ESHB 2190 — S AMD
By Senator

ADOPTED AND ENGROSSED 3/6/12

Strike everything after the enacting clause and insert the following:

"2011-2013 FISCAL BIENNium
GENERAL GOVERNMENT AGENCIES--OPERATING

Sec. 101. 2011 c 367 s 101 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION
Motor Vehicle Account--State Appropriation . . . . . . . . . ((($430,000))
   $416,000
The appropriation in this section is subject to the following conditions and limitations: The entire appropriation is provided solely for staffing costs to be dedicated to state transportation activities. Staff hired to support transportation activities must have practical experience with complex construction projects.

Sec. 102. 2011 c 367 s 103 (uncodified) is amended to read as follows:
FOR THE OFFICE OF FINANCIAL MANAGEMENT
Motor Vehicle Account--State Appropriation . . . . . . . . . ((($2,216,000))
   $1,728,000
Puget Sound Ferry Operations Account--State Appropriation . . . . . . . . . . . . . . . . . . . . ((($4,624,000))
   $1,260,000
Multimodal Transportation Account--State Appropriation . . . . . . . . . . . . . . . . . . . . $350,000
   TOTAL APPROPRIATION . . . . . . . . . . . . . . . . . . ((($6,840,000))
   $3,338,000
The appropriations in this section are subject to the following conditions and limitations:
The office of financial management, in consultation with the
transportation committees of the legislature, shall conduct a budget
evaluation study for the new traffic management center proposed by the
department of transportation. The study must consider data resulting
from the plan identified in section 604 of this act. The budget
evaluation study team approach using value engineering techniques must
be utilized by the office of financial management in conducting the
study. The office of financial management shall select the budget
evaluation study team members, contract for the study, and report the
results to the transportation committees of the legislature and the
department of transportation in a timely manner following the study.
Options reviewed must include use of existing facilities, including the
Wheeler building data center in Olympia. Funds allocated for the new
traffic management center must be used by the office of financial
management through an interagency agreement with the department of
transportation to cover the cost of the study.

(2) ($4,480,000 of the Puget Sound ferry operations account--state
appropriation is provided solely for marine insurance. The
appropriation is intended to fully fund a two-year policy, and the
office of financial management shall increase the deductible to
$10,000,000 and reduce components of the policy in order to keep the
total cost of the two-year policy at or below the appropriation in this
subsection.

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

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

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

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

((8)) (6) The office of financial management shall study the available data regarding statewide transit, bicycle, and pedestrian trips and recommend additional performance measures that will effectively measure the state's performance in increasing transit ridership and bicycle and pedestrian trips. The office of financial management shall report its findings and recommendations to the transportation committees of the legislature by November 15, 2011, and integrate the new performance measures into the report prepared by the office of financial management pursuant to RCW 47.04.280 regarding progress towards achieving Washington state's transportation system policy goals.

(7) $350,000 of the multimodal transportation account--state appropriation is provided solely for the office of financial management to contract with a statewide organization representing Washington cities and a statewide organization representing Washington counties to work with the Washington state governor's office of regulatory assistance to:

(a) Fulfill completion of recent iPRMT enhancements developed to consolidate applications and expedite local, state, and regional transportation and public works maintenance permitting related to (i) general hydraulic project approval permits issued consistent with section 103(3), chapter 247, Laws of 2010 and (ii) section 106 consultations completed under the national historic preservation act;

(b) Work with local, state, and regional transportation and public works maintenance agencies to continue to support development of iPRMT enhancements and customizations based on applicant needs; and

(c) Provide outreach and training to advance the state's interest
in continuing to leverage iPRMT web infrastructure to support and accelerate local, regional, and state transportation and public works planning, permitting, and compliance.

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

FOR THE DEPARTMENT OF ENTERPRISE SERVICES
Motor Vehicle Account--State Appropriation .................... $462,000
Puget Sound Ferry Operations Account--State
  Appropriation .................................................. $3,360,000
  TOTAL APPROPRIATION ........................................ $3,822,000

The appropriations in this section are subject to the following conditions and limitations:
  (1) $462,000 of the motor vehicle account--state appropriation is provided solely for the transportation executive information system.
  (2) $3,360,000 of the Puget Sound ferry operations account--state appropriation is provided solely for marine insurance. The amount in this subsection as well as the amount in section 102(2) of this act is intended to fully fund a two-year policy. For fiscal year 2013, the department of enterprise services shall increase the deductible to ten million dollars and reduce components of the policy in order to keep the total cost of the two-year policy at or below the appropriation in this subsection and section 102(2) of this act.

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

FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION
Puget Sound Ferry Operations Account--State
  Appropriation .................................................. ($95,000)
  $75,000

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

FOR THE DEPARTMENT OF AGRICULTURE
Motor Vehicle Account--State Appropriation ............... (($1,210,000))
  $1,185,000

The appropriation in this section is subject to the following conditions and limitations:
(1) $351,000 of the motor vehicle account--state appropriation is provided solely for costs associated with the motor fuel quality program.

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

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

FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE
Motor Vehicle Account--State Appropriation . . . . . . . . ((513,000)) $494,000

TRANSPORTATION AGENCIES--OPERATING

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

FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION
Highway Safety Account--State Appropriation . . . . . . . . ((3,003,000)) $2,983,000
Highway Safety Account--Federal Appropriation . . . . . . . . ((42,625,000)) $42,507,000
Highway Safety Account--Private/Local Appropriation . . . . . $50,000
School Zone Safety Account--State Appropriation . . . . . . . .3,340,000
TOTAL APPROPRIATION . . . . . . . . . . . . . . . . . . . . . . . . ((49,018,000)) $48,880,000

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

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

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

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

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

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

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

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

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

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

FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account--State Appropriation . . . . (($948,000))
Motor Vehicle Account--State Appropriation ........ (($2,161,000))

$915,000

County Arterial Preservation Account--State
Appropriation ......................... (($1,480,000))

$2,088,000

TOTAL APPROPRIATION ............... (($4,589,000))

$4,431,000

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

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

FOR THE TRANSPORTATION IMPROVEMENT BOARD

Transportation Improvement Account--State
Appropriation ......................... (($3,707,000))

$3,625,000

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

Sec. 204. 2011 c 367 s 204 (uncodified) is amended to read as follows:
FOR THE JOINT TRANSPORTATION COMMITTEE

Motor Vehicle Account--State Appropriation . . . . . . ((($2,060,000)))

$2,028,000

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

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

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

(3) $425,000 of the motor vehicle account--state appropriation is for the joint transportation committee to conduct a study to evaluate the potential for financing state transportation projects using public-private partnerships. The study must compare the costs, advantages, and disadvantages of various forms of public-private partnerships with conventional financing. Projects to be evaluated include Interstate 405, state route number 509, state route number 167, the Columbia River crossing, and the Monroe bypass. At a minimum, the study must identify the public interest in the financing and construction of transportation projects, the public interest in the operation of transportation projects, and the provisions in public-private partnership agreements that best protect the public interest. To the extent possible, the study must identify the lowest-cost and
best-value model for each project that best protects the public interest. In addition, the study must evaluate whether public-private partnerships serve the defined public interest including, but not limited to, the advantage and disadvantage of risk allocation, the effects of private versus public financing on the state's bonding capacity, the state's ability to retain public ownership of the asset, the process that would allow for the most transparency during the negotiation of terms of a public-private partnership agreement, and the state's ability to oversee the private entity's management of the asset. The study must identify any barriers to the implementation of funding models that best protect the public interest, including statutory and constitutional barriers. The committee shall issue a report of its evaluation to the house of representatives and senate transportation committees by December 16, 2011.

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

(5) The joint transportation committee shall convene a study group to evaluate the most appropriate organization for the aviation search and rescue program, currently operating from the department of transportation's aviation division. The joint transportation committee shall invite a representative from the following organizations to participate in meetings in the city of Olympia: The aircraft owners and pilots association; the Washington pilots association; the Washington wing of the civil air patrol; the civil air patrol - United States air force; the Washington department of transportation, aviation division; the emergency management division of the military department; the Washington association of search and rescue; and the Washington state patrol. The committee shall issue a report of its findings to the legislature by December 14, 2012, to include the following information:

(a) Where should aviation search and rescue operations be located to provide the maximum benefit for these searches?

(b) How should the duplication of services and training be addressed?

(c) Is the current structure the best use of state and federal funding?
(d) If aviation search and rescue is relocated, what should be the source of funding?

(6) The Columbia River Crossing bridge project is a major initiative to address congestion problems on I-5 between Portland, Oregon and Vancouver, Washington that requires support by not only the governors of both states but the legislatures as well. The joint transportation committee must convene a subcommittee for legislative oversight of the I-5/Columbia River Crossing bridge replacement project. The Columbia River Crossing legislative oversight subcommittee will be made up of six members, two appointed by the chair and ranking member of the senate transportation committee, two appointed by the chair and ranking member of the house of representatives transportation committee, one designee of the governor, and one citizen jointly appointed by the four members of the joint transportation executive committee. The citizen appointee must be a Washington state resident of the area served by the bridge. At least two of the legislative members must be from the legislative districts served by the bridge. In addition to reviewing project and financing information, the subcommittee must also coordinate with the Oregon legislative oversight committee for the Columbia River Crossing bridge.

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

FOR THE TRANSPORTATION COMMISSION
Motor Vehicle Account--State Appropriation . . . . . . ((2,142,000)) $2,093,000
Multimodal Transportation Account--State Appropriation . . . $112,000
TOTAL APPROPRIATION . . . . . . . . . . . . . . . . . . . . . . . . . (2,254,000)) $2,205,000

The appropriations in this section are subject to the following conditions and limitations:
(1) Consistent with RCW 43.135.055, 47.60.290, and 47.60.315, during the 2011-2013 fiscal biennium, the legislature authorizes the transportation commission to periodically review and, if necessary, adjust the schedule of fares for the Washington state ferry system only in amounts not greater than those sufficient to generate the amount of revenue required by the biennial transportation budget. When adjusting ferry fares, the commission must consider input from affected ferry
users by public hearing and by review with the affected ferry advisory committees, in addition to the data gathered from the current ferry user survey.

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

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

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

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD
Motor Vehicle Account--State Appropriation . . . . . . . . . . . (($702,000)) $681,000

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

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

FOR THE WASHINGTON STATE PATROL
((Vehicle Licensing Fraud Account--State Appropriation . . . . $100,000))
Ignition Interlock Device Revolving Account--
State Appropriation . . . . . . . . . . . . . . . . . . . . . $106,000
State Patrol Highway Account--State
Appropriation .................. ($349,812,000)
$350,605,000

State Patrol Highway Account--Federal
Appropriation .................. $10,903,000

State Patrol Highway Account--Private/Local
Appropriation .................. ($3,369,000)
$3,494,000

Highway Safety Account--State Appropriation ............... $712,000
Multimodal Transportation Account--State Appropriation .... $132,000

TOTAL APPROPRIATION .................. ($364,184,000)
$365,952,000

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

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

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

(3) $370,000 of the state patrol highway account--state appropriation is provided solely for costs associated with the pilot program described under section 216(5) of this act. The Washington state patrol may incur costs related only to the assignment of cadets and necessary computer equipment and to the reimbursement of the Washington state department of transportation for contract costs. The appropriation in this subsection must be funded from the portion of the
automated traffic safety camera fines deposited into the state patrol highway account; however, if the fines deposited into the state patrol highway account from automated traffic safety camera infractions do not reach three hundred seventy thousand dollars, the department of transportation shall remit funds necessary to the Washington state patrol to ensure the completion of the pilot program. The Washington state patrol may not incur overtime as a result of this pilot program. The Washington state patrol shall not assign troopers to operate or deploy the pilot program equipment used in the roadway construction zones.

(4) ($12,655,000) $12,166,000 of the total appropriation is provided solely for automobile fuel in the 2011-2013 fiscal biennium. The Washington state patrol shall analyze their fuel consumption and submit a report to the legislative transportation committees by December 31, 2011, on fuel conservation methods that could be used to minimize costs and ensure that the Washington state patrol is managing fuel consumption effectively.

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

(6) ($6,611,000) $6,689,000 of the total appropriation is provided solely for vehicle repair and maintenance costs of vehicles used for highway purposes.

