expediting the delivery of the  
32 associated major investments when funding for such investments becomes  
33 available. Funding may be reallocated between projects to maximize the  
34 accomplishment of design and preliminary engineering work and  
35 rights-of-way acquisition, provided that all projects are addressed.  
36 It is the intent of the legislature that, while seeking to maximize the  
37 outcomes sought in this section, the department use an approach that  
38 utilizes private sector involvement in order to maintain consistency to

1 the extent possible with the department's business plan for reducing  
 2 staffing in the highway construction program in the current and next  
 3 biennia. If chapter ... (Engrossed Substitute Senate Bill No. 6455),  
 4 Laws of 2012 is not enacted by June 30, 2012, the amount provided in  
 5 this subsection lapses.

6 **Sec. 306.** 2011 c 367 s 306 (uncodified) is amended to read as  
 7 follows:

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

9 Transportation Partnership Account--State

10	Appropriation . . . . .	(( <del>\$34,182,000</del> )
11		<u>\$44,463,000</u>
12	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$67,790,000</del> )
13		<u>\$85,241,000</u>
14	Motor Vehicle Account--Federal Appropriation . . . . .	(( <del>\$632,489,000</del> )
15		<u>\$540,306,000</u>
16	Motor Vehicle Account--Private/Local Appropriation . . . . .	(( <del>\$19,253,000</del> )
17		<u>\$21,585,000</u>
18	<u>Tacoma Narrows Toll Bridge Account--State</u>	
19	Appropriation . . . . .	\$259,000
20	<u>Transportation 2003 Account (Nickel Account)--State</u>	
21	Appropriation . . . . .	\$23,000
22	<u>State Transportation Operations and Maintenance</u>	
23	Account--State Appropriation . . . . .	\$43,000,000
24	<u>Highway Safety Account--State Appropriation . . . . .</u>	<u>\$4,000,000</u>
25	TOTAL APPROPRIATION . . . . .	(( <del>\$753,714,000</del> )
26		<u>\$738,877,000</u>

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

29 (1) Except as provided otherwise in this section, the entire  
 30 transportation 2003 account (nickel account) appropriation and the  
 31 entire transportation partnership account appropriation are provided  
 32 solely for the projects and activities as listed by fund, project, and  
 33 amount in ((~~LEAP Transportation Document 2011-1 as developed April 19,~~  
 34 ~~2011, Program - Highway Preservation Program (P)~~) LEAP Transportation  
 35 Document 2012-1 as developed February 16, 2012, Program - Highway  
 36 Preservation Program (P)). However, limited transfers of specific



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

4 ~~(2) ((The department shall, on a quarterly basis beginning July 1,~~  
5 ~~2011, provide to the office of financial management and the legislature~~  
6 ~~reports providing the status on each active project funded in part or~~  
7 ~~whole by the transportation 2003 account (nickel account) or the~~  
8 ~~transportation partnership account. Funding provided at a programmatic~~  
9 ~~level for transportation partnership account projects relating to~~  
10 ~~seismic bridges must be reported on a programmatic basis. Projects~~  
11 ~~within this programmatic level funding must be completed on a priority~~  
12 ~~basis and scoped to be completed within the current programmatic~~  
13 ~~budget. The department shall work with the office of financial~~  
14 ~~management and the transportation committees of the legislature to~~  
15 ~~agree on report formatting and elements. Elements must include, but~~  
16 ~~not be limited to, project scope, schedule, and costs. The department~~  
17 ~~shall also provide the information required under this subsection on a~~  
18 ~~quarterly basis.~~

19 ~~(3))~~ The department of transportation shall continue to implement  
20 the lowest life-cycle cost planning approach to pavement management  
21 throughout the state to encourage the most effective and efficient use  
22 of pavement preservation funds. Emphasis should be placed on  
23 increasing the number of roads addressed on time and reducing the  
24 number of roads past due.

25 ~~((+5))~~ (3) Within the motor vehicle account--state appropriation  
26 and motor vehicle account--federal appropriation, the department may  
27 transfer funds between programs I and P, except for funds that are  
28 otherwise restricted in this act.

29 ~~((+6))~~ (4) The department shall apply for surface transportation  
30 program enhancement funds to be expended in lieu of or in addition to  
31 state funds for eligible costs of projects in programs I and P.

32 ~~((+7))~~ (5) The motor vehicle account--state appropriation includes  
33 up to \$17,652,000 in proceeds from the sale of bonds authorized in RCW  
34 47.10.843.

35 ~~((+8))~~ (6) The department must work with cities and counties to  
36 develop a comparison of direct and indirect labor costs, overhead  
37 rates, and other costs for high-cost bridge inspections charged by the

1 state, counties, and other entities. The comparison is due to the  
2 transportation committees of the legislature on September 1, 2011.

3 ~~((9) \$277,000))~~ (7) \$789,000 of the motor vehicle account--federal  
4 appropriation and ~~((10,000))~~ \$6,000 of the motor vehicle account--  
5 state appropriation are provided solely for the environmental impact  
6 statement and preliminary planning for the replacement of the state  
7 route number 9 Snohomish river bridge (project L2000018).

8 ~~((10) \$9,641,000))~~ (8) \$10,843,000 of the motor vehicle account--  
9 federal appropriation, ~~((2,000,000))~~ \$1,992,000 of the motor vehicle  
10 account--private/local appropriation, and ~~((361,000))~~ \$390,000 of the  
11 motor vehicle account--state appropriation are provided solely for the  
12 SR 21/Keller Ferry - Replace Boat project (602110J).

13 ~~((11) \$3,093,000))~~ (9) \$165,000 of the motor vehicle account--  
14 federal appropriation is provided solely for the I-90/Ritzville to  
15 Tokio - Paving of Outside Lanes project (609041G).

16 ~~((12) \$2,733,000))~~ (10) \$5,565,000 of the motor vehicle account--  
17 federal appropriation and ~~((114,000))~~ \$232,000 of the motor vehicle  
18 account--state appropriation are provided solely for the SR  
19 167/Puyallup River Bridge Replacement project (316725A). This project  
20 must be completed as a design-build project. The department must work  
21 with local jurisdictions and the community during the environmental  
22 review process to develop appropriate esthetic design elements, at no  
23 additional cost to the department, and traffic management plans  
24 pertaining to this project. The department must report to the  
25 transportation committees of the legislature on estimated cost and/or  
26 time savings realized as a result of using the design-build process.

27 ~~((13) \$295,000))~~ (11) \$507,000 of the motor vehicle account--  
28 federal appropriation and ~~((5,000))~~ \$13,000 of the motor vehicle  
29 account--state appropriation are provided solely for the SR  
30 906/Travelers Rest - Building Renovation project (090600A).

31 (12) \$43,000,000 of the state transportation operations and  
32 maintenance account--state appropriation is provided solely for asphalt  
33 and concrete preservation. If Substitute House Bill No. 2660  
34 (petroleum product barrel fee) is not enacted by June 30, 2012, the  
35 amount provided in this subsection lapses.

36 (13) \$4,000,000 of the highway safety account--state appropriation  
37 is provided solely for urgent preservation needs on the state highway

1 system (L110041). If chapter ... (Engrossed Substitute Senate Bill No.  
2 6150), Laws of 2012 is not enacted by June 30, 2012, the amount  
3 provided in this subsection lapses.

