

ESHB 2190 - S AMD
By Senator

ADOPTED AND ENGROSSED 3/6/12

1 Strike everything after the enacting clause and insert the
2 following:

3 "2011-2013 FISCAL BIENNIUM
4 GENERAL GOVERNMENT AGENCIES--OPERATING

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

7 **FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

8 Motor Vehicle Account--State Appropriation ((~~\$430,000~~))
9 \$416,000

10 The appropriation in this section is subject to the following
11 conditions and limitations: The entire appropriation is provided
12 solely for staffing costs to be dedicated to state transportation
13 activities. Staff hired to support transportation activities must have
14 practical experience with complex construction projects.

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

17 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

18 Motor Vehicle Account--State Appropriation ((~~\$2,216,000~~))
19 \$1,728,000

20 Puget Sound Ferry Operations Account--State
21 Appropriation ((~~\$4,624,000~~))
22 \$1,260,000

23 Multimodal Transportation Account--State
24 Appropriation \$350,000

25 TOTAL APPROPRIATION ((~~\$6,840,000~~))
26 \$3,338,000

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

1 (1) The office of financial management, in consultation with the
2 transportation committees of the legislature, shall conduct a budget
3 evaluation study for the new traffic management center proposed by the
4 department of transportation. The study must consider data resulting
5 from the plan identified in section 604 of this act. The budget
6 evaluation study team approach using value engineering techniques must
7 be utilized by the office of financial management in conducting the
8 study. The office of financial management shall select the budget
9 evaluation study team members, contract for the study, and report the
10 results to the transportation committees of the legislature and the
11 department of transportation in a timely manner following the study.
12 Options reviewed must include use of existing facilities, including the
13 Wheeler building data center in Olympia. Funds allocated for the new
14 traffic management center must be used by the office of financial
15 management through an interagency agreement with the department of
16 transportation to cover the cost of the study.

17 (2) (~~(\$4,480,000 of the Puget Sound ferry operations account--state~~
18 ~~appropriation is provided solely for marine insurance. The~~
19 ~~appropriation is intended to fully fund a two-year policy, and the~~
20 ~~office of financial management shall increase the deductible to~~
21 ~~\$10,000,000 and reduce components of the policy in order to keep the~~
22 ~~total cost of the two-year policy at or below the appropriation in this~~
23 ~~subsection.~~

24 (5)) \$1,116,000 of the Puget Sound ferry operations account--state
25 appropriation is provided solely for marine insurance. The amount in
26 this subsection as well as the amount in section 103(2) of this act is
27 intended to fully fund a two-year policy. For fiscal year 2012, the
28 office of financial management shall increase the deductible to ten
29 million dollars and reduce components of the policy in order to keep
30 the total cost of the two-year policy at or below the appropriation in
31 this subsection and section 103(2) of this act.

32 (3) \$840,000 of the motor vehicle account--state appropriation is
33 provided out of funds set aside out of statewide fuel taxes distributed
34 to counties according to RCW 46.68.120(3) solely for the office of
35 financial management to contract with the Washington state association
36 of counties to identify, evaluate, and implement performance measures
37 associated with county transportation activities. The performance
38 measures must include, at a minimum, those related to safety, system

1 preservation, mobility, environmental protection, and project
2 completion. A report on the county transportation performance
3 implementation project must be provided to the transportation
4 committees of the legislature by December 31, 2012.

5 ~~((+6))~~ (4) \$169,000 of the motor vehicle account--state
6 appropriation is provided solely for the office of regulatory
7 assistance integrated permitting project.

8 ~~((+7))~~ (5) \$40,000 of the Puget Sound ferry operations account--
9 state appropriation is provided solely for the state's share of the
10 marine salary survey.

11 ~~((+8))~~ (6) The office of financial management shall study the
12 available data regarding statewide transit, bicycle, and pedestrian
13 trips and recommend additional performance measures that will
14 effectively measure the state's performance in increasing transit
15 ridership and bicycle and pedestrian trips. The office of financial
16 management shall report its findings and recommendations to the
17 transportation committees of the legislature by November 15, 2011, and
18 integrate the new performance measures into the report prepared by the
19 office of financial management pursuant to RCW 47.04.280 regarding
20 progress towards achieving Washington state's transportation system
21 policy goals.

22 (7) \$350,000 of the multimodal transportation account--state
23 appropriation is provided solely for the office of financial management
24 to contract with a statewide organization representing Washington
25 cities and a statewide organization representing Washington counties to
26 work with the Washington state governor's office of regulatory
27 assistance to:

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

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

37 (c) Provide outreach and training to advance the state's interest

1 in continuing to leverage iPRMT web infrastructure to support and
2 accelerate local, regional, and state transportation and public works
3 planning, permitting, and compliance.

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

6 **FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

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

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

- 13 (1) \$462,000 of the motor vehicle account--state appropriation is
14 provided solely for the transportation executive information system.
- 15 (2) \$3,360,000 of the Puget Sound ferry operations account--state
16 appropriation is provided solely for marine insurance. The amount in
17 this subsection as well as the amount in section 102(2) of this act is
18 intended to fully fund a two-year policy. For fiscal year 2013, the
19 department of enterprise services shall increase the deductible to ten
20 million dollars and reduce components of the policy in order to keep
21 the total cost of the two-year policy at or below the appropriation in
22 this subsection and section 102(2) of this act.