(7) ($1,724,000) $1,730,000 of the total appropriation is provided solely for the purchase of mission vehicles used for highway purposes in the commercial vehicle and traffic investigation sections of the Washington state patrol.

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

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

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

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

(12) $2,731,000 of the state patrol highway account--state appropriation is provided solely for the continuation of the target zero trooper program.

(13) $712,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter . . . (Second Substitute House Bill No. 2443), Laws of 2012 (DUI accountability). If chapter . . . (Second Substitute House Bill No. 2443), Laws of 2012 is not enacted by June 30, 2012, the amount provided in this subsection lapses. Additionally, the total highway safety account--state appropriation in this section assumes the revenue generated by the fees that the Washington state patrol is authorized to charge manufacturers, technicians, and other providers under Second Substitute House Bill No. 2443. Within the amounts provided in this subsection is funding for three additional troopers to provide oversight of the ignition interlock industry.

(14) $132,000 of the multimodal transportation account--state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute House Bill No. 1820), Laws of 2012 (blue alert system). If chapter . . . (Engrossed Substitute House Bill No. 1820), Laws of 2012 is not enacted by June 30, 2012, the amount provided in this subsection lapses.

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

FOR THE DEPARTMENT OF LICENSING

Marine Fuel Tax Refund Account--State Appropriation . . . . . . . $32,000
Motorcycle Safety Education Account--State Appropriation

Wildlife Account--State Appropriation

Highway Safety Account--State Appropriation

Highway Safety Account--Federal Appropriation

Highway Safety Account--Private/Local Appropriation

Motor Vehicle Account--State Appropriation

Motor Vehicle Account--Private/Local Appropriation

Motor Vehicle Account--Federal Appropriation

Department of Licensing Services Account--State Appropriation

Ignition Interlock Device Revolving Account--State Appropriation

TOTAL APPROPRIATION

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

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

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

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

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

(5) $1,938,000 of the highway safety account--federal appropriation is for federal funds that may be received during the 2011-2013 fiscal biennium. Upon receipt of the funds, the department shall provide a report on the use of the funds to the transportation committees of the legislature and the office of financial management.

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

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

(6) $68,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter ... (Engrossed Second Substitute House Bill No. 1789), Laws of 2011 ((driving under the influence)) (addressing DUI accountability). If
chapter ... (Engrossed Second Substitute House Bill No. 1789), Laws of 2011 is not enacted by June 30, 2011, the amount provided in this subsection lapses.

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

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

(11) $1,738,000 of the department of licensing services account--state appropriation is provided solely for purchasing equipment for field licensing service offices and subagent offices.

(10) $2,500,000 of the highway safety account--state appropriation is provided solely for information technology field system modernization.

(11) $963,000 of the highway safety account--state appropriation is provided solely for implementation of chapter 374, Laws of 2011 (limousine carriers) and chapter 298, Laws of 2011 (master license service program).

(12) $104,000 of the motor vehicle account--state appropriation is provided solely for the implementation of chapter ... (Second Substitute Senate Bill No. 5251), Laws of 2012 (electric vehicle license fee). If chapter ... (Second Substitute Senate Bill No. 5251), Laws of 2012 is not enacted by June 30, 2012, the amount provided in this subsection lapses.

(13) $176,000 of the motor vehicle account--state appropriation is provided solely for the implementation of chapter ... (Engrossed Second Substitute Senate Bill No. 5366), Laws of 2012 (four-wheel all-terrain vehicles). If chapter ... (Engrossed Second Substitute Senate Bill No. 5366), Laws of 2012 is not enacted by June 30, 2012, the amount provided in this subsection lapses.
(14) $69,000 of the motor vehicle account--state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute Senate Bill No. 5990), Laws of 2012 (state flower license plate). If chapter . . . (Engrossed Substitute Senate Bill No. 5990), Laws of 2012 is not enacted by June 30, 2012, the amount provided in this subsection lapses.

(15) $190,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 6075), Laws of 2012 (vehicle owner information). If chapter . . . (Substitute Senate Bill No. 6075), Laws of 2012 is not enacted by June 30, 2012, the amount provided in this subsection lapses. Additionally, the total appropriation in this section assumes the revenue generated by the fee established in Substitute Senate Bill No. 6075. Within the amounts provided in this subsection, the department must improve on the information that the department makes publicly available to victims of domestic violence and sexual assault on how to better protect their personal information, especially their residential addresses. Specifically, the department must provide a link to the secretary of state's address confidentiality program web site. The department also must provide information regarding a person's ability to provide a mailing address in addition to the person's residential address when registering a vehicle with the department.

(16) $68,000 of the motor vehicle account--state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 6123), Laws of 2012 (NRA license plate). If chapter . . . (Substitute Senate Bill No. 6123), Laws of 2012 is not enacted by June 30, 2012, the amount provided in this subsection lapses.

(17) $276,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute Senate Bill No. 6150), Laws of 2012 (facial recognition matching system). 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.

(18) Consistent with chapter . . . (Engrossed Substitute Senate Bill No. 6150), Laws of 2012:

(a) The department shall post notices in conspicuous locations at all department driver licensing offices, make written information
available to all applicants at department driver licensing offices, and
provide information on the department's web site regarding the facial
recognition matching system. The notices, written information, and
information provided on the web site must address how the facial
recognition matching system works, all ways in which the department may
use results from the facial recognition matching system, how an
investigation based on results from the facial recognition matching
system would be conducted, and a person's right to appeal any
determinations made under this chapter;

(b) The department shall report to the governor and the legislature
by October 1, 2012, regarding the number of investigations initiated by
the department based on results from the facial recognition matching
system and the final outcomes of those investigations, if known; and

(c) The office of the chief information officer shall develop the
appropriate security standards for the department's use of the facial
recognition matching system, subject to approval and oversight by the
technology services board.

(19) $142,000 of the motor vehicle account--state appropriation is
provided solely for the implementation of chapter . . . (Engrossed
Substitute Senate Bill No. 6455), Laws of 2012 (transportation
revenue). If chapter . . . (Engrossed Substitute Senate Bill No.
6455), Laws of 2012 is not enacted by June 30, 2012, the amount
provided in this subsection lapses.

(20) $323,000 of the motor vehicle account--state appropriation is
provided solely for the implementation of chapter . . . (Engrossed
Substitute Senate Bill No. 6582), Laws of 2012 (local transportation
revenue options). If chapter . . . (Engrossed Substitute Senate Bill
No. 6582), Laws of 2012 is not enacted by June 30, 2012, the amount
provided in this subsection lapses.

(21) Within the amounts provided in this section, the department
must develop a transition plan for moving to a paperless renewal
notice. The plan must consider people that do not have access to the
internet and must include an opportunity for people to opt-in to a
paper renewal notice. Prior to the implementation of a paperless
renewal system, the department must consult with the joint
transportation committee.

(22) Within existing resources, the department shall develop a plan
to transition to a ten-year replacement license plate cycle. At a
minimum the plan must include the following provisions: (a) A ten-year replacement cycle for license plates only on vehicles that are subject to annual vehicle registration renewal; (b) a requirement that new license plates and registration, including all fees and taxes due upon annual registration, are required when a vehicle changes ownership, except when a vehicle is sold to a vehicle dealer for resale, in which case they are due only when the dealer sells the vehicle; (c) an original issue license plate fee that is equal to the current license plate replacement fee; and (d) an estimate of the plan's costs to implement and revenues generated. The department shall submit the plan with draft legislation implementing the plan to the transportation committees of the legislature by December 31, 2012.

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

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

<table>
<thead>
<tr>
<th>Account</th>
<th>Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Occupancy Toll Lanes Operations Account--State</td>
<td>($1,295,000)</td>
</tr>
<tr>
<td></td>
<td>$1,276,000</td>
</tr>
<tr>
<td>Motor Vehicle Account--State</td>
<td>($550,000)</td>
</tr>
<tr>
<td></td>
<td>$538,000</td>
</tr>
<tr>
<td>Tacoma Narrows Toll Bridge Account--State</td>
<td>($23,429,000)</td>
</tr>
<tr>
<td></td>
<td>$23,365,000</td>
</tr>
<tr>
<td>State Route Number 520 Corridor Account--State</td>
<td>$27,295,000</td>
</tr>
<tr>
<td>State Route Number 520 Civil Penalties</td>
<td>($4,622,000)</td>
</tr>
<tr>
<td></td>
<td>$3,622,000</td>
</tr>
<tr>
<td>TOTAL APPROPRIATION</td>
<td>($57,191,000)</td>
</tr>
<tr>
<td></td>
<td>$56,096,000</td>
</tr>
</tbody>
</table>

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

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

(2) $3,622,000 of the state route number 520 civil penalties account--state appropriation and $1,458,000 of the Tacoma Narrows toll bridge account--state appropriation are provided solely for expenditures related to the toll adjudication process. All costs associated with the toll adjudication process are anticipated to be covered by revenue collected from the toll adjudication process. The department shall report quarterly on the civil penalty process to the office of financial management and the house of representatives and senate transportation committees beginning September 30, 2011. The reports must include a summary table for each toll facility that includes: The number of notices of civil penalty issued; the number of recipients who pay before the notice becomes a penalty; the number of recipients who request a hearing and the number who do not respond; workload costs related to hearings; the cost and effectiveness of debt collection activities; and revenues generated from notices of civil penalty.

(3) It is the intent of the legislature that transitioning to a statewide tolling operations center and preparing for all-electronic tolling on certain toll facilities will have no adverse revenue or expenditure impact on the Tacoma Narrows toll bridge account. Any increased costs related to this transition shall not be allocated to the Tacoma Narrows toll bridge account. All costs associated with the toll adjudication process are anticipated to be covered by revenue collected from the toll adjudication process.

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

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

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

FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM

C
Motor Vehicle Account--State Appropriation ............ (($69,107,000))

$67,398,000
Transportation Partnership Account--State
   Appropriation ........................................ $1,460,000
Multimodal Transportation Account--State
   Appropriation ........................................ $363,000
Transportation 2003 Account (Nickel Account)--State
   Appropriation ........................................ $1,460,000
   TOTAL APPROPRIATION .............................. (($72,390,000))
   $70,681,000

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

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

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

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

((5)) (4) $502,000 of the motor vehicle account--state
appropriation is provided solely to provide support for the
transportation executive information system.
Sec. 211. 2011 c 367 s 211 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--FACILITY MAINTENANCE, OPERATIONS AND CONSTRUCTION--PROGRAM D--OPERATING
Motor Vehicle Account--State Appropriation . . . . . . ((25,851,000))
$25,466,000

The appropriation in this section is subject to the following conditions and limitations:
(1) The department shall submit a predesign proposal for a new traffic management center to the office of financial management consistent with the process followed by nontransportation capital construction projects. The department shall not award a contract for construction of a new traffic management center until the predesign proposal has been submitted and the office of financial management has completed a budget evaluation study that indicates a new building is the recommended option for accommodating additional traffic management operations.
(2) $850,000 of the motor vehicle account--state appropriation is provided solely for the department's compliance with its national pollution discharge elimination system permit.

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

FOR THE DEPARTMENT OF TRANSPORTATION--AVIATION--PROGRAM F
Aeronautics Account--State Appropriation . . . . . . ($6,066,000)
$6,002,000
Aeronautics Account--Federal Appropriation . . . . . . $2,150,000
TOTAL APPROPRIATION . . . . . . . . . . . . . . . . . . ($8,216,000)
$8,152,000

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

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

FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM DELIVERY MANAGEMENT AND
SUPPORT--PROGRAM H

Motor Vehicle Account--State Appropriation .......... (($47,418,000)) $45,796,000

Motor Vehicle Account--Federal Appropriation .......... $500,000

Multimodal Transportation Account--State Appropriation ............... $250,000

TOTAL APPROPRIATION ............... (($48,168,000)) $46,546,000

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

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

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

(4+) (2) It is the intent of the legislature that the real estate services division of the department will recover the cost of its efforts from future sale proceeds, and future surplus property sale proceeds support the efforts of the real estate services division of the department.

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

(4) Consistent with chapter . . . (Engrossed Second Substitute House Bill No. 2238), Laws of 2012 (wetlands mitigation) and to the extent practicable, the department shall work with the department of ecology and the department of fish and wildlife to determine if the department can utilize the following three programs as opportunities for mitigation of environmental impacts from projects: The forestry riparian easement program; the family forest fish passage program; and the riparian open space program. The department shall provide a report to the legislature by December 31, 2012, on results of this effort. The use of these programs is not intended to be additive to existing compensatory mitigation.