4 **Sec. 307.** 2011 c 367 s 307 (uncodified) is amended to read as  
5 follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**  
7 **CAPITAL**

8	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$6,439,000</del> ))
9		<u>\$8,779,000</u>
10	Motor Vehicle Account--Federal Appropriation . . . . .	(( <del>\$5,600,000</del> ))
11		<u>\$7,283,000</u>
12	TOTAL APPROPRIATION . . . . .	(( <del>\$12,039,000</del> ))
13		<u>\$16,062,000</u>

14 The appropriations in this section are subject to the following  
15 conditions and limitations: ((~~\$1,000,000~~)) \$835,000 of the motor  
16 vehicle account--state appropriation for project 000005Q is provided  
17 solely for state matching funds for federally selected competitive  
18 grants or congressional earmark projects. These moneys must be placed  
19 into reserve status until such time as federal funds are secured that  
20 require a state match.

21 **Sec. 308.** 2011 c 367 s 308 (uncodified) is amended to read as  
22 follows:

23 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**  
24 **CONSTRUCTION--PROGRAM W**

25	Puget Sound Capital Construction Account--State	
26	Appropriation . . . . .	(( <del>\$68,013,000</del> ))
27		<u>\$70,381,000</u>
28	Puget Sound Capital Construction Account--Federal	
29	Appropriation . . . . .	(( <del>\$41,500,000</del> ))
30		<u>\$53,802,000</u>
31	<u>Puget Sound Capital Construction Account--Private/Local</u>	
32	<u>Appropriation . . . . .</u>	<u>\$200,000</u>
33	Transportation 2003 Account (Nickel Account)--State	
34	Appropriation . . . . .	(( <del>\$118,027,000</del> ))
35		<u>\$158,376,000</u>
36	Transportation Partnership Account--State	

1	Appropriation . . . . .	(( <del>\$12,536,000</del> ))
2		<u>\$12,838,000</u>
3	Multimodal Transportation Account--State	
4	Appropriation . . . . .	(( <del>\$43,265,000</del> ))
5		<u>\$35,054,000</u>
6	TOTAL APPROPRIATION . . . . .	(( <del>\$283,341,000</del> ))
7		<u>\$330,651,000</u>

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

10 (1) (~~(\$68,013,000)~~) \$70,381,000 of the Puget Sound capital  
11 construction account--state appropriation, (~~(\$41,500,000)~~) \$53,802,000  
12 of the Puget Sound capital construction account--federal appropriation,  
13 (~~(\$12,536,000)~~) \$12,838,000 of the transportation partnership account--  
14 state appropriation, (~~(\$118,027,000)~~) \$158,376,000 of the  
15 transportation 2003 account (nickel account)--state appropriation,  
16 (~~and \$43,265,000~~) \$35,054,000 of the multimodal transportation  
17 account--state appropriation, and \$200,000 of the Puget Sound capital  
18 construction account--private/local appropriation are provided solely  
19 for ferry projects, as listed in LEAP Transportation Document ((~~2011~~))  
20 2012-2 ALL PROJECTS as developed ((~~April 19, 2011~~)) February 16, 2012,  
21 Program - Washington State Ferries Capital Program (W).

22 (2) The department shall work with the department of archaeology  
23 and historic preservation to ensure that the cultural resources  
24 investigation is properly conducted on all large ferry terminal  
25 projects. These projects must be conducted with active archaeological  
26 management.

27 (3) The multimodal transportation account--state appropriation  
28 includes up to (~~(\$43,265,000)~~) \$35,054,000 in proceeds from the sale of  
29 bonds authorized in RCW 47.10.867.

30 (4) The transportation 2003 account (nickel account)--state  
31 appropriation includes up to (~~(\$82,143,000)~~) \$43,447,000 in proceeds  
32 from the sale of bonds authorized in RCW 47.10.861.

33 (5) The Puget Sound capital construction account--state  
34 appropriation includes up to (~~(\$52,516,000)~~) \$48,615,000 in proceeds  
35 from the sale of bonds authorized in RCW 47.10.843.

36 (~~(7) \$20,906,000~~) (6) \$17,970,000 of the transportation 2003  
37 account (nickel account)--state appropriation(~~(, \$9,711,000 of the~~  
38 ~~multimodal transportation account--state appropriation, and \$1,537,000~~

1 of the Puget Sound capital construction account--state appropriation  
2 are)) is provided solely for the acquisition of new Kwa-di-tabil class  
3 ferry vessels subject to the conditions of RCW 47.56.780 (944470A).

4 ~~((8) \$33,404,000))~~ (7) \$30,404,000 of the multimodal  
5 transportation account--state appropriation, ~~((2,000,000))~~ \$1,000,000  
6 of the Puget Sound capital construction account--~~(state))~~ federal  
7 appropriation, \$11,500,000 of the transportation partnership account--  
8 state appropriation, and ~~((81,085,000))~~ \$80,924,057 of the  
9 transportation 2003 account (nickel account)--state appropriation are  
10 provided solely for the acquisition of ~~((two))~~ one 144-car vessel(~~s~~  
11 ~~contingent upon new and sufficient resources. Of these amounts,~~  
12 ~~\$123,828,000 is provided solely for the first 144 car vessel))~~  
13 L2200038. The department shall use as much already procured equipment  
14 as practicable on the 144-car vessel. The vendor must present to the  
15 joint transportation committee and the office of financial management,  
16 by August 15, 2011, a list of options that will result in significant  
17 cost savings changes in terms of construction or the long-term  
18 maintenance and operations of the vessel. The vendor must allow for  
19 exercising the options without a penalty. If neither chapter ...  
20 (Engrossed Substitute Senate Bill No. 5742), Laws of 2011 nor chapter  
21 ... (House Bill No. 2083), Laws of 2011 is enacted by June 30, 2011,  
22 \$75,000,000 of the transportation 2003 account (nickel account)--state  
23 appropriation in this subsection lapses.

24 ~~((9))~~ (7) \$43,447,000 of the transportation 2003 account (nickel  
25 account)--state appropriation and \$2,500,000 of the Puget Sound capital  
26 construction account--federal appropriation are provided solely for a  
27 second 144-car diesel vessel. If chapter ... (Engrossed Substitute  
28 House Bill No. 6455), Laws of 2012 is not enacted by June 30, 2012, the  
29 amount provided in this subsection lapses.

30 (8) The department shall provide to the office of financial  
31 management and the legislature quarterly reports providing the status  
32 on each project listed in this section and in the project lists  
33 submitted pursuant to this act and on any additional projects for which  
34 the department has expended funds during the 2011-2013 fiscal biennium.  
35 Elements must include, but not be limited to, project scope, schedule,  
36 and costs. The department shall also provide the information required  
37 under this subsection via the transportation executive information  
38 system. ~~((The quarterly report regarding the status of projects~~

1 ~~identified on the list referenced in subsection (1) of this section~~  
2 ~~must be developed according to an earned value method of project~~  
3 ~~monitoring.))~~ The earned value method of project monitoring must be  
4 used for the following projects while in the design phase: Seattle  
5 Terminal Building Replacement project; Seattle Slip 3 Transfer Span and  
6 OHL Replacement project; Mukilteo Multimodal project; Vashon Trestle  
7 Replacement project; and Southworth Trestle Replacement project.