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

25 **FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

26 Puget Sound Ferry Operations Account--State	
27 Appropriation	(\$95,000)
28	<u>\$75,000</u>

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

31 **FOR THE DEPARTMENT OF AGRICULTURE**

32 Motor Vehicle Account--State Appropriation	(\$1,210,000)
33	<u>\$1,185,000</u>

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

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

4 (2) \$686,000 of the motor vehicle account--state appropriation is
5 provided solely to test the quality of biofuel. The department must
6 test fuel quality at the biofuel manufacturer, distributor, and
7 retailer.

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

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

11 Motor Vehicle Account--State Appropriation	((\$513,000))
	<u>\$494,000</u>

13 **TRANSPORTATION AGENCIES--OPERATING**

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

16 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

17 Highway Safety Account--State Appropriation	((\$3,003,000))
	<u>\$2,983,000</u>
19 Highway Safety Account--Federal Appropriation	((\$42,625,000))
	<u>\$42,507,000</u>
21 Highway Safety Account-- <u>Private</u> /Local Appropriation	\$50,000
22 School Zone Safety Account--State Appropriation	\$3,340,000
23 TOTAL APPROPRIATION	((\$49,018,000))
	<u>\$48,880,000</u>

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

27 (1) \$1,673,900 of the highway safety account--federal appropriation
28 is provided solely for the conclusion of the target zero trooper pilot
29 program, which the commission has developed and implemented in
30 collaboration with the Washington state patrol. The pilot program must
31 continue to demonstrate the effectiveness of intense, high visibility,
32 driving under the influence enforcement in Washington. The commission
33 shall continue to apply to the national highway traffic safety
34 administration for federal highway safety grants to cover the cost of

1 the pilot program. State funding is provided in section 207 of this
2 act for the state patrol to continue the target zero trooper program in
3 fiscal year 2013.

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

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

12 (b) In order to ensure adequate time in the 2011-2013 fiscal
13 biennium to evaluate the effectiveness of the pilot projects, any
14 projects authorized by the commission must be authorized by December
15 31, 2011.

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

20 (3) \$460,000 of the highway safety account--state appropriation is
21 provided solely for the implementation of chapter ... (Engrossed Second
22 Substitute House Bill No. 1789), Laws of 2011 (addressing DUI
23 accountability). If chapter ... (Engrossed Second Substitute House
24 Bill No. 1789), Laws of 2011 is not enacted by June 30, 2011, the
25 amount provided in this subsection lapses.

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

30 (5) \$22,000,000 of the highway safety account--federal
31 appropriation is provided solely for federal funds that may be
32 obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the
33 2011-2013 fiscal biennium.

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

36 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

37 Rural Arterial Trust Account--State Appropriation (~~(\$948,000)~~)

1		<u>\$915,000</u>
2	Motor Vehicle Account--State Appropriation	((\$2,161,000))
3		<u>\$2,088,000</u>
4	County Arterial Preservation Account--State	
5	Appropriation	((\$1,480,000))
6		<u>\$1,428,000</u>
7	TOTAL APPROPRIATION	((\$4,589,000))
8		<u>\$4,431,000</u>

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

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

21 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

22	Transportation Improvement Account--State	
23	Appropriation	((\$3,707,000))
24		<u>\$3,625,000</u>

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

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

1 **FOR THE JOINT TRANSPORTATION COMMITTEE**

2 Motor Vehicle Account--State Appropriation ((~~\$2,060,000~~))
3 \$2,028,000

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

6 (1) \$200,000 of the motor vehicle account--state appropriation is
7 for a study of Washington state ferries fares that recommends the most
8 appropriate fare media for use with the reservation system and the
9 implementation of demand management pricing and interoperability with
10 other payment methods. The study must include direct collaboration
11 with transportation commission members.

12 ((+3)) (2) \$200,000 of the motor vehicle account--state
13 appropriation is from the cities statewide fuel tax distributions under
14 RCW 46.68.110(2) for the joint transportation committee to study and
15 make recommendations on RCW 90.03.525. The study must include: (a) An
16 inventory of state highways subject to the federal clean water act (40
17 C.F.R. Parts 122 through 124) (national pollutant discharge elimination
18 system) that are within city boundaries; (b) a survey of cities that
19 impose storm water fees or charges to the department of transportation,
20 or otherwise manage storm water runoff from state highways within their
21 jurisdiction; (c) case studies from a representative cross-section of
22 cities on how the department and cities have used RCW 90.03.525; and
23 (d) recommendations on how to achieve efficiencies in the cost and
24 management of state highway storm water runoff within cities under RCW
25 90.03.525.