(5) The legislature recognizes that the trail known as the Apple Capital Loop, and its extensions, serve to separate motor vehicle traffic from pedestrians and bicyclists, increasing motor vehicle safety on existing state route number 28. Consistent with chapter 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that transferring portions of WSDOT Inventory Control (IC) Nos. 2-09-04537 and 2-09-04569 to Douglas county and the city of East Wenatchee is consistent with the public interest. The legislature directs the department to transfer the property to Douglas county and the city of East Wenatchee. The department must be paid fair market value for any portions of the transferred real property that is later abandoned, vacated, or ceases to be publicly maintained for trail purposes. Douglas county and the city of East Wenatchee must agree to accept responsibility for trail segments within their respective jurisdictions and sign an agreement with the state that the transfer of these parcels to their respective jurisdictions extinguishes any state obligations to improve, maintain, or be in any way responsible for these assets. The department shall not surplus any of the lands adjoining the trail until
Douglas county and the city of East Wenatchee accomplish zoning and land use planning as they deem necessary, provided those updates are completed by January 1, 2014. The department shall report to the transportation committees of the legislature by June 30, 2013, and annually thereafter, on the status of the transfer until complete.

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

FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM K

Motor Vehicle Account--State Appropriation . . . . . . . . . ((($622,000))

$602,000

Multimodal Transportation Account--State Appropriation . . . . $110,000

TOTAL APPROPRIATION . . . . . . . . . . . . . . . . . . . . . . ((($732,000))

$712,000

The appropriations in this section are subject to the following conditions and limitations: The department shall conduct a study on the potential to generate revenue from off-premise outdoor advertising signs that are erected or maintained adjacent and visible to the interstate system highways, primary system highways, or scenic system highways. The study must provide an evaluation of the market for outdoor advertising signs, including an evaluation of the number of potential advertisers and the amount charged by other jurisdictions for sign permits, and must provide a recommendation for a revised fee structure that recognizes the market value for off-premise signs and considers charging differential fees based on the size, type, and location of the sign.

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

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

Motor Vehicle Account--State Appropriation . . . . . . ((($380,327,000))

$373,709,000

Motor Vehicle Account--Federal Appropriation . . . . . . . $7,000,000

TOTAL APPROPRIATION . . . . . . . . . . . . . . . . . . . . . ((($387,327,000))

$380,709,000

The appropriations in this section are subject to the following conditions and limitations:
(1) The department shall request an unanticipated receipt for any federal moneys received for emergency snow and ice removal and shall place an equal amount of the motor vehicle account--state appropriation into unallotted status. This exchange shall not affect the amount of funding available for snow and ice removal.

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

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

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

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

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

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

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

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

FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--OPERATING
Motor Vehicle Account--State Appropriation . . . . . . . . ($50,166,000)
  $48,818,000
Motor Vehicle Account--Federal Appropriation . . . . . . . . $2,050,000
Motor Vehicle Account--Private/Local Appropriation . . . . . ($(127,000))
  $250,000
TOTAL APPROPRIATION . . . . . . . . . . . . . . . . . . . . . . ($(52,343,000))
  $51,118,000

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

1. $6,000,000 of the motor vehicle account--state appropriation is provided solely for low-cost enhancements. Of this amount, $10,000 of the motor vehicle account--state appropriation is provided solely for the department to install additional farm machinery signs to promote safety in agricultural areas along state highways. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. The department shall prioritize low-cost enhancement projects on a statewide rather than regional basis. By October 1st of each odd-numbered year, the department shall provide a report to the legislature listing all low-cost enhancement projects prioritized on a statewide rather than regional basis completed in the prior year.

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

3. During the 2011-2013 fiscal biennium, the department shall implement a pilot program that expands private transportation providers' access to high occupancy vehicle lanes. Under the pilot program, when the department reserves a portion of a highway based on
the number of passengers in a vehicle, the following vehicles must be
authorized to use the reserved portion of the highway if the vehicle
has the capacity to carry eight or more passengers, regardless of the
number of passengers in the vehicle: (a) Auto transportation company
vehicles regulated under chapter 81.68 RCW; (b) passenger charter
carrier vehicles regulated under chapter 81.70 RCW, except marked or
unmarked stretch limousines and stretch sport utility vehicles as
defined under department of licensing rules; (c) private nonprofit
transportation provider vehicles regulated under chapter 81.66 RCW; and
(d) private employer transportation service vehicles. For purposes of
this subsection, "private employer transportation service" means
regularly scheduled, fixed-route transportation service that is offered
by an employer for the benefit of its employees. By June 30, 2013, the
department shall report to the transportation committees of the
legislature on whether private transportation provider use of high
occupancy vehicle lanes under the pilot program reduces the speeds of
high occupancy vehicle lanes. Nothing in this subsection is intended
to authorize the conversion of public infrastructure to private, for-
profit purposes or to otherwise create an entitlement or other claim by
private users to public infrastructure. If chapter ... (Substitute
Senate Bill No. 5836), Laws of 2011 is enacted by June 30, 2011, this
subsection is null and void.

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

(5) The department, in consultation with the Washington state
patrol, must continue a pilot program for the patrol to issue
infractions based on information from automated traffic safety cameras
in roadway construction zones on state highways. The department must
report to the joint transportation committee by January 1, 2012, and
January 1, 2013, on the status of this pilot program. For the purpose
of this pilot program, during the 2011-2013 fiscal biennium, a roadway
construction zone includes areas where public employees or private
contractors may be present or where a driving condition exists that
would make it unsafe to drive at higher speeds, such as, when the
department is redirecting or realigning lanes on any public roadway
pursuant to ongoing construction. The department shall use the
following guidelines to administer the program:
(a) Automated traffic safety cameras may only take pictures of the vehicle and vehicle license plate and only while an infraction is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle;

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

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

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

(e) For purposes of the 2011-2013 fiscal biennium pilot program, infractions detected through the use of automated traffic safety cameras are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120. Additionally, infractions generated by the use of automated traffic safety cameras must be processed in the same manner as parking infractions for the purposes of RCW 3.50.100, 35.20.220, 46.16A.120, and 46.20.270(3). However, the amount of the fine issued under this subsection (5) for an infraction generated through the use of an automated traffic safety camera is one hundred thirty-seven dollars. The court shall remit thirty-two dollars of the fine to the state treasurer for deposit into the state patrol highway account; and

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

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

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

FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND
SUPPORT--PROGRAM S
Motor Vehicle Account--State Appropriation ........ (($28,430,000))
          $27,389,000
Motor Vehicle Account--Federal Appropriation .............. $30,000
Multimodal Transportation Account--State
    Appropriation ....................................... $973,000
    TOTAL APPROPRIATION ............................. (($29,433,000))
         $28,392,000

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

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

FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,
AND RESEARCH--PROGRAM T
Motor Vehicle Account--State Appropriation ........ (($23,394,000))
          $22,114,000
Motor Vehicle Account--Federal Appropriation .............. $21,885,000
Multimodal Transportation Account--State
    Appropriation ....................................... $662,000
    Multimodal Transportation Account--Federal
Appropriation .................................................. $3,559,000

Multimodal Transportation Account--Private/Local
Appropriation .................................................. $100,000

TOTAL APPROPRIATION .................................. ($48,600,000)

$48,320,000

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

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

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

(3) Within available resources, the department must collaborate with the affected metropolitan planning organizations, regional transportation planning organizations, transit agencies, and private transportation providers to develop a plan to reduce vehicle demand, increase public transportation options, and reduce vehicle miles traveled on corridors affected by growth at Joint Base Lewis-McChord.

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

(5) The total appropriation provided in this section assumes enactment of chapter ... (Second Substitute Senate Bill No. 5128), Laws of 2012 (statewide transportation planning) and reflects an accompanying cost savings of at least five hundred thousand dollars.

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

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

<table>
<thead>
<tr>
<th>Account</th>
<th>State Appropriation</th>
<th>Federal Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motor Vehicle Account</td>
<td>$85,209,000</td>
<td>$400,000</td>
</tr>
<tr>
<td>Multimodal Transportation Account</td>
<td>$3,320,000</td>
<td>$1,798,000</td>
</tr>
</tbody>
</table>

TOTAL APPROPRIATION $88,929,000

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

(1) The office of financial management must provide a detailed accounting of the revenues and expenditures of the self-insurance fund to the transportation committees of the legislature on December 31st and June 30th of each year.

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

(a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT DIVISION OF RISK MANAGEMENT FEES $1,639,000

(b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE AUDITOR $937,000

(c) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF GENERAL ADMINISTRATION $6,060,000

(d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF PERSONNEL $6,347,000

(e) FOR PAYMENT OF SELF-INSURANCE LIABILITY PREMIUMS AND ADMINISTRATION $44,418,000

(f) FOR ARCHIVES AND RECORDS MANAGEMENT $623,000
(g) FOR OFFICE OF MINORITIES AND WOMEN BUSINESS ENTERPRISES ................................................. $1,008,000

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

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

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

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

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

FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM V

State Vehicle Parking Account--State Appropriation .......... $452,000

Regional Mobility Grant Program Account--State Appropriation ......................................................... $48,942,000

Multimodal Transportation Account--State Appropriation ........ (($41,706,000)) $41,471,000

Multimodal Transportation Account--Federal Appropriation ......................................................... $2,582,000

Multimodal Transportation Account--Private/Local Appropriation ......................................................... $1,027,000

Rural Mobility Grant Program Account--State Appropriation ................ $17,000,000

TOTAL APPROPRIATION ......................................................... (($111,709,000)) $111,474,000

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

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

(a) $5,500,000 of the ((amount provided in this subsection)) multimodal transportation account--state appropriation is provided
solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided.

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

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

(a) $8,500,000 of the rural mobility grant program account--state appropriation is provided solely for grants for those transit systems serving small cities and rural areas as identified in the "Summary of Public Transportation - 2009" published by the department of transportation. Noncompetitive grants must be distributed to the transit systems serving small cities and rural areas in a manner similar to past disparity equalization programs. If the funding provided in this subsection (2)(a) exceeds the amount required for recipient counties to reach eighty percent of the average per capita sales tax, funds in excess of that amount may be used for the competitive grant process established in (b) of this subsection.

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

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

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

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

(4) $8,942,000 of the regional mobility grant program account--state appropriation is reappropriated and provided solely for the regional mobility grant projects identified in LEAP Transportation Document ((2007-B, as developed April 20, 2007, or LEAP Transportation Document 2009-B, as developed April 24, 2009)) 2012-1 ALL PROJECTS -- Public Transportation - Program (V) as developed February 21, 2012. The department shall continue to review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in ((+)) the LEAP Transportation Document ((2007-B, as developed April 20, 2007; LEAP Transportation Document 2009-B, as developed April 24, 2009; or LEAP Transportation Document 2011-B, as developed April 19, 2011)) referenced in this subsection. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule and that all funds in the regional mobility grant program be used as soon as practicable to advance eligible projects.

(5) (a) $40,000,000 of the regional mobility grant program account--state appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document ((2011-B, as developed April 19, 2011)) 2012-1 ALL PROJECTS -- Public Transportation - Program (V) as developed February 21, 2012. The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory
progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP Transportation Document ((2011-B, as developed April 19, 2011)) referenced in this subsection. The department shall provide annual status reports on December 15, 2011, and December 15, 2012, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule.

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

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

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

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

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

**Sec. 221.** 2011 c 367 s 221 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X
Puget Sound Ferry Operations Account--State
  Appropriation .................. (($467,773,000))
  $468,135,000

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

1. The office of financial management budget instructions require agencies to recast enacted budgets into activities. The Washington state ferries shall include a greater level of detail in its 2011-2013 supplemental and 2013-2015 omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs.

2. When purchasing uniforms that are required by collective bargaining agreements, the department shall contract with the lowest cost provider.

3. Until a reservation system is operational on the San Juan islands inner-island route, the department shall provide the same priority loading benefits on the San Juan islands inner-island route to home health care workers as are currently provided to patients traveling for purposes of receiving medical treatment.

4. The department shall request from the United States coast guard variable minimum staffing levels on all of its vessels by December 31, 2011.