8 ~~((11) \$3,932,000))~~ (9) \$7,048,000 of the total appropriation is  
9 provided solely for continued permitting work on the Mukilteo ferry  
10 terminal (project 952515P). The department shall seek additional  
11 federal funding for this project. Prior to beginning terminal  
12 improvements, the department shall report to the legislature on the  
13 final environmental impact statement by December 31, 2012. The report  
14 must include an overview of the costs and benefits of each of the  
15 alternatives considered, as well as an identification of costs and a  
16 funding plan for the preferred alternative.

17 (10) The state shall take the necessary steps to expedite the  
18 environmental review and design processes to replace the Mukilteo ferry  
19 terminal with an alternative that relocates the terminal to the  
20 Mukilteo tank farm as part of an integrated multimodal center.

21 ~~((13))~~ (11) The department shall review all terminal project cost  
22 estimates to identify projects where similar design requirements could  
23 result in reduced preliminary engineering or miscellaneous items costs.  
24 The department shall report to the legislature by September 1, 2011.  
25 The report must use programmatic design and include estimated cost  
26 savings by reducing repetitive design costs or miscellaneous costs, or  
27 both, applied to projects.

28 ~~((14) \$2,000,000))~~ (12) \$3,000,000 of the Puget Sound capital  
29 construction account--state appropriation is provided solely for  
30 emergency capital repair costs (999901K). Funds may be spent only  
31 after approval from the office of financial management.

32 ~~((15) \$7,167,000))~~ (13) \$4,851,000 of the Puget Sound capital  
33 construction account--state appropriation is provided solely for the  
34 reservation (L2000041) and communications (L2000042) system project.

35 (14) Consistent with RCW 47.60.662, which requires the Washington  
36 state ferry system to collaborate with passenger-only ferry and transit  
37 providers to provide service at existing terminals, the department

1 shall ensure that multimodal access, including for passenger-only  
2 ferries and transit service providers, is maintained at the Seattle  
3 terminal and included in any future modifications at the terminal.

4 (15) \$641,500 of the Puget Sound capital construction account--  
5 state appropriation is provided solely for the department to work with  
6 the United States coast guard and other relevant agencies to conduct  
7 security and operational planning, and public outreach, in order to  
8 provide additional information for decision-making regarding the use of  
9 liquefied natural gas-powered vessels in the Washington state ferry  
10 fleet. The department shall invite representatives of Alaska and  
11 Canada to participate in this process.

12 (16) For any projects for which state ferry vessels are to be  
13 retrofitted for liquefied natural gas use, the department shall use an  
14 alternative procurement procedure, such as design-build or design-  
15 build-operate. The department may not use full-time equivalent staff  
16 for aspects of such projects other than for conceptual design or  
17 performance specification definition.

18 **Sec. 309.** 2011 c 367 s 309 (uncodified) is amended to read as  
19 follows:

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

21 Essential Rail Assistance Account--State	
22 Appropriation . . . . .	(((\$1,000,000))
23	<u>\$1,064,000</u>
24 Transportation Infrastructure Account--State	
25 Appropriation . . . . .	(((\$5,838,000))
26	<u>\$5,693,000</u>
27 Multimodal Transportation Account--State	
28 Appropriation . . . . .	(((\$52,000,000))
29	<u>\$58,779,000</u>
30 Multimodal Transportation Account--Federal	
31 Appropriation . . . . .	(((\$366,314,000))
32	<u>\$236,597,000</u>
33 Multimodal Transportation Account--Private/Local	
34 Appropriation . . . . .	(((\$1,292,000))
35	<u>\$1,010,000</u>
36 TOTAL APPROPRIATION . . . . .	(((\$426,444,000))
37	<u>\$303,143,000</u>

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

3 (1)(a) Except as provided otherwise in this section, the entire  
4 appropriations in this section are provided solely for the projects and  
5 activities as listed by project and amount in LEAP Transportation  
6 Document ((2011)) 2012-2 ALL PROJECTS as developed ((April 19, 2011))  
7 February 16, 2012, Program-Rail Capital Program (Y).

8 (b) Within the amounts provided in this section, ((\$2,903,000))  
9 \$3,180,000 of the transportation infrastructure account--state  
10 appropriation is for low-interest loans through the freight rail  
11 investment bank program for specific projects listed as recipients of  
12 these loans in the LEAP transportation document identified in (a) of  
13 this subsection. The department shall issue freight rail investment  
14 bank program loans with a repayment period of no more than ten years,  
15 and only so much interest as is necessary to recoup the department's  
16 costs to administer the loans.

17 ~~((c) Within the amounts provided in this section, \$1,754,000 of  
18 the multimodal transportation account state appropriation and  
19 \$1,000,000 of the essential rail assistance account state  
20 appropriation are for statewide emergent freight rail assistance  
21 projects identified in the LEAP transportation document identified in  
22 (a) of this subsection.))~~

23 (2)(a) If any funds remain in the program reserves (F01001A &  
24 F01000A) for the program and projects listed in subsection (1)(b) ((and  
25 (e))) of this section, the department shall issue a call for projects  
26 for the freight rail investment bank (FRIB) loan program and the  
27 emergent freight rail assistance program (FRAP) grants, and shall  
28 evaluate the applications according to the cost-benefit methodology  
29 developed during the 2008 interim using the legislative priorities  
30 specified in (c) of this subsection. Unsuccessful FRAP grant  
31 applicants should be encouraged to apply to the FRIB loan program, if  
32 eligible. By November 1, 2011, the department shall submit a  
33 prioritized list of recommended projects to the office of financial  
34 management and the transportation committees of the legislature.

35 (b) When the department identifies a prospective rail project that  
36 may have strategic significance for the state, or at the request of a  
37 proponent of a prospective rail project or a member of the legislature,  
38 the department shall evaluate the prospective project according to the



1 cost-benefit methodology developed during the 2008 interim using the  
2 legislative priorities specified in (c) of this subsection. The  
3 department shall report its cost-benefit evaluation of the prospective  
4 rail project, as well as the department's best estimate of an  
5 appropriate construction schedule and total project costs, to the  
6 office of financial management and the transportation committees of the  
7 legislature.

8 (c) The legislative priorities to be used in the cost-benefit  
9 methodology are, in order of relative importance:

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

12 (ii) Self-sustaining economic development that creates family-wage  
13 jobs;

14 (iii) Preservation of transportation corridors that would otherwise  
15 be lost;

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

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

20 (vi) Mitigation of impacts of increased rail traffic on  
21 communities.

22 (3) The department is directed to expend unallocated federal rail  
23 crossing funds in lieu of or in addition to state funds for eligible  
24 costs of projects in program Y.

25 (4) The department shall provide quarterly reports to the office of  
26 financial management and the transportation committees of the  
27 legislature regarding applications that the department submits for  
28 federal funds and the status of such applications.

29 (5) The department shall, on a quarterly basis, provide to the  
30 office of financial management and the legislature reports providing  
31 the status on active projects identified in the LEAP transportation  
32 document described in subsection (1)(a) of this section. Report  
33 formatting and elements must be consistent with the October 2009  
34 quarterly project report.

35 (6) The multimodal transportation account--state appropriation  
36 includes up to (~~(\$19,684,000)~~) \$2,946,000 in proceeds from the sale of  
37 bonds authorized in RCW 47.10.867.