26 ((+4)) (3) \$425,000 of the motor vehicle account--state
27 appropriation is for the joint transportation committee to conduct a
28 study to evaluate the potential for financing state transportation
29 projects using public-private partnerships. The study must compare the
30 costs, advantages, and disadvantages of various forms of public-private
31 partnerships with conventional financing. Projects to be evaluated
32 include Interstate 405, state route number 509, state route number 167,
33 the Columbia River crossing, and the Monroe bypass. At a minimum, the
34 study must identify the public interest in the financing and
35 construction of transportation projects, the public interest in the
36 operation of transportation projects, and the provisions in public-
37 private partnership agreements that best protect the public interest.
38 To the extent possible, the study must identify the lowest-cost and

1 best-value model for each project that best protects the public
2 interest. In addition, the study must evaluate whether public-private
3 partnerships serve the defined public interest including, but not
4 limited to, the advantage and disadvantage of risk allocation, the
5 effects of private versus public financing on the state's bonding
6 capacity, the state's ability to retain public ownership of the asset,
7 the process that would allow for the most transparency during the
8 negotiation of terms of a public-private partnership agreement, and the
9 state's ability to oversee the private entity's management of the
10 asset. The study must identify any barriers to the implementation of
11 funding models that best protect the public interest, including
12 statutory and constitutional barriers. The committee shall issue a
13 report of its evaluation to the house of representatives and senate
14 transportation committees by December 16, 2011.

15 ~~((+5))~~ (4) \$100,000 of the motor vehicle account--state
16 appropriation is for an investigation of the use of liquid natural gas
17 on existing Washington state ferry vessels as well as the 144-car class
18 vessels and report to the legislature by December 31, 2011.

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

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

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

37 (c) Is the current structure the best use of state and federal
38 funding?

1 (d) If aviation search and rescue is relocated, what should be the
2 source of funding?

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

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

23 **FOR THE TRANSPORTATION COMMISSION**

24 Motor Vehicle Account--State Appropriation	((\$2,142,000))
	<u>\$2,093,000</u>
26 Multimodal Transportation Account--State Appropriation	\$112,000
27 TOTAL APPROPRIATION	((\$2,254,000))
	<u>\$2,205,000</u>

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

31 (1) Consistent with RCW 43.135.055, 47.60.290, and 47.60.315,
32 during the 2011-2013 fiscal biennium, the legislature authorizes the
33 transportation commission to periodically review and, if necessary,
34 adjust the schedule of fares for the Washington state ferry system only
35 in amounts not greater than those sufficient to generate the amount of
36 revenue required by the biennial transportation budget. When adjusting
37 ferry fares, the commission must consider input from affected ferry

1 users by public hearing and by review with the affected ferry advisory
2 committees, in addition to the data gathered from the current ferry
3 user survey.

4 (2) Consistent with RCW 43.135.055 and 47.46.100, during the
5 2011-2013 fiscal biennium, the legislature authorizes the
6 transportation commission to periodically review and, if necessary,
7 adjust the schedule of toll charges applicable to the Tacoma Narrows
8 bridge only in amounts not greater than those sufficient to support (a)
9 any required costs for operating and maintaining the toll bridge,
10 including the cost of insurance, (b) any amount required by law to meet
11 the redemption of bonds and applicable interest payments, and (c)
12 repayment of the motor vehicle fund.

13 ((+4)) (3) Consistent with its authority in RCW 47.56.840, the
14 transportation commission shall consider the need for a citizen
15 advisory group that provides oversight on new tolled facilities.

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

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

19 Motor Vehicle Account--State Appropriation ((\$702,000))
20 \$681,000

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

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

33 **FOR THE WASHINGTON STATE PATROL**

34 (~~Vehicle Licensing Fraud Account--State Appropriation . . . \$100,000~~)
35 Ignition Interlock Device Revolving Account--
36 State Appropriation \$106,000

1	State Patrol Highway Account--State	
2	Appropriation	((\$349,812,000))
3		<u>\$350,605,000</u>
4	State Patrol Highway Account--Federal	
5	Appropriation\$10,903,000
6	State Patrol Highway Account--Private/Local	
7	Appropriation	((\$3,369,000))
8		<u>\$3,494,000</u>
9	<u>Highway Safety Account--State Appropriation</u>	<u>.\$712,000</u>
10	<u>Multimodal Transportation Account--State Appropriation</u>	<u>.\$132,000</u>
11	TOTAL APPROPRIATION	((\$364,184,000))
12		<u>\$365,952,000</u>

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

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

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

32 (3) \$370,000 of the state patrol highway account--state
33 appropriation is provided solely for costs associated with the pilot
34 program described under section 216(5) of this act. The Washington
35 state patrol may incur costs related only to the assignment of cadets
36 and necessary computer equipment and to the reimbursement of the
37 Washington state department of transportation for contract costs. The
38 appropriation in this subsection must be funded from the portion of the

1 automated traffic safety camera fines deposited into the state patrol
2 highway account; however, if the fines deposited into the state patrol
3 highway account from automated traffic safety camera infractions do not
4 reach three hundred seventy thousand dollars, the department of
5 transportation shall remit funds necessary to the Washington state
6 patrol to ensure the completion of the pilot program. The Washington
7 state patrol may not incur overtime as a result of this pilot program.
8 The Washington state patrol shall not assign troopers to operate or
9 deploy the pilot program equipment used in the roadway construction
10 zones.

11 (4) (~~(\$12,655,000)~~) \$12,166,000 of the total appropriation is
12 provided solely for automobile fuel in the 2011-2013 fiscal biennium.
13 The Washington state patrol shall analyze their fuel consumption and
14 submit a report to the legislative transportation committees by
15 December 31, 2011, on fuel conservation methods that could be used to
16 minimize costs and ensure that the Washington state patrol is managing
17 fuel consumption effectively.