5. The department shall continue to provide service to Sidney, British Columbia and shall explore the option of purchasing a foreign built vehicle and passenger ferry vessel either with safety of life at sea (SOLAS) certification or the ability to be retrofitted for SOLAS certification to operate solely on the Anacortes to Sidney, British Columbia route currently served by vessels of the Washington state ferries fleet. The vessel should have the capability of carrying
at least one hundred standard vehicles and approximately four hundred to five hundred passengers. Further, the department shall explore the possibilities of contracting a commercial company to operate the vessel exclusively on this route so long as the contractor's employees assigned to the vessel are represented by the same employee organizations as the Washington state ferries. The department shall report back to the transportation committees of the legislature regarding: The availability of a vessel; the cost of the vessel, including transport to the Puget Sound region; and the need for any statutory changes for the operation of the Sydney, British Columbia service by a private company.

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

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

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

((14)) (8) $150,000 of the Puget Sound ferry operations account--state appropriation is provided solely for the department to increase recreation and tourist ridership by entering into agreements for marketing and outreach strategies with local economic development agencies. The department shall identify the number of tourist and recreation riders on the applicable ferry routes both before and after implementation of marketing and outreach strategies developed through the agreements. The department shall report results of the marketing and outreach strategies to the transportation committees of the legislature by October 15, 2012.
(9) The Washington state ferries shall participate in the facilities plan included in section 604 of this act and shall include an investigation and identification of less costly relocation options for the Seattle headquarters office. The department shall include relocation options for the Washington state ferries Seattle headquarters office in the facilities plan. Until September 1, 2012, the department may not enter into a lease renewal for the Seattle headquarters office.

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

(11) Two Kwa-di-tabil class ferry vessels must be placed on the Port Townsend/Coupeville (Keystone) route to provide service at the same levels provided when the steel electric vessels were in service. After the vessels as funded under section 308 of this act are in service, the two most appropriate of these vessels for the Port Townsend/Coupeville (Keystone) route must be placed on the route. $100,000 of the Puget Sound ferry operations account--state appropriation is provided solely for the additional staffing required to maintain a reservation system at this route when the second vessel is in service.

(12) $706,000 of the Puget Sound ferry operations account--state appropriation is provided solely for terminal operations to implement new federal passenger vessel Americans with disabilities act requirements.

(13) $152,000 of the Puget Sound ferry operations account--state appropriation is provided solely for the department's compliance with its national pollution discharge elimination system permit.

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

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

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

Multimodal Transportation Account--State  
Appropriation ......................... (($29,688,000))  
$33,342,000

Multimodal Transportation Account--Federal  
Appropriation ......................... (($300,000))  
$400,000

TOTAL APPROPRIATION ................ (($29,988,000))  
$33,742,000

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

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

(2) Amtrak Cascade runs may not be eliminated.

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

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

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

FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--OPERATING
Motor Vehicle Account--State Appropriation . . . . . . . . . ((8,853,000))
   $8,518,000
Motor Vehicle Account--Federal Appropriation . . . . . . $2,567,000
   TOTAL APPROPRIATION . . . . . . . . . . . . . . . . . . . . ((11,420,000))
   $11,085,000

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

TRANSPORTATION AGENCIES--CAPITAL

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

FOR THE WASHINGTON STATE PATROL
State Patrol Highway Account--State Appropriation . . ((6,487,000))
   $6,681,000

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 replacement and energy upgrades.

(2) ($3,226,000) $4,903,000 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, 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 .... ($37,417,000)

$62,510,000
County Arterial Preservation Account--State Appropriation ............... $29,360,000
TOTAL APPROPRIATION ............... ($67,651,000)

$92,744,000
The appropriations in this section are subject to the following conditions and limitations:

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

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

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

FOR THE TRANSPORTATION IMPROVEMENT BOARD
Small City Pavement and Sidewalk Account--State

- Appropriation \(\ldots\) \(\ldots\) \(\ldots\) \(\ldots\) \(\ldots\) \(\ldots\) \(\ldots\) \(\ldots\) \(\ldots\) \(\ldots\)
- \$5,270,000

Transportation Improvement Account--State

- Appropriation \(\ldots\) \(\ldots\) \(\ldots\) \(\ldots\) \(\ldots\) \(\ldots\) \(\ldots\) \(\ldots\) \(\ldots\) \(\ldots\) \(\ldots\)
- \$237,545,000

TOTAL APPROPRIATION \(\ldots\) \(\ldots\) \(\ldots\) \(\ldots\) \(\ldots\) \(\ldots\) \(\ldots\) \(\ldots\) \(\ldots\) \(\ldots\) \(\ldots\)
- \$242,815,000

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

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

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

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

Transportation Partnership Account--State
Appropriation .................. $1,575,000

TOTAL APPROPRIATION .................. $7,120,000

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.

4) $1,575,000 of the transportation partnership account--state appropriation is provided solely for the traffic management center (100010T).

5) The department shall make all future requests for the construction of new buildings and facilities within Facilities--Program D—(Department of Transportation—Only Projects)—Capital. Each capital facility construction project must be listed in this program's capital facilities project list submitted by the department as part of its budget submittal. It is the intent of the legislature that the construction of buildings and facilities is not appropriated through the capital highway improvements appropriation.

Sec. 305. 2011 c 367 s 305 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I
((Multimodal Transportation Account--State
Appropriation .................. $1,000))

Transportation Partnership Account--State
Appropriation .................. (($1,991,547,000))
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motor Vehicle Account--State Appropriation</td>
<td>$1,632,450,000</td>
</tr>
<tr>
<td>Motor Vehicle Account--Federal Appropriation</td>
<td>$103,454,000</td>
</tr>
<tr>
<td>Motor Vehicle Account--Private/Local Appropriation</td>
<td>($841,365,000)</td>
</tr>
<tr>
<td>Transportation 2003 Account (Nickel Account)--State</td>
<td>($416,123,000)</td>
</tr>
<tr>
<td>State Route Number 520 Corridor Account--State</td>
<td>($1,779,000,000)</td>
</tr>
<tr>
<td>Special Category C Account--State Appropriation</td>
<td>$124,000</td>
</tr>
<tr>
<td>Tacoma Narrows Toll Bridge Account--State</td>
<td>($5,791,000)</td>
</tr>
<tr>
<td>TOTAL APPROPRIATION</td>
<td>($4,888,228,000)</td>
</tr>
</tbody>
</table>

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

1. Except as provided otherwise in this section, the entire transportation 2003 account (nickel account) appropriation and the entire transportation partnership account appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ((2011-1)) 2012-2 as developed ((April 19, 2011)) February 21, 2012, Program - Highway Improvement Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 603 of this act.

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

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

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

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

((6)) The department shall work with the department of
archaeology and historic preservation to ensure that the cultural
resources investigation is properly conducted on all mega-highway
projects and large ferry terminal projects. These projects must be
conducted with active archaeological management. Additionally, the
department shall establish a scientific peer review of independent
archaeologists that are knowledgeable about the region and its cultural
resources.

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

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

(10)) (8) The transportation 2003 account (nickel account)--state appropriation includes up to ((361,000,000)) $338,751,000 in proceeds from the sale of bonds authorized by RCW 47.10.861.

((11)) (9) The transportation partnership account--state appropriation includes up to ((1,427,696,000)) $968,396,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

((12)) (10) The motor vehicle account--state appropriation includes up to ((66,373,000)) $45,870,000 in proceeds from the sale of bonds authorized in RCW 47.10.843.

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

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

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

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

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

((18) $253,444,000) (16) $202,863,000 of the transportation partnership account--state appropriation and ((66,034,000)) $51,136,000 of the transportation 2003 account (nickel account)--state appropriation are provided solely for the I-5/Tacoma HOV Improvements (Nickel/TPA) project (300504A). The use of funds in this subsection to renovate any buildings is subject to the requirements of section 604 of this act. The department shall report to the legislature and the office of financial management on any costs associated with building renovations funded in this subsection.

((19)) (17)(a) ((8,321,000)) $9,343,000 of the transportation partnership account--state appropriation and ((31,380,000)) $54,461,000 of the motor vehicle account--federal appropriation are provided solely for the I-5/Columbia River Crossing project (400506A).

((Of this amount)) Of the amounts appropriated in this subsection, $30,000,000 of the motor vehicle account--federal appropriation must be put into unallotted status and is subject to the review of the office of financial management. This funding may be allotted in five million dollar increments only when the state of Oregon's total share of expenses on the project are within five percent of the state of Washington's expenses. $200,000 of the transportation partnership account--state appropriation in this subsection is provided solely for the department to work with the department of archaeology and historic preservation to ensure that the cultural resources investigation is properly conducted on the Columbia river crossing project. This project must be conducted with active archaeological management and result in one report that spans the single cultural area in Oregon and Washington. Additionally, the department shall establish a scientific peer review of independent archaeologists that are knowledgeable about
the region and its cultural resources. ((No funding from any account may be expended until written confirmation has been received by the department that the state of Oregon is providing an equal amount of additional funding to the project.))

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

(c) The Washington state department of transportation budget includes resources to continue work on solutions that advance the Columbia River Crossing project to completion of the required environmental impact statement. The department must report to the Columbia River Crossing legislative oversight subcommittee of the joint transportation committee, established in section 204(5) of this act, on the progress made on the Columbia River Crossing project at each meeting of the oversight subcommittee. Reporting must include updated information on cost estimates, rights-of-way purchases and procurement schedules, and financing plans for the Columbia River Crossing project, including projected traffic volumes, fuel and gas price assumptions, toll rates, costs of toll collections, as well as potential need for general transportation funding. By January 1, 2013, the department shall provide to the oversight subcommittee of the joint transportation committee a phased master plan for the Columbia River Crossing project.

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

((21) $2,134,000) (19) $3,385,000 of the motor vehicle account--federal appropriation and ((47,000)) $50,000 of the motor vehicle account--state appropriation are provided solely for the US 12/Nine Mile Hill to Woodward Canyon Vic - Build New Highway project (501210T).
$294,000 of the Tacoma Narrows toll bridge account--state appropriation is provided solely for deferred sales tax expenses on the construction of the new Tacoma Narrows bridge. However, if chapter . . . (Senate Bill No. 6073), Laws of 2012 (sales tax exemption on SR 16 projects) is enacted by June 30, 2012, the amount provided in this subsection lapses.

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

$621,000 of the motor vehicle account--federal appropriation is provided solely for the SR 20/Race Road to Jacob's Road safety project (L2200042).

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

$324,002,000 of the motor vehicle account--federal appropriation and ($9,000) $38,000 of the motor vehicle account--state appropriation are provided solely for design and right-of-way work on the I-82/Red Mountain Vicinity project (508208M). The department shall continue to work with the local partners in developing transportation solutions necessary for the economic growth in the Red Mountain American viticulture area of Benton county.

$1,500,000 of the motor vehicle account--federal appropriation is provided solely for the I-90 Comprehensive Tolling Study project (100067T).

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

Up to $8,000,000 in savings realized on the I-90/Snoqualmie Pass East - Hyak to Keechelus Dam - Corridor project (509009B) may be used for design work on the next two-mile segment of the corridor. Any additional savings on this project must remain on the corridor. ($500,000 of the funds appropriated for this project may be used to purchase land currently owned by the state parks...
Project funds may not be used to build or improve buildings until the plan described in section 604 of this act is complete.

(28) $657,000 of the motor vehicle account--federal appropriation is provided solely for the US 97A/North of Wenatchee - Wildlife Fence project (209790B).

The department shall reconvene an expert review panel of no more than three members as described under RCW 47.01.400 for the purpose of updating the work that was previously completed by the panel on the Alaskan Way viaduct replacement project and to ensure that an appropriate and viable financial plan is created and regularly reviewed. The expert review panel must be selected cooperatively by the chairs of the senate and house of representatives transportation committees, the secretary of transportation, and the governor. The expert review panel must report findings and recommendations to the transportation committees of the legislature, the governor's Alaskan Way viaduct project oversight committee, and the transportation commission by October 2011, and annually thereafter until the project is operationally complete.