1           (7) (~~When the balance of that portion of the miscellaneous program~~  
2 ~~account apportioned to the department for the grain train program~~  
3 ~~reaches \$1,180,000, the department shall acquire additional grain train~~  
4 ~~railcars.~~

5           (8) ~~\$1,087,000 of the multimodal transportation account--state~~  
6 ~~appropriation is provided solely as state matching funds for successful~~  
7 ~~grant applications to either the federal rail line relocation and~~  
8 ~~improvement program (project 798999D) or new federal high-speed rail~~  
9 ~~grants.~~

10           (9)) Revenues from the grain train railcar program must be used to  
11 support grain train railcar maintenance and program costs accrued by  
12 ports. Upon legislative approval, excess grain train railcar revenues  
13 may be used for maintenance of state-owned railroads and future  
14 purchases of grain train railcars.

15           (8) The Burlington Northern Santa Fe Skagit river bridge is an  
16 integral part of the rail system. Constructed in 1916, the bridge does  
17 not meet current design standards and is at risk during flood events  
18 that occur on the Skagit river. The department shall work with  
19 Burlington Northern Santa Fe and local jurisdictions to secure federal  
20 funding for the Skagit river bridge and to develop an appropriate  
21 replacement plan and schedule.

22           (~~(10) \$339,139,000~~) (9) \$155,572,000 of the multimodal  
23 transportation account--federal appropriation and (~~(\$5,099,000)~~)  
24 \$2,697,000 of the multimodal transportation account--state  
25 appropriation are provided solely for expenditures related to passenger  
26 high-speed rail grants. At one and one-half percent of the total  
27 project funds, the multimodal transportation account--state funds are  
28 provided solely for expenditures that are not federally reimbursable.  
29 Funding in this subsection is the initial portion of multiyear  
30 high-speed rail program grants awarded to Washington state for  
31 high-speed intercity passenger rail investments. Funding will allow  
32 for two additional round trips between Seattle and Portland and other  
33 rail improvements.

34           (~~(11)~~) (10) \$750,000 of the multimodal transportation account--  
35 state appropriation is provided solely for the Port of Royal Slope  
36 rehabilitation project (L1000053). Funding is contingent upon the  
37 project completing the rail cost-benefit methodology process developed

1 during the 2008 interim using the legislative priorities outlined in  
2 subsection (2)(c) of this section.

3 **Sec. 310.** 2011 c 367 s 310 (uncodified) is amended to read as  
4 follows:

5 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**  
6 **CAPITAL**

7	Highway Infrastructure Account--State Appropriation . . . . .	\$207,000
8	Highway Infrastructure Account--Federal	
9	Appropriation . . . . .	\$1,602,000
10	Motor Vehicle Account--State Appropriation . . . . .	(((\$3,754,000))
11		<u>\$4,179,000</u>
12	Motor Vehicle Account--Federal Appropriation . . . . .	(((\$31,856,000))
13		<u>\$30,430,000</u>
14	Freight Mobility Investment Account--State	
15	Appropriation . . . . .	\$11,278,000
16	Transportation Partnership Account--State	
17	Appropriation . . . . .	(((\$6,035,000))
18		<u>\$7,181,000</u>
19	Freight Mobility Multimodal Account--State	
20	Appropriation . . . . .	(((\$15,117,000))
21		<u>\$15,668,000</u>
22	Freight Mobility Multimodal Account--Local	
23	Appropriation . . . . .	(((\$4,752,000))
24		<u>\$2,834,000</u>
25	Multimodal Transportation Account--State	
26	Appropriation . . . . .	(((\$18,453,000))
27		<u>\$22,475,000</u>
28	Passenger Ferry Account--State Appropriation . . . . .	\$1,115,000
29	<u>Highway Safety Account--State Appropriation . . . . .</u>	<u>\$3,500,000</u>
30	TOTAL APPROPRIATION . . . . .	(((\$94,169,000))
31		<u>\$100,469,000</u>

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

34 (1) ~~((The department shall, on a quarterly basis beginning July 1,~~  
35 ~~2011, provide to the office of financial management and the legislature~~  
36 ~~reports providing the status on each active project funded in part or~~  
37 ~~whole by the transportation 2003 account (nickel account) or the~~

1 ~~transportation partnership account. Report formatting and elements~~  
2 ~~must be consistent with the October 2009 quarterly project report. The~~  
3 ~~department shall also provide the information required under this~~  
4 ~~subsection on a quarterly basis via the transportation executive~~  
5 ~~information system.~~

6 (2)) \$1,115,000 of the passenger ferry account--state  
7 appropriation is provided solely for near and long-term costs of  
8 capital improvements and operating expenses that are consistent with  
9 the business plan approved by the governor for passenger ferry service.

10 ((3)) (2) The department shall apply for surface transportation  
11 program enhancement funds to be expended in lieu of or in addition to  
12 state funds for eligible costs of projects in local programs, program  
13 Z--capital.

14 ((4) Federal funds may be transferred from program Z to programs  
15 I and P and state funds must be transferred from programs I and P to  
16 program Z to replace those federal funds in a dollar for dollar match.  
17 Fund transfers authorized under this subsection shall not affect  
18 project prioritization status. Appropriations must initially be  
19 allotted as appropriated in this act. The department may not transfer  
20 funds as authorized under this subsection without approval of the  
21 office of financial management. The department shall submit a report  
22 on those projects receiving fund transfers to the office of financial  
23 management and the transportation committees of the legislature by  
24 December 1, 2011, and December 1, 2012.

25 (5)) (3) The city of Winthrop may utilize a design-build process  
26 for the Winthrop bike path project.

27 ((6) ~~\$11,557,000~~) (4) \$14,813,000 of the multimodal  
28 transportation account--state appropriation, (~~(\$12,136,000)~~)  
29 \$12,804,000 of the motor vehicle account--federal appropriation, and  
30 (~~(\$5,195,000)~~) \$6,241,000 of the transportation partnership account--  
31 state appropriation are provided solely for the pedestrian and bicycle  
32 safety program projects and safe routes to schools program projects  
33 identified in: LEAP Transportation Document 2011-A, pedestrian and  
34 bicycle safety program projects and safe routes to schools program  
35 projects, as developed April 19, 2011; LEAP Transportation Document  
36 2009-A, pedestrian and bicycle safety program projects and safe routes  
37 to schools program projects, as developed March 30, 2009; LEAP  
38 Transportation Document 2007-A, pedestrian and bicycle safety program

1 projects and safe routes to schools program projects, as developed  
2 April 20, 2007; and LEAP Transportation Document 2006-B, pedestrian and  
3 bicycle safety program projects and safe routes to schools program  
4 projects, as developed March 8, 2006. Projects must be allocated  
5 funding based on order of priority. The department shall review all  
6 projects receiving grant awards under this program at least  
7 semiannually to determine whether the projects are making satisfactory  
8 progress. Any project that has been awarded funds, but does not report  
9 activity on the project within one year of the grant award must be  
10 reviewed by the department to determine whether the grant should be  
11 terminated. The department shall promptly close out grants when  
12 projects have been completed, and identify where unused grant funds  
13 remain because actual project costs were lower than estimated in the  
14 grant award.

15 ~~((+7))~~ (5) Except as provided otherwise in this section, the  
16 entire appropriations in this section are provided solely for the  
17 projects and activities as listed by project and amount in ~~((LEAP~~  
18 ~~Transportation Document 2011-2 ALL PROJECTS as developed April 19,~~  
19 ~~2011, Program Local Program (Z))~~ LEAP Transportation Document 2012-2  
20 ALL PROJECTS as developed February 16, 2012. However, limited  
21 transfers of specific line-item project appropriations may occur  
22 between projects for those amounts listed subject to the conditions and  
23 limitations in section 601 of this act.