18 (5) (~~(\$7,421,000)~~) \$7,672,000 of the total appropriation is
19 provided solely for the purchase of pursuit vehicles.

20 (6) (~~(\$6,611,000)~~) \$6,689,000 of the total appropriation is
21 provided solely for vehicle repair and maintenance costs of vehicles
22 used for highway purposes.

23 (7) (~~(\$1,724,000)~~) \$1,730,000 of the total appropriation is
24 provided solely for the purchase of mission vehicles used for highway
25 purposes in the commercial vehicle and traffic investigation sections
26 of the Washington state patrol.

27 (8) \$1,200,000 of the total appropriation is provided solely for
28 outfitting officers. The Washington state patrol shall prepare a cost-
29 benefit analysis of the standard trooper uniform as compared to a
30 battle dress uniform and uniforms used by other states and
31 jurisdictions. The Washington state patrol shall report the results of
32 the analysis to the transportation committees of the legislature by
33 December 1, 2011.

34 (9) The Washington state patrol shall not account for or record
35 locally provided DUI cost reimbursement payments as expenditure credits
36 to the state patrol highway account. The patrol shall report the
37 amount of expected locally provided DUI cost reimbursements to the

1 office of financial management and transportation committees of the
2 legislature by September 30th of each year.

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

8 ~~(11) ((\$100,000 of the vehicle licensing fraud account--state
9 appropriation is provided solely to support the transportation portion
10 of the vehicle license fraud program during the 2011-2013 fiscal
11 biennium))~~ \$2,187,000 of the state patrol highway account--state
12 appropriation is provided solely for mobile office platforms.

13 (12) \$2,731,000 of the state patrol highway account--state
14 appropriation is provided solely for the continuation of the target
15 zero trooper program.

16 (13) \$712,000 of the highway safety account--state appropriation is
17 provided solely for the implementation of chapter . . . (Second
18 Substitute House Bill No. 2443), Laws of 2012 (DUI accountability). If
19 chapter . . . (Second Substitute House Bill No. 2443), Laws of 2012 is
20 not enacted by June 30, 2012, the amount provided in this subsection
21 lapses. Additionally, the total highway safety account--state
22 appropriation in this section assumes the revenue generated by the fees
23 that the Washington state patrol is authorized to charge manufacturers,
24 technicians, and other providers under Second Substitute House Bill No.
25 2443. Within the amounts provided in this subsection is funding for
26 three additional troopers to provide oversight of the ignition
27 interlock industry.

28 (14) \$132,000 of the multimodal transportation account--state
29 appropriation is provided solely for the implementation of chapter
30 . . . (Engrossed Substitute House Bill No. 1820), Laws of 2012 (blue
31 alert system). If chapter . . . (Engrossed Substitute House Bill No.
32 1820), Laws of 2012 is not enacted by June 30, 2012, the amount
33 provided in this subsection lapses.

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

36 **FOR THE DEPARTMENT OF LICENSING**

37 Marine Fuel Tax Refund Account--State Appropriation \$32,000

1 Motorcycle Safety Education Account--State
2 Appropriation ((~~\$4,411,000~~))
3 \$4,367,000
4 Wildlife Account--State Appropriation ((~~\$859,000~~))
5 \$826,000
6 Highway Safety Account--State Appropriation ((~~\$149,904,000~~))
7 \$148,102,000
8 Highway Safety Account--Federal Appropriation ((~~\$2,884,000~~))
9 \$4,299,000
10 Highway Safety Account--Private/Local Appropriation \$200,000
11 Motor Vehicle Account--State Appropriation ((~~\$78,586,000~~))
12 \$76,605,000
13 Motor Vehicle Account--Private/Local Appropriation ((~~\$1,721,000~~))
14 \$1,714,000
15 Motor Vehicle Account--Federal Appropriation ((~~\$242,000~~))
16 \$380,000
17 Department of Licensing Services Account--State
18 Appropriation ((~~\$5,815,000~~))
19 \$6,095,000
20 Ignition Interlock Device Revolving Account--State
21 Appropriation \$1,315,000
22 TOTAL APPROPRIATION ((~~\$245,769,000~~))
23 \$243,935,000

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

26 ~~(1) ((~~\$62,000 of the motor vehicle account--state appropriation is~~
27 ~~provided solely for the implementation of chapter ... (Engrossed~~
28 ~~Substitute Senate Bill No. 5251), Laws of 2011 (electric vehicle fee).~~
29 ~~If chapter ... (Engrossed Substitute Senate Bill No. 5251), Laws of~~
30 ~~2011 is not enacted by June 30, 2011, the amount provided in this~~
31 ~~subsection lapses.~~~~

32 ~~(2))~~ \$231,000 of the motor vehicle account--state appropriation is
33 provided solely for the implementation of chapter ... (Substitute
34 Senate Bill No. 5800), Laws of 2011 (off-road motorcycles). If chapter
35 ... (Substitute Senate Bill No. 5800), Laws of 2011 is not enacted by
36 June 30, 2011, the amount provided in this subsection lapses.