It is important that the public and policymakers have accurate and timely access to information related to the Alaskan Way viaduct replacement project as it proceeds to, and during, the construction of all aspects of the project including, but not limited to, information regarding costs, schedules, contracts, project status, and neighborhood impacts. Therefore, it is the intent of the legislature that the state, city, and county departments of transportation establish a single source of accountability for integration, coordination, tracking, and information of all requisite components of the replacement project, which must include, at a minimum:

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

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

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

((33)) (32)(a) ($131,303,000) $137,022,000 of the transportation partnership account--state appropriation(( and $51,410,000)) and $50,623,000 of the transportation 2003 account (nickel account)--state appropriation(( and $10,000,000 of the motor vehicle account--federal appropriation)) are provided solely for the I-405/Kirkland Vicinity Stage 2 - Widening project (8BI1002). This project must be completed as soon as practicable as a design-build project and must be constructed with a footprint that would accommodate potential future express toll lanes.

(b) As part of the project, the department shall conduct a traffic and revenue analysis and complete a financial plan to provide additional information on the revenues, expenditures, and financing options available for active traffic management and congestion relief in the Interstate 405 and state route number 167 corridors. A report must be provided to the transportation committees of the legislature and the office of financial management by January 2012. However, this subsection ((33)) (32)(b) is null and void if chapter . . . (Engrossed House Bill No. 1382), Laws of 2011 (I-405 express toll lanes) is enacted by June 30, 2011.

(c) Of the amount appropriated in (a) of this subsection, $15,000,000 of the transportation partnership account--state appropriation is provided solely for the preliminary design and purchase of rights-of-way on the state route number 167 direct connector. It is the intent of the legislature to fund an additional $25,000,000 of the transportation partnership account--state appropriation for the preliminary design and purchase of rights-of-way on the state route number 167 direct connector during the 2013-2015 biennium.

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

((35) $226,809,000) (34) $224,592,000 of the transportation partnership account--state appropriation and (($1,019,460,000)) $898,286,000 of the state route number 520 corridor account--state appropriation are provided solely for the state route number 520 bridge
replacement and HOV program (8BI1003). When developing the financial plan for the program, the department shall assume that all maintenance and operation costs for the new facility are to be covered by tolls collected on the toll facility, and not by the motor vehicle account.

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

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

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

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

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

(39) The total appropriation provided in this section assumes enactment of chapter . . . (Second Substitute Senate Bill No. 5250), Laws of 2012 (design-build procedures) and reflects efficiencies and cost savings generated by this innovative design and contracting tool.

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

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

Transportation Partnership Account--State Appropriation . . . . . . . . . . . . . . . . . . . . . . . . . . . . ($34,182,000)
$$44,463,000
Motor Vehicle Account--State Appropriation . . . . ($67,790,000)
$$85,241,000
Motor Vehicle Account--Federal Appropriation . . . . ($632,489,000)
$$548,306,000
Motor Vehicle Account--Private/Local Appropriation . . ($19,253,000)
$$21,585,000

Transportation 2003 Account (Nickel Account)--State
Appropriation ........................................... $23,000

TOTAL APPROPRIATION ................................. ($753,714,000)

$699,618,000

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

(1) Except as provided otherwise in this section, the entire transportation 2003 account (nickel account) appropriation and the entire transportation partnership account appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ((2011-1)) 2012-2 as developed ((April 19, 2011)) February 21, 2012, Program - Highway Preservation Program (P). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 603 of this act.

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

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

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

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

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

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

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

((8)) The department must work with cities and counties to develop a comparison of direct and indirect labor costs, overhead rates, and other costs for high-cost bridge inspections charged by the state, counties, and other entities. The comparison is due to the transportation committees of the legislature on September 1, 2011.

((9)) $277,000 of the motor vehicle account--federal appropriation and ((10)) $9,641,000 of the motor vehicle account--state appropriation are provided solely for the environmental impact statement and preliminary planning for the replacement of the state route number 9 Snohomish river bridge (project L2000018).

((10)) $165,000 of the motor vehicle account--federal appropriation is provided solely for the I-90/Ritzville to Tokio - Paving of Outside Lanes project (609041G).

((11)) $165,000 of the motor vehicle account--federal appropriation and ((12)) $232,000 of the motor vehicle account--state appropriation are provided solely for the SR 167/Puyallup River Bridge Replacement project (316725A). This project must be completed as a design-build project. The department must work with local jurisdictions and the community during the environmental review process to develop appropriate esthetic design elements, at no additional cost to the department, and traffic management plans pertaining to this project. The department must report to the transportation committees of the legislature on estimated cost and/or time savings realized as a result of using the design-build process.
((13) $295,000)) (11) $507,000 of the motor vehicle account--
federal appropriation and ((5,000)) $13,000 of the motor vehicle
account--state appropriation are provided solely for the SR
906/Travelers Rest - Building Renovation project (090600A).
(12) The department shall submit a renewal and rehabilitation plan
for the new state route number 16 Tacoma Narrows bridge as a decision
package as part of its 2013-2015 biennial budget submittal.

Sec. 307. 2011 c 367 s 307 (uncodified) is amended to read as
follows:
FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--
CAPITAL
Motor Vehicle Account--State Appropriation . . . . . . . ((($6,439,000))
$8,742,000
Motor Vehicle Account--Federal Appropriation . . . . . . (($5,600,000))
$7,246,000
TOTAL APPROPRIATION . . . . . . . . . . . . . . ((($12,039,000))
$15,988,000

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

Sec. 308. 2011 c 367 s 308 (uncodified) is amended to read as
follows:
FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES
CONSTRUCTION--PROGRAM W
Puget Sound Capital Construction Account--State
Appropriation . . . . . . . . . . . . . . . . . . . . . . . . ((($68,013,000))
$64,878,000
Puget Sound Capital Construction Account--Federal
Appropriation . . . . . . . . . . . . . . . . . . . . . . . . ((($41,500,000))
$56,086,000
Puget Sound Capital Construction Account--Private/Local
Appropriation . . . . . . . . . . . . . . . . . . . . . . . . $200,000
Transportation 2003 Account (Nickel Account)--State
Appropriation ....................... (($118,027,000))
$110,928,000

Transportation Partnership Account--State
Appropriation ....................... (($12,536,000))
$12,838,000

Multimodal Transportation Account--State
Appropriation ....................... (($43,265,000))
$38,254,000

TOTAL APPROPRIATION ................. (($283,341,000))
$283,184,000

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

1. (($68,013,000 of the Puget Sound capital construction account--state appropriation, $41,500,000 of the Puget Sound capital construction account--federal appropriation, $12,536,000 of the transportation partnership account--state appropriation, $118,027,000 of the transportation 2003 account (nickel account)--state appropriation, and $43,265,000 of the multimodal transportation account--state appropriation are provided solely for ferry projects,))

2. Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document ((2011-2)) 2012-1 ALL PROJECTS as developed ((April 19, 2011)) February 21, 2012, Program - Washington State Ferries Capital Program (W).

3. The department shall work with the department of archaeology and historic preservation to ensure that the cultural resources investigation is properly conducted on all large ferry terminal projects. These projects must be conducted with active archaeological management.

4. The multimodal transportation account--state appropriation includes up to (($43,265,000)) $38,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.867.

5. The Puget Sound capital construction account--state
appropriation includes up to $52,916,000 in proceeds from the sale of bonds authorized in RCW 47.10.843.

((7) $20,906,000) (5) $17,970,000 of the transportation 2003 account (nickel account)—state appropriation,$9,711,000 of the multimodal transportation account—state appropriation, and $1,537,000 of the Puget Sound capital construction account—state appropriation are) is provided solely for the acquisition of new Kwa-di-tabil class ferry vessels (project 944470A) subject to the conditions of RCW 47.56.780.

((8)) (6) $33,404,000 of the multimodal transportation account—state appropriation, $1,000,000 of the Puget Sound capital construction account—state federal appropriation, $11,500,000 of the transportation partnership account—state appropriation, and $76,924,000 of the transportation 2003 account (nickel account)—state appropriation are provided solely for the acquisition of (two) one 144-car vessel(s) contingent upon new and sufficient resources. Of these amounts, $123,828,000 is provided solely for the first 144-car vessel) (project L2200038). The department shall use as much already procured equipment as practicable on the 144-car vessel. The vendor must present to the joint transportation committee and the office of financial management, by August 15, 2011, a list of options that will result in significant cost savings changes in terms of construction or the long-term maintenance and operations of the vessel. The vendor must allow for exercising the options without a penalty. If neither chapter ... (Engrossed Substitute Senate Bill No. 5742), Laws of 2011 nor chapter ... (House Bill No. 2083), Laws of 2011 is enacted by June 30, 2011, $75,000,000 of the transportation 2003 account (nickel account)—state appropriation in this subsection lapses.

((9)) The department shall provide to the office of financial management and the legislature quarterly reports providing the status on each project listed in this section and in the project lists submitted pursuant to this act and on any additional projects for which the department has expended funds during the 2011-2013 fiscal biennium. Elements must include, but not be limited to, project scope, schedule, and costs. The department shall also provide the information required under this subsection via the transportation executive information system. The quarterly report regarding the status of projects
identified on the list referenced in subsection (1) of this section must be developed according to an earned value method of project monitoring.

(11) $3,932,000) (7) $5,749,000 of the total appropriation is provided solely for continued permitting work on the Mukilteo ferry terminal (project 952515P). The department shall seek additional federal funding for this project. Prior to beginning terminal improvements, the department shall report to the legislature on the final environmental impact statement by December 31, 2012. The report must include an overview of the costs and benefits of each of the alternatives considered, as well as an identification of costs and a funding plan for the preferred alternative.

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

((14) $2,000,000) (9) $3,000,000 of the Puget Sound capital construction account--state appropriation is provided solely for emergency capital repair costs (project 999910K). Funds may be spent only after approval from the office of financial management.

((15) $7,167,000) (10) $4,851,000 of the Puget Sound capital construction account--state appropriation is provided solely for the reservation and communications system projects (L200041 & L200042).

(11) $641,000 of the Puget Sound capital construction account--state appropriation is provided solely for the department to continue efforts to convert the existing diesel powered Issaquah class fleet to liquid natural gas powered vessels. Of this amount, $391,000 is solely for the department to work with appropriate agencies of the state and federal government to amend the state's current alternative security plan to account for the use of liquid natural gas as a propulsion fuel in the ferry fleet. Of this amount, $250,000 is solely for the department to issue a request for proposals for a design-build contract to fully convert the existing diesel powered Issaquah class fleet to be solely powered by liquid natural gas. The successful bidder must be able to offer detailed design services, attain coast guard approval
regarding vessel safety and any other requirements pertaining to
design, acquire engines with liquid natural gas as a sole fuel source,
provide public outreach and education regarding the conversion of ferry
vessels to liquid natural gas, perform all conversion work, and supply
dependable and suitable quantities of liquid natural gas without any
additional, direct appropriations from the legislature other than that
provided in this act. To the extent allowable under current law, the
bidder awarded the design-build contract for converting the Issaquah
fleet to liquid natural gas under this subsection shall be given
bidding preferences in any future liquid natural gas related ferry
proposals or projects.

(12) $500,000 of the Puget Sound capital construction account--
state appropriation is provided solely for the ADA visual paging
project (L2200083). If any new federal grants are received by the
department that may supplant the state funds in this appropriation, the
state funds in this appropriation must be placed in unallotted status.

(13) Consistent with RCW 47.60.662, which requires the Washington
state ferry system to collaborate with passenger-only ferry and transit
providers to provide service at existing terminals, the department
shall ensure that multimodal access, including for passenger-only
ferries and transit service providers, is maintained at or near the
Seattle terminal and considered in any future modifications at the
terminal. It is the intent of the legislature that the reasonable
costs of developing, maintaining, and operating new passenger-only
docking and boarding facilities at Colman dock shall be the
responsibility of the regional and local agencies providing the
service.

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

FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--CAPITAL
Essential Rail Assistance Account--State
Appropriation ......................... (((($1,000,000))))
$1,565,000
Transportation Infrastructure Account--State
Appropriation ......................... (((($5,838,000))))
$5,693,000
Multimodal Transportation Account--State
Appropriation ............................................. (\$52,000,000)
$58,020,000

Multimodal Transportation Account--Federal
Appropriation ............................................. (\$366,314,000)
$236,597,000

Multimodal Transportation Account--Private/Local
Appropriation ............................................. (\$1,292,000)
$1,010,000

TOTAL APPROPRIATION .................................... (\$426,444,000)
$302,885,000

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

(1)(a) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ((2011-2)) 2012-1 ALL PROJECTS as developed ((April 19, 2011)) February 21, 2012, Program-Rail Capital Program (Y).