24 ~~((+8))~~ (6) For the 2011-2013 project appropriations, unless  
25 otherwise provided in this act, the director of the office of financial  
26 management may authorize a transfer of appropriation authority between  
27 projects managed by the freight mobility strategic investment board in  
28 order for the board to manage project spending and efficiently deliver  
29 all projects in the respective program.

30 ~~((+9))~~ (7) With each department budget submittal, the department  
31 shall provide an update on the status of the repayment of the twenty  
32 million dollars of unobligated federal funds authority advanced by the  
33 department in September 2010 to the city of Tacoma for the Murray  
34 Morgan/11th Street bridge project.

35 ~~((+10))~~ (8) The department shall prepare a list of main street  
36 projects, consistent with chapter ... (Engrossed Substitute House Bill  
37 No. 1071), Laws of 2011, for approval in the 2013-2015 fiscal biennium.  
38 In order to ensure that any proposed list of projects is consistent

1 with legislative intent, the department shall provide a report to the  
2 joint transportation committee by December 1, 2011. The report must  
3 identify the eligible segments of main streets highways, the  
4 department's proposed project selection and ranking method, criteria to  
5 be considered, and a plan for soliciting project proposals. The call  
6 for projects for the main streets highways program must be suspended  
7 until funding for the program is identified.

8 ((+11+)) (9) \$267,000 of the motor vehicle account--state  
9 appropriation and \$2,859,000 of the motor vehicle account--federal  
10 appropriation are provided solely for completion of the US 101  
11 northeast peninsula safety rest area and associated roadway  
12 improvements east of Port Angeles at the Deer Park scenic view point  
13 (3LP187A). The department must surplus any right-of-way previously  
14 purchased for this project near Sequim. Approval to proceed with  
15 construction is contingent on surplus of previously purchased right-of-  
16 way.

17 ((+12+)) (10) Up to (~~(\$3,650,000)~~) \$3,702,000 of the motor vehicle  
18 account--federal appropriation and (~~(\$23,000)~~) \$75,000 of the motor  
19 vehicle account--state appropriation are provided solely to reimburse  
20 the cities of Kirkland and Redmond for pavement and bridge deck  
21 rehabilitation on state route number 908 (1LP611A). These funds may  
22 not be expended unless the cities sign an agreement stating that the  
23 cities agree to take ownership of state route number 908 in its  
24 entirety and agree that the payment of these funds represents the  
25 entire state commitment to the cities for state route number 908  
26 expenditures.

27 ((+13+)) (11) \$225,000 of the multimodal transportation account--  
28 state appropriation is provided solely for the Shell Valley emergency  
29 road and bicycle/pedestrian path (L1000036).

30 (~~(\$150,000)~~) (12) \$188,000 of the motor vehicle account--state  
31 appropriation is provided solely for flood reduction solutions on state  
32 route number 522 caused by the lower McAleer and Lyon creek basins  
33 (L1000041).

34 ((+15+)) (13) \$896,000 of the multimodal transportation account--  
35 state appropriation is provided solely for realignment of Parker Road  
36 and construction of secondary access off of state route number 20  
37 (L2200040).

1            ~~((+16))~~ (14) An additional ~~(((\$2,500,000))~~ \$2,623,000 of the motor  
2 vehicle account--federal appropriation is provided solely for the  
3 Strander Blvd/SW 27th St Connection project (1LP902F), which amount is  
4 reflected in the LEAP transportation document identified in subsection  
5 ~~((+7))~~ (5) of this section. These funds may only be committed if  
6 needed, may not be used to supplant any other committed project  
7 partnership funding, and must be the last funds expended.

8            ~~((+17))~~ (15) \$500,000 of the motor vehicle account--federal  
9 appropriation is provided solely for safety improvements at the  
10 intersection of South Wapato and McDonald Road (L1000052).

11            ~~((+18))~~ (16) \$2,000,000 of the multimodal transportation account--  
12 state appropriation is provided solely for the state route number 432  
13 rail realignment and highway improvements project (L1000056).

14            ~~((+19))~~ ~~\$500,000 of the multimodal transportation account--state~~  
15 ~~appropriation is provided solely for a multimodal corridor plan on~~  
16 ~~state route number 520 between Interstate 405 and Avondale Road in~~  
17 ~~Redmond (L1000054).~~

18            ~~(+20))~~ (17) \$100,000 of the motor vehicle account--federal  
19 appropriation is provided solely for state route number 164 and Auburn  
20 Way South pedestrian improvements (L1000057).

21            ~~((+21))~~ (18) \$115,000 of the motor vehicle account--federal  
22 appropriation is provided solely for median street lighting on state  
23 route number 410 (L1000058).

24            ~~((+22))~~ (19) \$60,000 of the multimodal transportation account--  
25 state appropriation is provided solely for a cross docking study for  
26 the port of Douglas county (L1000060).

27            ~~((+23))~~ (20) \$100,000 of the motor vehicle account--federal  
28 appropriation is provided solely for city of Auburn - 8th and R Street  
29 NE intersection improvements (L2200043).

30            ~~((+24))~~ (21) \$65,000 of the multimodal transportation account--  
31 state appropriation is provided solely for the Puget Sound regional  
32 council to further the implementation of multimodal concurrency  
33 practice through a transit service overlay zone implemented at the  
34 local level (L1000061). This approach will improve the linkage of land  
35 use and transportation investment decisions, improve the efficiency of  
36 transit service by encouraging transit-supportive development, provide  
37 incentives for developers, and support integrated regional growth,  
38 economic development, and transportation plans. In carrying out this

1 work, the council shall involve representatives from cities and  
2 counties, developers, transit agencies, and other interested  
3 stakeholders, and shall consult with other regional transportation  
4 planning organizations across the state. The council shall report the  
5 results of their work and recommendations to the joint transportation  
6 committee by December 2011, with a final report to the transportation  
7 committees of the legislature by January 31, 2012.

8 (22) \$650,000 of the motor vehicle account--federal appropriation  
9 is provided solely for the SR 522 Improvements/61st Avenue NE and NE  
10 181st Street project (L1000055).

11 (23) The department shall implement an invitational call for  
12 projects eligible for the bicycle and pedestrian grant program similar  
13 to the call for projects conducted in 2010, although the department may  
14 adjust the criteria to include mobility and connectivity. The  
15 department shall include a list of prioritized bicycle and pedestrian  
16 grant projects for approval in the 2013-2015 biennial transportation  
17 budget.

18 (24)(a) \$3,500,000 of the highway safety account--state  
19 appropriation is provided solely for the following purposes:

20 (i) \$1,000,000 of the amount provided in this subsection is  
21 provided solely for the freight mobility strategic investment board for  
22 grants to meet urgent freight corridor improvement and preservation  
23 needs (L1100042).

24 (ii) \$2,500,000 of the amount provided in this subsection is  
25 provided solely for safe routes to schools program projects, in rank  
26 order, and identified as contingency projects in the LEAP  
27 Transportation Document 2011-A, pedestrian and bicycle safety program  
28 projects and safe routes to school program projects, referenced in  
29 chapter 367, Laws of 2011 (the omnibus transportation appropriations  
30 act).