37 ~~((3))~~ (2) \$193,000 of the department of licensing services
38 account--state appropriation is provided solely for a phased

1 implementation of chapter ... (Substitute House Bill No. 1046), Laws of
2 2011 (vehicle and vessel quick titles). Funding is contingent upon
3 revenues associated with the vehicle and vessel quick title program
4 paying all direct and indirect expenditures associated with the
5 department's implementation of this subsection. If chapter ...
6 (Substitute House Bill No. 1046), Laws of 2011 is not enacted by June
7 30, 2011, the amount provided in this subsection lapses.

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

17 ~~(5) \$1,938,000))~~ (3) \$4,299,000 of the highway safety account--
18 federal appropriation is for federal funds that may be received during
19 the 2011-2013 fiscal biennium. Upon receipt of the funds, the
20 department shall provide a report on the use of the funds to the
21 transportation committees of the legislature and the office of
22 financial management.

23 ~~((6))~~ (4) By December 31, 2011, the department shall submit to
24 the office of financial management and the transportation committees of
25 the legislature draft legislation that rewrites the tow truck statutes
26 (chapter 46.55 RCW) in plain language and is revenue and policy
27 neutral.

28 ~~((7))~~ (5) \$128,000 of the highway safety account--state
29 appropriation is provided solely for the implementation of chapter ...
30 (Engrossed Substitute House Bill No. 1635), Laws of 2011 (driver's
31 license exams). If chapter ... (Engrossed Substitute House Bill No.
32 1635), Laws of 2011 is not enacted by June 30, 2011, the amount
33 provided in this subsection lapses.

34 ~~((8))~~ (6) \$68,000 of the highway safety account--state
35 appropriation is provided solely for the implementation of chapter ...
36 (Engrossed Second Substitute House Bill No. 1789), Laws of 2011
37 ~~((driving under the influence))~~ (addressing DUI accountability). If

1 chapter ... (Engrossed Second Substitute House Bill No. 1789), Laws of
2 2011 is not enacted by June 30, 2011, the amount provided in this
3 subsection lapses.

4 ~~((+9))~~ (7) \$63,000 of the highway safety account--state
5 appropriation is provided solely for the implementation of chapter ...
6 (Substitute House Bill No. 1237), Laws of 2011 (selective service
7 system). If chapter ... (Substitute House Bill No. 1237), Laws of 2011
8 is not enacted by June 30, 2011, the amount provided in this subsection
9 lapses.

10 ~~((+10))~~ (8) \$340,000 of the motor vehicle account--private/local
11 appropriation is provided solely for the implementation of chapter ...
12 (Engrossed Substitute Senate Bill No. 5457), Laws of 2011 (congestion
13 reduction charge). If chapter ... (Engrossed Substitute Senate Bill
14 No. 5457), Laws of 2011 is not enacted by June 30, 2011, the amount
15 provided in this subsection lapses.

16 ~~((+12))~~ (9) \$1,738,000 of the department of licensing services
17 account--state appropriation is provided solely for purchasing
18 equipment for field licensing service offices and subagent offices.

19 (10) \$2,500,000 of the highway safety account--state appropriation
20 is provided solely for information technology field system
21 modernization.

22 (11) \$963,000 of the highway safety account--state appropriation is
23 provided solely for implementation of chapter 374, Laws of 2011
24 (limousine carriers) and chapter 298, Laws of 2011 (master license
25 service program).

26 (12) \$104,000 of the motor vehicle account--state appropriation is
27 provided solely for the implementation of chapter . . . (Second
28 Substitute Senate Bill No. 5251), Laws of 2012 (electric vehicle
29 license fee). If chapter . . . (Second Substitute Senate Bill No.
30 5251), Laws of 2012 is not enacted by June 30, 2012, the amount
31 provided in this subsection lapses.

32 (13) \$176,000 of the motor vehicle account--state appropriation is
33 provided solely for the implementation of chapter . . . (Engrossed
34 Second Substitute Senate Bill No. 5366), Laws of 2012 (four-wheel all-
35 terrain vehicles). If chapter . . . (Engrossed Second Substitute
36 Senate Bill No. 5366), Laws of 2012 is not enacted by June 30, 2012,
37 the amount provided in this subsection lapses.

1 (14) \$69,000 of the motor vehicle account--state appropriation is
2 provided solely for the implementation of chapter . . . (Engrossed
3 Substitute Senate Bill No. 5990), Laws of 2012 (state flower license
4 plate). If chapter . . . (Engrossed Substitute Senate Bill No. 5990),
5 Laws of 2012 is not enacted by June 30, 2012, the amount provided in
6 this subsection lapses.

7 (15) \$190,000 of the highway safety account--state appropriation is
8 provided solely for the implementation of chapter . . . (Substitute
9 Senate Bill No. 6075), Laws of 2012 (vehicle owner information). If
10 chapter . . . (Substitute Senate Bill No. 6075), Laws of 2012 is not
11 enacted by June 30, 2012, the amount provided in this subsection
12 lapses. Additionally, the total appropriation in this section assumes
13 the revenue generated by the fee established in Substitute Senate Bill
14 No. 6075. Within the amounts provided in this subsection, the
15 department must improve on the information that the department makes
16 publicly available to victims of domestic violence and sexual assault
17 on how to better protect their personal information, especially their
18 residential addresses. Specifically, the department must provide a
19 link to the secretary of state's address confidentiality program web
20 site. The department also must provide information regarding a
21 person's ability to provide a mailing address in addition to the
22 person's residential address when registering a vehicle with the
23 department.