(b) Within the amounts provided in this section, (\$2,903,000) 
$4,757,000 of the transportation infrastructure account--state appropriation is for low-interest loans through the freight rail investment bank program for specific projects listed as recipients of these loans in the LEAP transportation document identified in (a) of this subsection. The department shall issue freight rail investment bank program loans with a repayment period of no more than ten years, and only so much interest as is necessary to recoup the department's costs to administer the loans.

(c) Within the amounts provided in this section, (\$1,754,000) 
$2,047,000 of the multimodal transportation account--state appropriation, $10,000 of the multimodal transportation account--private/local appropriation, and $1,000,000 of the essential rail assistance account--state appropriation are for statewide emergent freight rail assistance projects identified in the LEAP transportation document identified in (a) of this subsection.

(2)(a) ((If any funds remain in the program reserves (F01001A & F01000A) for the program and projects listed in subsection (1)(b) and (e) of this section,)) The department shall issue a call for projects for the freight rail investment bank (FRIB) loan program and the emergent freight rail assistance program (FRAP) grants, and shall
evaluate the applications according to the cost-benefit methodology developed during the 2008 interim using the legislative priorities specified in (c) of this subsection. Unsuccessful FRAP grant applicants should be encouraged to apply to the FRIB loan program, if eligible. By November 1, 2012, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

(b) When the department identifies a prospective rail project that may have strategic significance for the state, or at the request of a proponent of a prospective rail project or a member of the legislature, the department shall evaluate the prospective project according to the cost-benefit methodology developed during the 2008 interim using the legislative priorities specified in (c) of this subsection. The department shall report its cost-benefit evaluation of the prospective rail project, as well as the department's best estimate of an appropriate construction schedule and total project costs, to the office of financial management and the transportation committees of the legislature.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

((10)) $339,139,000) (6) $218,341,000 of the multimodal transportation account--federal appropriation and $3,639,000 of the multimodal transportation account--state appropriation are provided solely for expenditures related to passenger high-speed rail grants. At one and one-half percent of the total project funds, the multimodal transportation account--state funds are provided solely for expenditures that are not federally reimbursable. Funding in this subsection is the initial portion of multiyear high-speed rail program grants awarded to Washington state for high-speed intercity passenger rail investments. Funding will allow
for two additional round trips between Seattle and Portland and other rail improvements.

((44)) 7 $750,000 of the multimodal transportation account--state appropriation is provided solely for the Port of Royal Slope rehabilitation project (L1000053). Funding is contingent upon the project completing the rail cost-benefit methodology process developed during the 2008 interim using the legislative priorities outlined in subsection (2)(c) of this section.

(8) As allowable under federal rail authority rules and existing competitive bidding practices, when purchasing new train sets, the department shall give preference to bidders that propose train sets with characteristics and maintenance requirements most similar to those currently owned by the department.

(9) Funds generated by the grain train program are solely for operating, sustaining, and enhancing the grain train program including, but not limited to, operations, capital investments, inspection, developing business plans for future growth, and fleet management. Any funds deemed by the department, in consultation with relevant port districts, to be in excess of current operating needs or capital reserves of the grain train program may be transferred from the miscellaneous program account to the essential rail assistance account for the purpose of sustaining the grain train program through maintaining the Palouse river and Coulee City railroad line, on which the grain train program operates.

(10) $500,000 of the essential rail assistance account--state appropriation is provided solely for the purpose of rehabilitation and maintenance of the Palouse river and Coulee City railroad line. Expenditures from this appropriation may not exceed the combined total of:

(a) The revenues deposited into the essential rail assistance account from leases and sale of property pursuant to RCW 47.76.290; and

(b) Revenues transferred from the miscellaneous program account for the purpose of sustaining the grain train program through maintaining the Palouse river and Coulee City railroad line.

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

Official Print - 65 2190-S.E AMS ENGR S5295.E
FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--

CAPITAL

Highway Infrastructure Account--State Appropriation .......... $207,000
Highway Infrastructure Account--Federal
Appropriation ......................................................... $1,602,000
Motor Vehicle Account--State Appropriation ............... ($3,754,000)
 $4,179,000
Motor Vehicle Account--Federal Appropriation ........... ($31,856,000)
 $30,430,000

Freight Mobility Investment Account--State
Appropriation ......................................................... $11,278,000
Transportation Partnership Account--State
Appropriation ......................................................... ($6,035,000)
 $7,181,000

Freight Mobility Multimodal Account--State
Appropriation ......................................................... ($15,117,000)
 $15,668,000

Freight Mobility Multimodal Account--Local
Appropriation ......................................................... ($4,752,000)
 $2,834,000

Multimodal Transportation Account--State
Appropriation ......................................................... ($18,453,000)
 $22,475,000

Passenger Ferry Account--State Appropriation ............... $1,115,000

TOTAL APPROPRIATION ............................................. ($94,169,000)
 $96,969,000

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

(1) (The department shall, on a quarterly basis beginning July 1, 2011, provide to the office of financial management and the legislature reports providing the status on each active project funded in part or whole by the transportation 2003 account (nickel account) or the transportation partnership account. Report formatting and elements must be consistent with the October 2009 quarterly project report. The department shall also provide the information required under this subsection on a quarterly basis via the transportation executive information system.)
$1,115,000 of the passenger ferry account--state appropriation is provided solely for near and long-term costs of capital improvements and operating expenses that are consistent with the business plan approved by the governor for passenger ferry service.

The department shall apply for surface transportation program enhancement funds to be expended in lieu of or in addition to state funds for eligible costs of projects in local programs, program Z--capital.

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

The city of Winthrop may utilize a design-build process for the Winthrop bike path project.

$14,813,000 of the multimodal transportation account--state appropriation, $12,804,000 of the motor vehicle account--federal appropriation, and $6,241,000 of the transportation partnership account--state appropriation are provided solely for the pedestrian and bicycle safety program projects and safe routes to schools program projects identified in: LEAP Transportation Document 2011-A, pedestrian and bicycle safety program projects and safe routes to schools program projects, as developed April 19, 2011; LEAP Transportation Document 2009-A, pedestrian and bicycle safety program projects and safe routes to schools program projects, as developed March 30, 2009; LEAP Transportation Document 2007-A, pedestrian and bicycle safety program projects and safe routes to schools program projects, as developed April 20, 2007; and LEAP Transportation Document 2006-B, pedestrian and bicycle safety program projects and safe routes to schools program projects, as developed March 8, 2006. Projects must be allocated funding based on order of priority. The department shall review all
projects receiving grant awards under this program at least
semiannually to determine whether the projects are making satisfactory
progress. Any project that has been awarded funds, but does not report
activity on the project within one year of the grant award must be
reviewed by the department to determine whether the grant should be
terminated. The department shall promptly close out grants when
projects have been completed, and identify where unused grant funds
remain because actual project costs were lower than estimated in the
grant award.

((7)) (6) Except as provided otherwise in this section, the
entire appropriations in this section are provided solely for the
projects and activities as listed by project and amount in LEAP
Transportation Document ((2011-2)) 2012-1 ALL PROJECTS as developed

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

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

((10) The department shall prepare a list of main street projects,
consistent with chapter ... (Engrossed Substitute House Bill No. 1071),
Laws of 2011, for approval in the 2013-2015 fiscal biennium. In order
to ensure that any proposed list of projects is consistent with
legislative intent, the department shall provide a report to the joint
transportation committee by December 1, 2011. The report must identify
the eligible segments of main streets highways, the department's
proposed project selection and ranking method, criteria to be
considered, and a plan for soliciting project proposals.

((11)) (9) If funding is specifically designated in this act for
main street projects, the department shall prepare a list of projects
that is consistent with chapter 257, Laws of 2011, for approval in the
2013-2015 fiscal biennium.
$267,000 of the motor vehicle account--state appropriation and $2,859,000 of the motor vehicle account--federal appropriation are provided solely for completion of the US 101 northeast peninsula safety rest area and associated roadway improvements east of Port Angeles at the Deer Park scenic viewpoint (3LP187A). The department must surplus any right-of-way previously purchased for this project near Sequim. Approval to proceed with construction is contingent on surplus of previously purchased right-of-way.

Up to $3,650,000 of the motor vehicle account--federal appropriation and $23,000 of the motor vehicle account--state appropriation are provided solely to reimburse the cities of Kirkland and Redmond for pavement and bridge deck rehabilitation on state route number 908 (1LP611A). These funds may not be expended unless the cities sign an agreement stating that the cities agree to take ownership of state route number 908 in its entirety and agree that the payment of these funds represents the entire state commitment to the cities for state route number 908 expenditures.

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

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

$896,000 of the multimodal transportation account--state appropriation is provided solely for realignment of Parker Road and construction of secondary access off of state route number 20 (L2200040).

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

$500,000 of the motor vehicle account--federal
appropriation is provided solely for safety improvements at the
intersection of South Wapato and McDonald Road (L1000052).

((18)) (17) $2,000,000 of the multimodal transportation account--
state appropriation is provided solely for the state route number 432
rail realignment and highway improvements project (L1000056).

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

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

((21)) (19) $115,000 of the motor vehicle account--federal
appropriation is provided solely for median street lighting on state
route number 410 (L1000058).

((22)) (20) $60,000 of the multimodal transportation account--
state appropriation is provided solely for a cross docking study for
the port of Douglas county (L1000060).

((23)) (21) $100,000 of the motor vehicle account--federal
appropriation is provided solely for city of Auburn - 8th and R Street
NE intersection improvements (L2200043).

((24)) (22) $65,000 of the multimodal transportation account--
state appropriation is provided solely for the Puget Sound regional
council to further the implementation of multimodal concurrency
practice through a transit service overlay zone implemented at the
local level (L1000061). This approach will improve the linkage of land
use and transportation investment decisions, improve the efficiency of
transit service by encouraging transit-supportive development, provide
incentives for developers, and support integrated regional growth,
economic development, and transportation plans. In carrying out this
work, the council shall involve representatives from cities and
counties, developers, transit agencies, and other interested
stakeholders, and shall consult with other regional transportation
planning organizations across the state. The council shall report the
results of their work and recommendations to the joint transportation
committee by December 2011, with a final report to the transportation
committees of the legislature by January 31, 2012.
$650,000 of the motor vehicle account--federal appropriation is provided solely for the SR 522 Improvements/61st Avenue NE and NE 181st Street project (L1000055).

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

REPORTING REQUIREMENTS FOR CAPITAL PROGRAM

On a quarterly basis, the department of transportation shall provide to the office of financial management and the legislative transportation committees the following reports for all capital programs:

(1) For active projects, the report must include:
   (a) A TEIS version containing actual capital expenditures for all projects consistent with the structure of the most recently enacted budget;
   (b) Anticipated cost savings, cost increases, reappropriations, and schedule adjustments for all projects consistent with the structure of the most recently enacted budget;
   (c) The award amount, the engineer's estimate, and the number of bidders for all active projects consistent with the structure of the most recently enacted budget;
   (d) Projected costs and schedule for individual projects that are funded at a programmatic level for projects relating to bridge rail, guard rail, fish passage barrier removal, roadside safety projects, and seismic bridges. Projects within this programmatic level funding must be completed on a priority basis and scoped to be completed within the current programmatic budget;
   (e) Highway projects that may be reduced in scope and still achieve a functional benefit;
   (f) Highway projects that have experienced scope increases and that can be reduced in scope;
   (g) Highway projects that have lost significant local or regional contributions that were essential to completing the project; and
   (h) Contingency amounts for all projects consistent with the structure of the most recently enacted budget.

(2) For completed projects, the report must:
   (a) Compare the original project cost estimates and schedule
approved in the transportation 2003 and 2005 transportation partnership project lists to the completed cost of the project;

(b) Compare the costs and operationally complete date for projects on the transportation 2003 and 2005 transportation partnership project lists to the last legislatively adopted project list prior to the completion of a project; and

(c) Compare the costs and operationally complete date for projects with budgets of twenty million dollars that are funded with preexisting funds to the original project cost estimates and schedule.