31 (b) If chapter ... (Engrossed Substitute Senate Bill No. 6150),  
32 Laws of 2012 is not enacted by June 30, 2012, the amount provided in  
33 this subsection lapses.

34 NEW SECTION. Sec. 311. A new section is added to 2011 c 367  
35 (uncodified) to read as follows:

36 **REPORTING REQUIREMENTS FOR CAPITAL PROGRAM**



1 (1) On a monthly basis, the department of transportation shall  
2 provide to the office of financial management and the legislative  
3 transportation committees:

- 4 (a) A TEIS version containing actual capital expenditures  
5 consistent with the structure of the most recently enacted budget; and
- 6 (b) An update on awarded highway construction projects and  
7 associated savings or increases.

8 (2) On a quarterly basis, the department of transportation shall  
9 provide to the office of financial management and the legislative  
10 transportation committees a status report on each active project funded  
11 in part or in whole by the transportation 2003 account (nickel account)  
12 or the transportation partnership act revenue packages. The department  
13 of transportation shall also provide updated information for projects  
14 funded with preexisting funds and agreed to by the legislature, office  
15 of financial management, and the department. Funding provided at a  
16 programmatic level for projects relating to bridge rail, guard rail,  
17 fish passage barrier removal, roadside safety projects, and seismic  
18 bridges must be reported on a programmatic basis; detail that shows  
19 which projects comprise each project reported on a programmatic basis  
20 must be provided separately. Projects within this programmatic level  
21 funding must be completed on a priority basis and scoped to be  
22 completed within the current programmatic budget. The quarterly report  
23 must:

- 24 (a) Compare the original project cost estimates approved in the  
25 transportation 2003 and 2005 transportation partnership project lists  
26 to the completed cost of the project, or the most recent legislatively  
27 approved budget and total project costs for projects not yet completed;
- 28 (b) Identify highway projects that may be reduced in scope and  
29 still achieve a functional benefit;
- 30 (c) Identify highway projects that have experienced scope increases  
31 and that can be reduced in scope;
- 32 (d) Identify highway projects that have lost significant local or  
33 regional contributions that were essential to completing the project;
- 34 (e) Identify contingency amounts allocated to projects; and
- 35 (f) Identify updated information on the six major project  
36 milestones.

37 (3) On an annual basis, the department of transportation shall

1 provide to the office of financial management and the legislative  
2 transportation committees reports that:

3 (a) Identify, for all capital projects, the amount of cost savings  
4 or increases in funding that have been identified as compared to the  
5 most recently enacted transportation budget;

6 (b) Identify the financial status and schedule for mega-projects,  
7 which are defined as individual or groups of related projects that cost  
8 one billion dollars or more. These projects include, but are not  
9 limited to: Alaskan Way viaduct, SR 520, SR 167, I-405, North Spokane  
10 corridor, I-5 Tacoma HOV, I-90 Snoqualmie Pass, and the Columbia river  
11 crossing; and

12 (c) List all projects and associated amounts that are being charged  
13 to project OBI4ENV during the current fiscal biennium.

14 **TRANSFERS AND DISTRIBUTIONS**

15 **Sec. 401.** 2011 c 367 s 401 (uncodified) is amended to read as  
16 follows:

17 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**  
18 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND**  
19 **DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND**  
20 **REVENUE**

21	Highway Bond Retirement Account--State	
22	Appropriation . . . . .	(( <del>\$920,560,000</del> ))
23		<u>\$797,062,000</u>
24	Ferry Bond Retirement Account--State Appropriation . . . . .	\$31,801,000
25	State Route Number 520 Corridor Account--State	
26	Appropriation . . . . .	\$1,075,000
27	Transportation Improvement Board Bond Retirement	
28	Account--State Appropriation . . . . .	(( <del>\$16,544,000</del> ))
29		<u>\$16,504,000</u>
30	Nondebt-Limit Reimbursable Account Appropriation . . . . .	(( <del>\$25,200,000</del> ))
31		<u>\$19,843,000</u>
32	Transportation Partnership Account--State	
33	Appropriation . . . . .	(( <del>\$3,142,000</del> ))
34		<u>\$2,807,000</u>
35	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$333,000</del> ))





1 materials acquisition for the Washington state ferries. ((Of the  
2 authorized amounts, \$14,500,000 is provided solely for expenditures  
3 made during the fiscal biennium ending June 30, 2011.))

4 **Sec. 404.** 2011 c 367 s 404 (uncodified) is amended to read as  
5 follows:

6 **FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION**

7 Motor Vehicle Account--State Appropriation for motor  
8 vehicle fuel tax distributions to cities and  
9 counties . . . . . ((\$478,155,000))  
10 \$470,701,000

11 **Sec. 405.** 2011 c 367 s 405 (uncodified) is amended to read as  
12 follows:

13 **FOR THE STATE TREASURER--TRANSFERS**

14 Motor Vehicle Account--State Appropriation: For  
15 motor vehicle fuel tax refunds and statutory  
16 transfers . . . . . ((\$1,246,357,000))  
17 \$1,242,659,000

18 **Sec. 406.** 2011 c 367 s 406 (uncodified) is amended to read as  
19 follows:

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

21 Motor Vehicle Account--State Appropriation: For  
22 motor vehicle fuel tax refunds and transfers . . . ((\$127,984,000))  
23 \$151,890,000

24 **Sec. 407.** 2011 c 367 s 407 (uncodified) is amended to read as  
25 follows:

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

27 (1) Tacoma Narrows Toll Bridge Account--State  
28 Appropriation: For transfer to the Motor Vehicle  
29 Account--State . . . . . \$543,000

30 (2) Motor Vehicle Account--State Appropriation:  
31 For transfer to the Puget Sound Ferry Operations  
32 Account--State . . . . . ((\$46,500,000))  
33 \$54,500,000

34 (3) Recreational Vehicle Account--State

1 Appropriation: For transfer to the Motor Vehicle  
 2 Account--State . . . . . ((~~\$1,450,000~~))  
 3 \$1,150,000  
 4 (4) License Plate Technology Account--State  
 5 Appropriation: For transfer to the Highway Safety  
 6 Account--State . . . . . ((~~\$3,200,000~~))  
 7 \$1,200,000  
 8 (5) Multimodal Transportation Account--State  
 9 Appropriation: For transfer to the Puget Sound  
 10 Ferry Operations Account--State . . . . . ((~~\$43,000,000~~))  
 11 \$38,000,000  
 12 (6) Highway Safety Account--State Appropriation:  
 13 For transfer to the Motor Vehicle Account--State . . . . . ((~~\$23,000,000~~))  
 14 \$31,000,000  
 15 (~~(7) ((Department of Licensing Services Account~~  
 16 ~~--State Appropriation: For transfer to the Motor Vehicle~~  
 17 ~~Account--State . . . . . \$400,000~~  
 18 (+8)) Advanced Right-of-Way Revolving Fund: For  
 19 transfer to the Motor Vehicle Account--State . . . . . \$5,000,000  
 20 (~~((9) State Route Number 520 Civil Penalties~~  
 21 ~~Account--State Appropriation: For transfer to the~~  
 22 ~~State Route Number 520 Corridor Account--State . . . . . \$754,000~~  
 23 (+10)) (8) Rural Mobility Grant Program Account--State  
 24 Appropriation: For transfer to the Multimodal  
 25 Transportation Account--State . . . . . \$3,000,000  
 26 ((+11)) (9) Motor Vehicle Account--State  
 27 Appropriation: For transfer to the State Patrol  
 28 Highway Account--State . . . . . \$14,000,000  
 29 (~~((12) State Route Number 520 Corridor~~  
 30 ~~Account--State Appropriation: For transfer to the~~  
 31 ~~Motor Vehicle Account--State, in an amount equal to~~  
 32 ~~funds dispersed during the 2009-2011 fiscal biennium~~  
 33 ~~authorized under section 805(7) of this act.~~  
 34 (+13)) (10) Motor Vehicle Account--State  
 35 Appropriation: For transfer to the Special Category C  
 36 Account--State . . . . . ((~~\$1,500,000~~))  
 37 \$2,500,000  
 38 ((+14)) (11) Regional Mobility Grant Program