24 (16) \$68,000 of the motor vehicle account--state appropriation is
25 provided solely for the implementation of chapter . . . (Substitute
26 Senate Bill No. 6123), Laws of 2012 (NRA license plate). If chapter
27 . . . (Substitute Senate Bill No. 6123), Laws of 2012 is not enacted by
28 June 30, 2012, the amount provided in this subsection lapses.

29 (17) \$276,000 of the highway safety account--state appropriation is
30 provided solely for the implementation of chapter . . . (Engrossed
31 Substitute Senate Bill No. 6150), Laws of 2012 (facial recognition
32 matching system). If chapter . . . (Engrossed Substitute Senate Bill
33 No. 6150), Laws of 2012 is not enacted by June 30, 2012, the amount
34 provided in this subsection lapses.

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

37 (a) The department shall post notices in conspicuous locations at
38 all department driver licensing offices, make written information

1 available to all applicants at department driver licensing offices, and
2 provide information on the department's web site regarding the facial
3 recognition matching system. The notices, written information, and
4 information provided on the web site must address how the facial
5 recognition matching system works, all ways in which the department may
6 use results from the facial recognition matching system, how an
7 investigation based on results from the facial recognition matching
8 system would be conducted, and a person's right to appeal any
9 determinations made under this chapter;

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

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

18 (19) \$142,000 of the motor vehicle account--state appropriation is
19 provided solely for the implementation of chapter . . . (Engrossed
20 Substitute Senate Bill No. 6455), Laws of 2012 (transportation
21 revenue). If chapter . . . (Engrossed Substitute Senate Bill No.
22 6455), Laws of 2012 is not enacted by June 30, 2012, the amount
23 provided in this subsection lapses.

24 (20) \$323,000 of the motor vehicle account--state appropriation is
25 provided solely for the implementation of chapter . . . (Engrossed
26 Substitute Senate Bill No. 6582), Laws of 2012 (local transportation
27 revenue options). If chapter . . . (Engrossed Substitute Senate Bill
28 No. 6582), Laws of 2012 is not enacted by June 30, 2012, the amount
29 provided in this subsection lapses.

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

37 (22) Within existing resources, the department shall develop a plan
38 to transition to a ten-year replacement license plate cycle. At a

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

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

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

17	High Occupancy Toll Lanes Operations Account--State	
18	Appropriation	((\$1,295,000))
19		<u>\$1,276,000</u>
20	Motor Vehicle Account--State Appropriation	((\$550,000))
21		<u>\$538,000</u>
22	Tacoma Narrows Toll Bridge Account--State	
23	Appropriation	((\$23,429,000))
24		<u>\$23,365,000</u>
25	State Route Number 520 Corridor Account--State	
26	Appropriation	\$27,295,000
27	State Route Number 520 Civil Penalties	
28	Account--State Appropriation	((\$4,622,000))
29		<u>\$3,622,000</u>
30	TOTAL APPROPRIATION	((\$57,191,000))
31		<u>\$56,096,000</u>

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

34 (1) The department shall make detailed quarterly expenditure
 35 reports available to the transportation commission and to the public on
 36 the department's web site using current department resources. The

1 reports must include a summary of toll revenue by facility on all
2 operating toll facilities and high occupancy toll lane systems, and an
3 itemized depiction of the use of that revenue.

4 (2) (~~(\$4,622,000)~~) \$3,622,000 of the state route number 520 civil
5 penalties account--state appropriation and \$1,458,000 of the Tacoma
6 Narrows toll bridge account--state appropriation are provided solely
7 for expenditures related to the toll adjudication process. All costs
8 associated with the toll adjudication process are anticipated to be
9 covered by revenue collected from the toll adjudication process. The
10 department shall report quarterly on the civil penalty process to the
11 office of financial management and the house of representatives and
12 senate transportation committees beginning September 30, 2011. The
13 reports must include a summary table for each toll facility that
14 includes: The number of notices of civil penalty issued; the number of
15 recipients who pay before the notice becomes a penalty; the number of
16 recipients who request a hearing and the number who do not respond;
17 workload costs related to hearings; the cost and effectiveness of debt
18 collection activities; and revenues generated from notices of civil
19 penalty.

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

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

32 (5) \$17,786,000 of the state route number 520 corridor account--
33 state appropriation is provided solely for nonvendor costs associated
34 with tolling the state route number 520 bridge. Funds from the state
35 route number 520 corridor account--state appropriation shall not be
36 used to pay for items prohibited by Executive Order No. 1057, including
37 subscriptions to technical publications, employee educational expenses,

1 professional membership dues and fees, employee recognition and safety
2 awards, meeting meals and light refreshments, commute trip reduction
3 incentives, and employee travel.