(3) For prospective projects, the report must:

(a) Identify the estimated advertisement date for all projects consistent with the structure of the most recently enacted budget that are going to advertisement during the current biennium;

(b) Identify the anticipated operationally complete date for all projects consistent with the structure of the most recently enacted budget that are going to advertisement during the current biennium; and

(c) Identify the estimated cost of completion for all projects consistent with the structure of the most recently enacted budget that are going to advertisement during the current biennium.

TRANSFERS AND DISTRIBUTIONS

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

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

Highway Bond Retirement Account--State
Appropriation .................. ............ ($920,560,000) $796,020,000

Ferry Bond Retirement Account--State Appropriation .... $31,801,000

State Route Number 520 Corridor Account--State
Appropriation .................. ............ $1,075,000

Transportation Improvement Board Bond Retirement Account--State Appropriation .................. ............ ($16,544,000) $16,504,000
Nondebt-Limit Reimbursable Account Appropriation ... (($25,200,000))

Transportation Partnership Account--State Appropriation ......................... (($3,142,000))

Motor Vehicle Account--State Appropriation ................................. (($333,000))

Transportation 2003 Account (Nickel Account)--State Appropriation ............... (($1,140,000))

Transportation Improvement Account--State Appropriation ........................ $125,000

Multimodal Transportation Account--State Appropriation ........................ (($138,000))

Toll Facility Bond Retirement Account--State Appropriation .................... (($33,792,000))

Toll Facility Bond Retirement Account--Federal Appropriation .................. (($14,649,000))

TOTAL APPROPRIATION ................................ (($1,048,403,000))

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

1) $4,610,000 of the highway bond retirement account--state appropriation is provided solely for debt service on bonds issued to construct a ferry boat vessel with a carrying capacity of one hundred forty-four cars. If neither chapter ... (House Bill No. 2083), Laws of 2011 nor chapter ... (Engrossed Substitute Senate Bill No. 5742) is enacted by June 30, 2011, the amount provided in this subsection lapses.

2) $165,000 of the transportation 2003 account (nickel account)--state appropriation is provided solely for discounts on bonds sold to construct a ferry boat vessel with a carrying capacity of one hundred forty-four cars. If neither chapter ... (House Bill No. 2083), Laws of 2011 nor chapter ... (Engrossed Substitute Senate Bill No. 5742) is

$927,007,000
enacted by June 30, 2011, the amount provided in this subsection lapses.)

**Sec. 402.** 2011 c 367 s 402 (uncodified) is amended to read as follows:
FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES:  FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES
State Route Number 520 Corridor Account--State Appropriation ......................... $68,000
Transportation Partnership Account--State Appropriation ......................... (($608,000)) $478,000
Motor Vehicle Account--State Appropriation ......................... (($60,000)) $47,000
Transportation 2003 Account (Nickel Account)--State Appropriation ......................... (($219,000)) $173,000
Transportation Improvement Account--State Appropriation ..................... $5,000
Multimodal Transportation Account--State Appropriation ......................... (($26,000)) $19,000
TOTAL APPROPRIATION ......................... (($986,000)) $790,000
((The appropriations in this section are subject to the following conditions and limitations: $30,000 of the transportation 2003 account (nickel account)--state appropriation is provided solely for expenses associated with bonds sold to construct a ferry boat vessel with a carrying capacity of one hundred forty-four cars. If neither chapter ... (House Bill No. 2083), Laws of 2011 nor chapter ... (Engrossed Substitute Senate Bill No. 5742) is enacted by June 30, 2011, the amount provided in this subsection lapses.))

**Sec. 403.** 2011 c 367 s 403 (uncodified) is amended to read as follows:
FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES:  FOR MVFT BONDS AND TRANSFERS
Motor Vehicle Account--State Appropriation: For
transfer to the Puget Sound Capital Construction Account .................................................. ($52,516,000)  

$45,000,000

The department of transportation is authorized to sell up to ($52,516,000) $45,000,000 in bonds authorized by RCW 47.10.843 for vessel and terminal acquisition, major and minor improvements, and long lead-time materials acquisition for the Washington state ferries. (Of the authorized amounts, $14,500,000 is provided solely for expenditures made during the fiscal biennium ending June 30, 2011.)

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

FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION
Motor Vehicle Account--State Appropriation for motor vehicle fuel tax distributions to cities and counties .................................................. ($472,155,000)  

$470,701,000

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

FOR THE STATE TREASURER--TRANSFERS
Motor Vehicle Account--State Appropriation: For motor vehicle fuel tax refunds and statutory transfers .................................................. ($1,246,357,000)  

$1,227,005,000

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

FOR THE DEPARTMENT OF LICENSING--TRANSFERS
Motor Vehicle Account--State Appropriation: For motor vehicle fuel tax refunds and transfers . . . ($127,984,000)  

$151,870,000

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

FOR THE STATE TREASURER--ADMINISTRATIVE TRANSFERS

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

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

$45,500,000

(3)) (2) Recreational Vehicle Account--State
Appropriation: For transfer to the Motor Vehicle
Account--State ................................................. ($1,450,000)

$1,150,000

(4)) (3) License Plate Technology Account--State
Appropriation: For transfer to the Highway Safety
Account--State ................................................. ($3,200,000)

$3,000,000

(5)) (4) Multimodal Transportation Account--State
Appropriation: For transfer to the Puget Sound
Ferry Operations Account--State ................................ ($43,000,000)

$42,000,000

(5) Highway Safety Account--State Appropriation:
For transfer to the Motor Vehicle Account--State .......... $23,000,000

(7) Department of Licensing Services Account
Account--State ................................................ $400,000

(6)) (6) Advanced Right-of-Way Revolving Fund: For
transfer to the Motor Vehicle Account--State ............... $5,000,000

(9) State Route Number 520 Civil Penalties
Account--State Appropriation: For transfer to the
State Route Number 520 Corridor Account--State ........... $754,000

(10)) (7) Rural Mobility Grant Program Account--State
Appropriation: For transfer to the Multimodal
Transportation Account--State ............................. $3,000,000

(11)) (8) Motor Vehicle Account--State
Appropriation: For transfer to the State Patrol
Highway Account--State ..................................... ($14,000,000)

$16,000,000

(12)) (9) State Route Number 520 Corridor
Account--State Appropriation: For transfer to the
Motor Vehicle Account--State((, in an amount equal to
funds dispersed during the 2009-2011 fiscal biennium
authorized under section 805(7) of this act.) .......................... $58,000

((10)) Motor Vehicle Account--State Appropriation: For transfer to the Special Category C Account--State .............................................. ($1,500,000)

$2,500,000

((11)) Regional Mobility Grant Program Account--State Appropriation: For transfer to the Multimodal Transportation Account--State ............. $1,000,000

((12)) State Patrol Highway Account--State Appropriation: For transfer to the Vehicle Licensing Fraud Account ........................................ $100,000

((13)) State Route Number 520 Corridor Account--State Appropriation: For transfer to the Motor Vehicle Account ........................................ $2,435,000)

(14) Capital Vessel Replacement Account--State Appropriation: For transfer to the Transportation 2003 Account (Nickel Account)--State ............. $6,367,000

((17)) The transfers identified in this section are subject to the following conditions and limitations:

(a) The amount transferred in subsection (1) of this section represents repayment of operating loans and reserve payments provided to the Tacoma Narrows toll bridge account from the motor vehicle account in the 2005-2007 fiscal biennium.

(b) The transfer in subsection (9) of this section represents toll revenue collected from toll violations. The transfer in subsection (9) of this section represents the repayment of an amount equal to subprogram B5 expenditures that occurred in the motor vehicle account in the 2009-2011 fiscal biennium.

(b) The amount transferred in subsection (2) of this section shall not exceed the expenditures incurred from the motor vehicle account--state for the recreational vehicle sanitary disposal systems program.

COMPENSATION

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

COLLECTIVE BARGAINING AGREEMENTS--WSP TROOPERS ASSOCIATION
(1) No agreement has been reached between the governor and the Washington state patrol trooper's association under chapter 41.56 RCW for ((the 2011-2013 fiscal biennium)) fiscal year 2012. Appropriations for the Washington state patrol in this act are sufficient to fund the provisions of the 2009-2011 agreement.

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

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

COLLECTIVE BARGAINING AGREEMENTS--WSP LIEUTENANTS ASSOCIATION

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

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

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

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

No agreement has been reached between the governor and the masters, mates, and pilots marine operations watch supervisors under chapter 47.64 RCW for the 2011-2013 fiscal biennium. Appropriations in this act reflect funding to maintain the provisions or terms and conditions of the 2009-2011 agreements for fiscal year 2012. Fiscal year 2013
appropriations are reduced to reflect a 6.0 percent temporary salary
reduction effective July 1, 2012, through June 29, 2013, a reduction to
overtime calculation, reduced vacation accruals, and other management
priorities in collective bargaining. Effective June 30, 2013, the
salary schedules effective July 1, 2009, through June 30, 2011, will be
reinstated.

NEW SECTION. Sec. 504. A new section is added to 2011 c 367
(uncodified) to read as follows:

EMPLOYEE HEALTH INSURANCE

Motor Vehicle Account--State Appropriation . . . . . . . . . . . . ($2,000)

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

(1) The appropriation in this section is provided solely for a
reduction in employee health insurance funding rate as described in
section 9.. of the 2012 supplemental omnibus operating budget,
effective July 1, 2012, through June 30, 2013, for employees of the
legislative branch.

(2) The appropriation from funds and accounts must be made in the
amounts specified and from the funds and accounts specified in OFM

NEW SECTION. Sec. 505. TRANSPORTATION EMPLOYEES--COMPENSATION

The following acts or parts of acts are each repealed:

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

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

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

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

IMPLEMENTING PROVISIONS
NEW SECTION. Sec. 601. A new section is added to chapter 47.76 RCW to read as follows:

Funds deemed by the department of transportation, in consultation with relevant port districts, to be in excess of current operating needs or capital reserves of the grain train program may be transferred from the miscellaneous program account to the essential rail assistance account created in RCW 47.76.250 for the purpose of sustaining the grain train program.

Sec. 602. 2011 c 367 s 608 (uncodified) is amended to read as follows:

STAFFING LEVELS

(1) As the department of transportation completes delivery of the projects funded by the 2003 and 2005 transportation revenue packages, it is clear that the current staffing levels necessary to deliver these projects are not sustainable into the future. Therefore, the department is directed to quickly move forward to develop and implement new business practices so that a smaller, more nimble state workforce can effectively and efficiently deliver transportation improvement programs as they are approved in the future, in strong partnership with the private sector, while protecting the public's interests and assets.

(2) To this end, the department of transportation is directed to reduce the size of its engineering and technical workforce to a level sustained by current law revenue levels currently estimated at two thousand FTEs by the end of the 2013-2015 fiscal biennium. The department's current two thousand eight hundred FTE engineering and technical workforce levels for highway construction will be reduced in the 2011-2013 fiscal biennium, with a target of two thousand four hundred FTEs by June 30, 2013, and to a level of two thousand FTEs by June 30, 2015.

(3) In order to successfully deliver the highway construction program as funded, the department of transportation may continue to contract out engineering and technical services. In addition, the department may continue the incentive program for retirements and employee separations. (The department shall report quarterly to the office of financial management and the transportation committees of the legislature on its progress and plans to reduce highway construction...
workforce levels to two thousand FTEs by June 2015. This report must also be posted on the department's web site.))

(4) The department of transportation is directed to reduce the size of its administrative operating programs for the 2013-2015 biennium. As part of the department's biennial budget submittal, the department shall reduce its workforce in Programs C, H, T, and S by five to seven percent. The ratio of executive management service or Washington management services employee staff must be at least seven staff for every manager by the end of the 2013-2015 biennium.