1 Account--State Appropriation: For transfer to the  
2 Multimodal Transportation Account--State . . . . . \$1,000,000  
3 ((+15)) (12) State Patrol Highway Account--State  
4 Appropriation: For transfer to the Vehicle  
5 Licensing Fraud Account . . . . . \$100,000  
6 ((+16) State Route Number 520 Corridor Account--State  
7 Appropriation: For transfer to the Motor Vehicle  
8 Account . . . . . \$2,435,000))  
9 (13) Capital Vessel Replacement Account--State  
10 Appropriation: For transfer to the Transportation 2003  
11 Account (Nickel Account)--State . . . . . \$6,362,000  
12 (14) Motor Vehicle Account--State Appropriation:  
13 For transfer to the State Route Number 520 Corridor  
14 Account--State . . . . . \$58,000  
15 ((+17)) (15) The transfers identified in this section are subject  
16 to the following conditions and limitations:  
17 (a) The amount transferred in subsection (1) of this section  
18 represents a partial repayment of the operating loan(~~(s)~~) and reserve  
19 payment(~~(s)~~) provided to the Tacoma Narrows toll bridge account (~~from~~  
20 ~~the motor vehicle account in the 2005-2007 fiscal biennium~~) in the  
21 2005-2007 fiscal biennium. The remaining \$4,750,000 of the operating  
22 loan and reserve payment shall be paid in future biennia.  
23 (b) (~~The transfer in subsection (9) of this section represents~~  
24 ~~toll revenue collected from toll violations~~) The amount transferred in  
25 subsection (3) of this section shall not exceed the expenditures  
26 incurred from the motor vehicle account--state for the recreational  
27 vehicle sanitary disposal systems program.

28 **COMPENSATION**

29 **Sec. 501.** 2011 c 367 s 502 (uncodified) is amended to read as  
30 follows:

31 **COLLECTIVE BARGAINING AGREEMENTS--WSP TROOPERS ASSOCIATION**

32 (1) No agreement has been reached between the governor and the  
33 Washington state patrol trooper's association under chapter 41.56 RCW  
34 for (~~the 2011-2013 fiscal biennium~~) fiscal year 2012. Appropriations

1 for the Washington state patrol in this act are sufficient to fund the  
2 provisions of the 2009-2011 agreement.

3 (2) An agreement has been reached between the governor and the  
4 Washington state patrol troopers association under chapter 41.56 RCW  
5 for fiscal year 2013. Appropriations for the Washington state patrol  
6 in this act provide funding to implement the fiscal year 2013  
7 agreement. The fiscal year 2013 agreement contains no change in  
8 compensation from the 2009-2011 agreement; therefore, no additional  
9 funding is appropriated.

10 **Sec. 502.** 2011 c 367 s 503 (uncodified) is amended to read as  
11 follows:

12 **COLLECTIVE BARGAINING AGREEMENTS--WSP LIEUTENANTS ASSOCIATION**

13 (1) No agreement has been reached between the governor and the  
14 Washington state patrol lieutenant's association under chapter 41.56  
15 RCW for ((the 2011-2013 fiscal biennium)) fiscal year 2012.  
16 Appropriations for the Washington state patrol in this act are  
17 sufficient to fund the provisions of the 2009-2011 agreement.

18 (2) An agreement has been reached between the governor and the  
19 Washington state patrol lieutenants association under chapter 41.56 RCW  
20 for fiscal year 2013. Appropriations for the Washington state patrol  
21 in this act provide funding to implement the fiscal year 2013  
22 agreement. The fiscal year 2013 agreement contains no change in  
23 compensation from the 2009-2011 agreement; therefore, no additional  
24 funding is appropriated.

25 **Sec. 503.** 2011 c 367 s 505 (uncodified) is amended to read as  
26 follows:

27 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**  
28 **AGREEMENTS--TERMS AND CONDITIONS**

29 No agreement has been reached between the governor and the masters,  
30 mates, and pilots marine operations watch supervisors under chapter  
31 47.64 RCW for the 2011-2013 fiscal biennium. Appropriations in this  
32 act reflect funding to maintain the provisions or terms and conditions  
33 of the 2009-2011 agreements for fiscal year 2012. Fiscal year 2013  
34 appropriations are reduced to reflect: A 6.0 percent temporary salary  
35 reduction effective July 1, 2012, through June 29, 2013; a reduction to  
36 overtime calculations; a reduction to vacation leave accruals; and



1 other management priorities in collective bargaining. Effective June  
2 30, 2013, the salary schedules effective July 1, 2009, through June 30,  
3 2011, will be reinstated.

4 **NEW SECTION. Sec. 504. TRANSPORTATION EMPLOYEES--COMPENSATION**

5 The following acts or parts of acts are each repealed:

6 (1) 2011 1st sp.s. c 50 s 718 (uncodified) (FOR THE OFFICE OF  
7 FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEES--RETIREMENT SYSTEM  
8 CONTRIBUTIONS);

9 (2) 2011 1st sp.s. c 50 s 719 (uncodified) (FOR THE OFFICE OF  
10 FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEES--RETIREMENT SYSTEM  
11 CONTRIBUTIONS);

12 (3) 2011 1st sp.s. c 50 s 720 (uncodified) (FOR THE OFFICE OF  
13 FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEE SALARY REDUCTIONS); and

14 (4) 2011 1st sp.s. c 50 s 721 (uncodified) (FOR THE OFFICE OF  
15 FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEES RETIREMENT SYSTEM  
16 CONTRIBUTIONS).

17 **IMPLEMENTING PROVISIONS**

18 **Sec. 601.** 2011 c 367 s 603 (uncodified) is amended to read as  
19 follows:

20 **FUND TRANSFERS**

21 (1) The transportation 2003 projects or improvements and the 2005  
22 transportation partnership projects or improvements are listed in LEAP  
23 Transportation Document ((2011)) 2012-1 as developed ((~~April 19, 2011~~))  
24 February 16, 2012, which consists of a list of specific projects by  
25 fund source and amount over a sixteen-year period. Current fiscal  
26 biennium funding for each project is a line-item appropriation, while  
27 the outer year funding allocations represent a sixteen-year plan. The  
28 department is expected to use the flexibility provided in this section  
29 to assist in the delivery and completion of all transportation  
30 partnership account and transportation 2003 account (nickel account)  
31 projects on the LEAP transportation documents referenced in this act.  
32 For the 2009-2011 and 2011-2013 project appropriations, unless  
33 otherwise provided in this act, the director of financial management  
34 may authorize a transfer of appropriation authority between projects

1 funded with transportation 2003 account (nickel account)  
2 appropriations, or transportation partnership account appropriations,  
3 in order to manage project spending and efficiently deliver all  
4 projects in the respective program under the following conditions and  
5 limitations:

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

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

11 (c) Each transfer between projects may only occur if the director  
12 of financial management finds that any resulting change will not hinder  
13 the completion of the projects as approved by the legislature. Until  
14 the legislature reconvenes to consider the 2012 supplemental  
15 transportation budget, any unexpended 2009-2011 appropriation balance  
16 as approved by the office of financial management, in consultation with  
17 the legislative staff of the house of representatives and senate  
18 transportation committees, may be considered when transferring funds  
19 between projects;

20 (d) Transfers from a project may be made if the funds appropriated  
21 to the project are in excess of the amount needed to complete the  
22 project;

23 (e) Transfers may not occur for projects not identified on the  
24 applicable project list;

25 (f) Transfers may not be made while the legislature is in session;  
26 and

27 (g) Transfers between projects may be made by the department of  
28 transportation until the transfer amount by project exceeds two hundred  
29 fifty thousand dollars, or ten percent of the total project, whichever  
30 is less. These transfers must be reported quarterly to the director of  
31 financial management and the chairs of the house of representatives and  
32 senate transportation committees.

33 (2) At the time the department submits a request to transfer funds  
34 under this section, a copy of the request must be submitted to the  
35 transportation committees of the legislature.

36 (3) The office of financial management shall work with legislative  
37 staff of the house of representatives and senate transportation  
38 committees to review the requested transfers in a timely manner.

1 (4) The office of financial management shall document approved  
2 transfers and schedule changes in the transportation executive  
3 information system, compare changes to the legislative baseline funding  
4 and schedules identified by project identification number identified in  
5 the LEAP transportation documents referenced in this act, and transmit  
6 revised project lists to chairs of the transportation committees of the  
7 legislature on a quarterly basis.

8 **MISCELLANEOUS 2011-2013 FISCAL BIENNIUM**

9 **Sec. 701.** RCW 43.19.642 and 2010 c 247 s 701 are each amended to  
10 read as follows:

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

19 (2) Effective June 1, 2009, state agencies are required to use a  
20 minimum of twenty percent biodiesel as compared to total volume of all  
21 diesel purchases made by the agencies for the operation of the  
22 agencies' diesel-powered vessels, vehicles, and construction equipment.

23 (3) All state agencies using biodiesel fuel shall, beginning on  
24 July 1, 2006, file biannual reports with the department of (~~general~~  
25 ~~administration~~) enterprise services documenting the use of the fuel  
26 and a description of how any problems encountered were resolved.

27 (4) For the 2009-2011 fiscal biennium, all fuel purchased by the  
28 Washington state ferries at Harbor Island for the operation of the  
29 Washington state ferries diesel-powered vessels must be a minimum of  
30 five percent biodiesel blend so long as the per gallon price of diesel  
31 containing a five percent biodiesel blend level does not exceed the per  
32 gallon price of diesel by more than five percent. If the per gallon  
33 price of diesel containing a five percent biodiesel blend level exceeds  
34 the per gallon price of diesel by more than five percent, the

1 requirements of this section do not apply to vessel fuel purchases by  
2 the Washington state ferries.

3 (5) By December 1, 2009, the department of (~~general~~  
4 ~~administration~~) enterprise services shall:

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

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

10 (6) During the 2011-2013 fiscal biennium, the Washington state  
11 ferries is required to use a minimum of five percent biodiesel as  
12 compared to total volume of all diesel purchased made by the Washington  
13 state ferries for the operation of the Washington state ferries diesel-  
14 powered vessels.

15 **MISCELLANEOUS**

16 NEW SECTION. **Sec. 801.** If any provision of this act or its  
17 application to any person or circumstance is held invalid, the  
18 remainder of the act or the application of the provision to other  
19 persons or circumstances is not affected.

20 NEW SECTION. **Sec. 802.** This act is necessary for the immediate  
21 preservation of the public peace, health, or safety, or support of the  
22 state government and its existing public institutions, and takes effect  
23 immediately.

INDEX

PAGE #

COLLECTIVE BARGAINING AGREEMENTS

WSP LIEUTENANTS ASSOCIATION . . . . . 79

WSP TROOPERS ASSOCIATION . . . . . 78

COUNTY ROAD ADMINISTRATION BOARD . . . . . 7, 43

DEPARTMENT OF AGRICULTURE . . . . . 5

DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION . . . . . 1

DEPARTMENT OF ENTERPRISE SERVICES . . . . . 4

DEPARTMENT OF LICENSING . . . . . 15

TRANSFERS . . . . . 76

DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS

TERMS AND CONDITIONS . . . . . 79

DEPARTMENT OF TRANSPORTATION

AVIATION--PROGRAM F . . . . . 22

CHARGES FROM OTHER AGENCIES--PROGRAM U . . . . . 31

ECONOMIC PARTNERSHIPS--PROGRAM K . . . . . 24

FACILITIES--PROGRAM D--OPERATING . . . . . 21

HIGHWAY MAINTENANCE--PROGRAM M . . . . . 25

IMPROVEMENTS--PROGRAM I . . . . . 46

INFORMATION TECHNOLOGY--PROGRAM C . . . . . 20

LOCAL PROGRAMS--PROGRAM Z--CAPITAL . . . . . 66

LOCAL PROGRAMS--PROGRAM Z--OPERATING . . . . . 42

MARINE--PROGRAM X . . . . . 38

PRESERVATION--PROGRAM P . . . . . 55

PROGRAM D-- ( DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS )--CAPITAL . . . . . 45

PROGRAM DELIVERY MANAGEMENT AND SUPPORT--PROGRAM H . . . . . 22

PUBLIC TRANSPORTATION--PROGRAM V . . . . . 33

RAIL--PROGRAM Y--OPERATING . . . . . 41

RAIL--PROGRAM Y--CAPITAL . . . . . 62

TOLL OPERATIONS AND MAINTENANCE--PROGRAM B . . . . . 18

TRAFFIC OPERATIONS--PROGRAM Q--CAPITAL . . . . . 58

TRAFFIC OPERATIONS--PROGRAM Q--OPERATING . . . . . 26

TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S . . . . . 29

TRANSPORTATION PLANNING , DATA , AND RESEARCH--PROGRAM T . . . . . 30

WSF CONSTRUCTION--PROGRAM W . . . . . 58

FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD . . . . . 11

FUND TRANSFERS . . . . . 80

JOINT TRANSPORTATION COMMITTEE . . . . .	8
LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE . . . . .	5
OFFICE OF FINANCIAL MANAGEMENT . . . . .	2
PUBLIC EMPLOYMENT RELATIONS COMMISSION . . . . .	4
REPORTING REQUIREMENTS FOR CAPITAL PROGRAM . . . . .	71
STATE TREASURER	
ADMINISTRATIVE TRANSFERS . . . . .	76
BOND RETIREMENT AND INTEREST . . . . .	73, 74, 75
STATE REVENUES FOR DISTRIBUTION . . . . .	76
TRANSFERS . . . . .	76
TRANSPORTATION COMMISSION . . . . .	9
TRANSPORTATION EMPLOYEES	
COMPENSATION . . . . .	80
TRANSPORTATION IMPROVEMENT BOARD . . . . .	7, 44
WASHINGTON STATE PATROL . . . . .	11, 42
WASHINGTON TRAFFIC SAFETY COMMISSION . . . . .	5

--- END ---