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

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

8	Motor Vehicle Account--State Appropriation	((\$69,107,000))
9		<u>\$67,398,000</u>
10	Transportation Partnership Account--State	
11	Appropriation	\$1,460,000
12	Multimodal Transportation Account--State	
13	Appropriation	\$363,000
14	Transportation 2003 Account (Nickel Account)--State	
15	Appropriation	\$1,460,000
16	TOTAL APPROPRIATION	((\$72,390,000))
17		<u>\$70,681,000</u>

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

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

28 (2) \$1,460,000 of the transportation partnership account--state
29 appropriation and \$1,460,000 of the transportation 2003 account (nickel
30 account)--state appropriation are provided solely for maintaining the
31 department's project management reporting system.

32 (3) \$210,000 of the motor vehicle account--state appropriation is
33 provided solely for the department's compliance with its national
34 pollution discharge elimination system permit.

35 ((+5)) (4) \$502,000 of the motor vehicle account--state
36 appropriation is provided solely to provide support for the
37 transportation executive information system.

1 **SUPPORT--PROGRAM H**

2	Motor Vehicle Account--State Appropriation	((\$47,418,000))
3		<u>\$45,796,000</u>
4	Motor Vehicle Account--Federal Appropriation	\$500,000
5	Multimodal Transportation Account--State	
6	Appropriation	\$250,000
7	TOTAL APPROPRIATION	((\$48,168,000))
8		<u>\$46,546,000</u>

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

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

19 ~~(2))~~ \$3,754,000 of the motor vehicle account--state appropriation
20 is provided solely for the department's compliance with its national
21 pollution discharge elimination system permit.

22 ~~((3))~~ (2) It is the intent of the legislature that ~~((the real~~
23 ~~estate services division of the department will recover the cost of its~~
24 ~~efforts from future sale proceeds))~~ future surplus property sale
25 proceeds support the efforts of the real estate services division of
26 the department.

27 ~~((4))~~ (3) The legislature recognizes that the Dryden pit site
28 (WSDOT Inventory Control (IC) No. 2-04-00103) is unused state-owned
29 real property under the jurisdiction of the department of
30 transportation, and that the public would benefit significantly from
31 the complete enjoyment of the natural scenic beauty and recreational
32 opportunities available at the site. Therefore, pursuant to RCW
33 47.12.080, the legislature declares that transferring the property to
34 the department of fish and wildlife for recreational use and fish and
35 wildlife restoration efforts is consistent with the public interest in
36 order to preserve the area for the use of the public and the betterment
37 of the natural environment. The department of transportation shall
38 work with the department of fish and wildlife, and shall transfer and

1 convey the Dryden pit site to the department of fish and wildlife as is
2 for an adjusted fair market value reflecting site conditions, the
3 proceeds of which must be deposited in the motor vehicle fund. The
4 department of transportation is not responsible for any costs
5 associated with the cleanup or transfer of this property. By July 1,
6 2011, and annually thereafter until the entire Dryden pit property has
7 been transferred, the department shall submit a status report regarding
8 the transaction to the chairs of the legislative transportation
9 committees.

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

21 (5) The legislature recognizes that the trail known as the Apple
22 Capital Loop, and its extensions, serve to separate motor vehicle
23 traffic from pedestrians and bicyclists, increasing motor vehicle
24 safety on existing state route number 28. Consistent with chapter
25 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that
26 transferring portions of WSDOT Inventory Control (IC) Nos. 2-09-04537
27 and 2-09-04569 to Douglas county and the city of East Wenatchee is
28 consistent with the public interest. The legislature directs the
29 department to transfer the property to Douglas county and the city of
30 East Wenatchee. The department must be paid fair market value for any
31 portions of the transferred real property that is later abandoned,
32 vacated, or ceases to be publicly maintained for trail purposes.
33 Douglas county and the city of East Wenatchee must agree to accept
34 responsibility for trail segments within their respective jurisdictions
35 and sign an agreement with the state that the transfer of these parcels
36 to their respective jurisdictions extinguishes any state obligations to
37 improve, maintain, or be in any way responsible for these assets. The
38 department shall not surplus any of the lands adjoining the trail until

1 Douglas county and the city of East Wenatchee accomplish zoning and
2 land use planning as they deem necessary, provided those updates are
3 completed by January 1, 2014. The department shall report to the
4 transportation committees of the legislature by June 30, 2013, and
5 annually thereafter, on the status of the transfer until complete.

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

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

10	Motor Vehicle Account--State Appropriation	((\$622,000))
11		<u>\$602,000</u>
12	Multimodal Transportation Account--State Appropriation	\$110,000
13	TOTAL APPROPRIATION	((\$732,000))
14		<u>\$712,000</u>

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

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

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

30	Motor Vehicle Account--State Appropriation	((\$380,327,000))
31		<u>\$373,709,000</u>
32	Motor Vehicle Account--Federal Appropriation	\$7,000,000
33	TOTAL APPROPRIATION	((\$387,327,000))
34		<u>\$380,709,000</u>

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

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

6 (2) \$7,000,000 of the motor vehicle account--state appropriation is
7 provided solely for third-party damages to the highway system where the
8 responsible party is known and reimbursement is anticipated. The
9 department shall request additional appropriation authority for any
10 funds received for reimbursements of third-party damages that are in
11 excess of this appropriation.

12 (3) \$7,000,000 of the motor vehicle account--federal appropriation
13 is for unanticipated federal funds that may be received during the
14 2011-2013 fiscal biennium. Upon receipt of the funds, the department
15 shall provide a report on the use of the funds to the transportation
16 committees of the legislature and the office of financial management.