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

FUND TRANSFERS

(1) The transportation 2003 projects or improvements and the 2005 transportation partnership projects or improvements are listed in LEAP Transportation Document ((2011-1)) 2012-2 as developed ((April 19, 2011)) February 21, 2012, which consists of a list of specific projects by fund source and amount over a sixteen-year period. Current fiscal biennium funding for each project is a line-item appropriation, while the outer year funding allocations represent a sixteen-year plan. The department is expected to use the flexibility provided in this section to assist in the delivery and completion of all transportation partnership account and transportation 2003 account (nickel account) projects on the LEAP transportation documents referenced in this act. For the 2009-2011 and 2011-2013 project appropriations, unless otherwise provided in this act, the director of financial management may authorize a transfer of appropriation authority between projects funded with transportation 2003 account (nickel account) appropriations, or transportation partnership account appropriations, in order to manage project spending and efficiently deliver all projects in the respective program under the following conditions and limitations:

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

(b) Transfers from a project may not be made as a result of the reduction of the scope of a project or be made to support increases in the scope of a project;
(c) Each transfer between projects may only occur if the director of financial management finds that any resulting change will not hinder the completion of the projects as approved by the legislature. Until the legislature reconvenes to consider the 2012 supplemental transportation budget, any unexpended 2009-2011 appropriation balance as approved by the office of financial management, in consultation with the legislative staff of the house of representatives and senate transportation committees, may be considered when transferring funds between projects;

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

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

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

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

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

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

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

NEW SECTION. Sec. 604. A new section is added to 2011 c 367 (uncodified) to read as follows:
The department of transportation may provide up to $163,000 in toll credits to the Port of Kingston for its role in the new passenger-only ferry service and ferry corridor-related projects. The number of toll credits provided to the Port of Kingston must be equal to, but no more than, the number sufficient to meet federal match requirements for grant funding for passenger-only ferry service, but shall not exceed the amount authorized in this section.

**CONDITIONALLY ADDITIVE APPROPRIATIONS**

**NEW SECTION. Sec. 701.** A new section is added to 2011 c 367 (uncodified) to read as follows:

**FOR THE WASHINGTON STATE PATROL**

State Patrol Highway Account--State Appropriation ....... $5,642,000
Highway Safety Account--State Appropriation ............. $3,500,000
TOTAL APPROPRIATION .................. $9,142,000

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

1. $1,642,000 of the state patrol highway account--state appropriation is provided solely for the auto theft investigation units in King county, the city of Spokane, and the city of Tacoma.

2. $4,000,000 of state patrol highway account--state appropriation and the entire highway safety account--state appropriation is provided solely for equipment acquisition, installation, integration, and financing needs associated with the conversion of the existing communication system to narrowbanding as required by the federal communications commission.

**NEW SECTION. Sec. 702.** A new section is added to 2011 c 367 (uncodified) to read as follows:

**FOR THE COUNTY ROAD ADMINISTRATION BOARD--CAPITAL**

Highway Safety Account--State Appropriation ............ $3,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the county arterial preservation program to help counties meet urgent preservation needs.
NEW SECTION. Sec. 703. A new section is added to 2011 c 367 (uncodified) to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD--CAPITAL Highway Safety Account--State Appropriation . . . . . . . . $3,000,000

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

(1) $2,700,000 of the highway safety account--state appropriation is provided solely for the urban arterial program to help cities meet urgent preservation and storm water needs.

(2) $300,000 of the highway safety account--state appropriation is provided solely for the small city pavement program to help cities meet urgent preservation and storm water needs.

NEW SECTION. Sec. 704. A new section is added to 2011 c 367 (uncodified) to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--IMPROVEMENTS--PROGRAM I Motor Vehicle Account--State Appropriation . . . . . . . . $8,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely to advance the design, preliminary engineering, and rights-of-way acquisition for the priority projects identified in LEAP Transportation Document 2012-3 as developed February 21, 2012. Funds must be used to advance the emergent, initial development of these projects for the purpose of expediting delivery of the associated major investments when funding for such investments becomes available. Funding may be reallocated between projects to maximize the accomplishment of design and preliminary engineering work and rights-of-way acquisition, provided that all projects are addressed. It is the intent of the legislature that, while seeking to maximize the outcomes in this section, the department shall utilize an approach that ensures private sector general engineering consultant participation, continuity of personnel, and consistency with the department's business plan for reducing staffing in the highway construction program in the current and next biennia.

NEW SECTION. Sec. 705. A new section is added to 2011 c 367 (uncodified) to read as follows:
FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE--PROGRAM M

Highway Safety Account--State Appropriation . . . . . . . . . . . . . . . $3,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely to further reduce the highway maintenance backlog in order to maintain or increase levels of service.

NEW SECTION. Sec. 706. A new section is added to 2011 c 367 (uncodified) to read as follows:

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

Highway Safety Account--State Appropriation . . . . . . . . . . . . . . . $3,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for urgent preservation needs on the state highway system.

NEW SECTION. Sec. 707. A new section is added to 2011 c 367 (uncodified) to read as follows:

FOR THE STATE TREASURER: FOR DISTRIBUTION TO TRANSIT ENTITIES

Multimodal Transportation Account--State Appropriation . . . $3,500,000

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

(1) The appropriation in this section must be distributed statewide to transit authorities according to the distribution formula in subsection (2) of this section. Funding must be used for operations.

(2) Of the amounts provided in this section:

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

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

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

(3) For the purposes of this section:

(a) "Transit authorities" has the same meaning as in RCW 9.91.025(2)(c).

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

NEW SECTION. Sec. 708. A new section is added to 2011 c 367 (uncodified) to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X
Highway Safety Account--State Appropriation..................$6,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the purchase of fuel for marine operations.

NEW SECTION. Sec. 709. A new section is added to 2011 c 367 (uncodified) to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES CONSTRUCTION--PROGRAM W
Transportation 2003 Account
(Nickel Account)--State Appropriation......................$130,000,000

The appropriation in this section is subject to the following conditions and limitations:
(1) The appropriation in this section is provided solely for the purposes of constructing a ferry boat vessel with a carrying capacity of at least one hundred forty-four cars.
(2) The appropriation in this section includes up to $130,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.861.

NEW SECTION. Sec. 710. A new section is added to 2011 c 367 (uncodified) to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--CAPITAL
Highway Safety Account--State Appropriation..................$3,000,000

The appropriations in this section are subject to the following conditions and limitations:
(1) $1,000,000 of the highway safety account--state appropriation is provided solely to the freight mobility strategic investment board for grants to meet urgent freight corridor improvement and preservation
needs, including advancing projects that are identified in LEAP Transportation Document 2012-2 ALL PROJECTS as developed February 21, 2012, and for other projects that meet the board's criteria.

(2) $2,000,000 of the highway safety account--state appropriation is provided solely for safe routes to schools program projects, in rank order, and identified as contingency projects in the LEAP Transportation Document 2011-A, pedestrian and bicycle safety program projects and safe routes to school program projects, referenced in chapter 367, Laws of 2011 (the omnibus transportation appropriations act).

NEW SECTION. Sec. 711. A new section is added to 2011 c 367 (uncodified) to read as follows:

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

Highway Bond Retirement Account--State Appropriation . . . . $6,500,000

NEW SECTION. Sec. 712. A new section is added to 2011 c 367 (uncodified) to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES

Transportation 2003 Account

(Nickel Account)--State Appropriation . . . . . . . . . . $58,000

NEW SECTION. Sec. 713. Sections 701 through 708 and 710 of this act take effect November 1, 2012.

NEW SECTION. Sec. 714. Sections 709, 711, and 712 of this act take effect July 1, 2012.

NEW SECTION. Sec. 715. If chapter . . . (Engrossed Substitute Senate Bill No. 6150), Laws of 2012 is not enacted by June 30, 2012, the appropriations in sections 702, 703, 705, 706, 708, and 710(1) of this act are null and void.
NEW SECTION. Sec. 716. If chapter . . . (Engrossed Substitute Senate Bill No. 6455), Laws of 2012 is not enacted by June 30, 2012, the appropriations in sections 701, 704, 707, 709, 710(2), 711, and 712 of this act are null and void.

MISCELLANEOUS

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

NEW SECTION. Sec. 802. Except for sections 701 through 712 of this act, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.
<table>
<thead>
<tr>
<th>INDEX</th>
<th>PAGE #</th>
</tr>
</thead>
<tbody>
<tr>
<td>COLLECTIVE BARGAINING AGREEMENTS</td>
<td></td>
</tr>
<tr>
<td>WSP LIEUTENANTS ASSOCIATION</td>
<td>78</td>
</tr>
<tr>
<td>WSP TROopers ASSOCIATION</td>
<td>77</td>
</tr>
<tr>
<td>COUNTY ROAD ADMINISTRATION BOARD</td>
<td>6, 43</td>
</tr>
<tr>
<td>CAPITAL</td>
<td>83</td>
</tr>
<tr>
<td>DEPARTMENT OF AGRICULTURE</td>
<td>4</td>
</tr>
<tr>
<td>DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION</td>
<td>1</td>
</tr>
<tr>
<td>DEPARTMENT OF ENTERPRISE SERVICES</td>
<td>4</td>
</tr>
<tr>
<td>DEPARTMENT OF LICENSING</td>
<td>14</td>
</tr>
<tr>
<td>TRANSFERS</td>
<td>75</td>
</tr>
<tr>
<td>DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS</td>
<td></td>
</tr>
<tr>
<td>TERMS AND CONDITIONS</td>
<td>78</td>
</tr>
<tr>
<td>DEPARTMENT OF TRANSPORTATION</td>
<td></td>
</tr>
<tr>
<td>AVIATION--PROGRAM F</td>
<td>23</td>
</tr>
<tr>
<td>CHARGES FROM OTHER AGENCIES--PROGRAM U</td>
<td>33</td>
</tr>
<tr>
<td>ECONOMIC PARTNERSHIPS--PROGRAM K</td>
<td>26</td>
</tr>
<tr>
<td>FACILITIES--PROGRAM D--CAPITAL</td>
<td>44</td>
</tr>
<tr>
<td>FACILITIES--PROGRAM D--OPERATING</td>
<td>23</td>
</tr>
<tr>
<td>HIGHWAY MAINTENANCE--PROGRAM M</td>
<td>26, 85</td>
</tr>
<tr>
<td>IMPROVEMENTS--PROGRAM I</td>
<td>45, 84</td>
</tr>
<tr>
<td>INFORMATION TECHNOLOGY--PROGRAM C</td>
<td>22</td>
</tr>
<tr>
<td>LOCAL PROGRAMS--PROGRAM Z--CAPITAL</td>
<td>66, 86</td>
</tr>
<tr>
<td>LOCAL PROGRAMS--PROGRAM Z--OPERATING</td>
<td>42</td>
</tr>
<tr>
<td>MARINE--PROGRAM X</td>
<td>38, 86</td>
</tr>
<tr>
<td>PRESERVATION--PROGRAM P</td>
<td>54, 85</td>
</tr>
<tr>
<td>PROGRAM DELIVERY MANAGEMENT AND SUPPORT--PROGRAM H</td>
<td>23</td>
</tr>
<tr>
<td>PUBLIC TRANSPORTATION--PROGRAM V</td>
<td>34</td>
</tr>
<tr>
<td>RAIL--PROGRAM Y--OPERATING</td>
<td>41</td>
</tr>
<tr>
<td>RAIL--PROGRAM Y--CAPITAL</td>
<td>61</td>
</tr>
<tr>
<td>TOLL OPERATIONS AND MAINTENANCE--PROGRAM B</td>
<td>20</td>
</tr>
<tr>
<td>TRAFFIC OPERATIONS--PROGRAM Q--CAPITAL</td>
<td>57</td>
</tr>
<tr>
<td>TRAFFIC OPERATIONS--PROGRAM Q--OPERATING</td>
<td>28</td>
</tr>
<tr>
<td>TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S</td>
<td>31</td>
</tr>
<tr>
<td>TRANSPORTATION PLANNING, DATA, AND RESEARCH--PROGRAM T</td>
<td>31</td>
</tr>
<tr>
<td>WASHINGTON STATE FERRIES CONSTRUCTION--PROGRAM W</td>
<td>86</td>
</tr>
<tr>
<td>WSF CONSTRUCTION--PROGRAM W</td>
<td>57</td>
</tr>
</tbody>
</table>
On page 1, beginning on line 2 of the title, strike the remainder of the title and insert "amending 2011 c 367 ss 101, 103, 105, 106, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 401, 402, 403, 404, 405, 406, 407, 502, 503, 505, 603, and 608 (uncodified); adding a new section to chapter 47.76 RCW; adding new sections to 2011 c 367 (uncodified); creating new sections; repealing 2011 1st sp.s. c 50 ss 718, 719, 720, and 721 (uncodified); making appropriations and authorizing expenditures for capital improvements; providing effective dates; and declaring an
emergency."