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

20 (5) \$4,530,000 of the motor vehicle account--state appropriation is
21 provided solely for the department's compliance with its national
22 pollution discharge elimination system permit.

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

27 (7) \$6,884,000 of the motor vehicle account--state appropriation is
28 provided solely for the high priority maintenance backlog. Addressing
29 the maintenance backlog must result in increased levels of service. If
30 chapter . . . (Engrossed Substitute Senate Bill No. 5251), Laws of 2011
31 (electric vehicle fee) is not enacted by June 30, 2011, \$500,000 of the
32 appropriation provided in this subsection lapses.

33 (8) (~~(\$317,000 of the motor vehicle account--state appropriation is~~
34 ~~provided solely for maintaining a new active traffic management system~~
35 ~~on Interstate 5, Interstate 90, and state route number 520.)) The
36 department shall track the costs associated with ((these)) active
37 traffic management systems on a corridor basis and report to the~~

1 transportation committees of the legislature on the costs and benefits
2 of the systems by December 1, 2011.

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

5 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
6 **OPERATING**

7	Motor Vehicle Account--State Appropriation	((<u>\$50,166,000</u>))
8		<u>\$48,818,000</u>
9	Motor Vehicle Account--Federal Appropriation	\$2,050,000
10	Motor Vehicle Account--Private/Local Appropriation	((<u>\$127,000</u>))
11		<u>\$250,000</u>
12	TOTAL APPROPRIATION	((<u>\$52,343,000</u>))
13		<u>\$51,118,000</u>

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

16 (1) \$6,000,000 of the motor vehicle account--state appropriation is
17 provided solely for low-cost enhancements. Of this amount, \$10,000 of
18 the motor vehicle account--state appropriation is provided solely for
19 the department to install additional farm machinery signs to promote
20 safety in agricultural areas along state highways. The department
21 shall give priority to low-cost enhancement projects that improve
22 safety or provide congestion relief. The department shall prioritize
23 low-cost enhancement projects on a statewide rather than regional
24 basis. By ((~~September~~)) October 1st of each ((~~even~~)) odd-numbered
25 year, the department shall provide a report to the legislature listing
26 all low-cost enhancement projects prioritized on a statewide rather
27 than regional basis completed in the prior year.

28 (2) \$145,000 of the motor vehicle account--state appropriation is
29 provided solely for the department to continue a pilot tow truck
30 incentive program and to expand the program to other areas of the
31 state. The department may provide incentive payments to towing
32 companies that meet clearance goals on accidents that involve heavy
33 trucks.

34 (3) During the 2011-2013 fiscal biennium, the department shall
35 implement a pilot program that expands private transportation
36 providers' access to high occupancy vehicle lanes. Under the pilot
37 program, when the department reserves a portion of a highway based on

1 the number of passengers in a vehicle, the following vehicles must be
2 authorized to use the reserved portion of the highway if the vehicle
3 has the capacity to carry eight or more passengers, regardless of the
4 number of passengers in the vehicle: (a) Auto transportation company
5 vehicles regulated under chapter 81.68 RCW; (b) passenger charter
6 carrier vehicles regulated under chapter 81.70 RCW, except marked or
7 unmarked stretch limousines and stretch sport utility vehicles as
8 defined under department of licensing rules; (c) private nonprofit
9 transportation provider vehicles regulated under chapter 81.66 RCW; and
10 (d) private employer transportation service vehicles. For purposes of
11 this subsection, "private employer transportation service" means
12 regularly scheduled, fixed-route transportation service that is offered
13 by an employer for the benefit of its employees. By June 30, 2013, the
14 department shall report to the transportation committees of the
15 legislature on whether private transportation provider use of high
16 occupancy vehicle lanes under the pilot program reduces the speeds of
17 high occupancy vehicle lanes. Nothing in this subsection is intended
18 to authorize the conversion of public infrastructure to private, for-
19 profit purposes or to otherwise create an entitlement or other claim by
20 private users to public infrastructure. If chapter ... (Substitute
21 Senate Bill No. 5836), Laws of 2011 is enacted by June 30, 2011, this
22 subsection is null and void.

23 (4) \$9,000,000 of the motor vehicle account--state appropriation is
24 provided solely for the department's incident response program.

25 (5) The department, in consultation with the Washington state
26 patrol, must continue a pilot program for the patrol to issue
27 infractions based on information from automated traffic safety cameras
28 in roadway construction zones on state highways. The department must
29 report to the joint transportation committee by January 1, 2012, and
30 January 1, 2013, on the status of this pilot program. For the purpose
31 of this pilot program, during the 2011-2013 fiscal biennium, a roadway
32 construction zone includes areas where public employees or private
33 contractors may be present or where a driving condition exists that
34 would make it unsafe to drive at higher speeds, such as, when the
35 department is redirecting or realigning lanes on any public roadway
36 pursuant to ongoing construction. The department shall use the
37 following guidelines to administer the program:

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

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

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

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

18 (e) For purposes of the 2011-2013 fiscal biennium pilot program,
19 infractions detected through the use of automated traffic safety
20 cameras are not part of the registered owner's driving record under RCW
21 46.52.101 and 46.52.120. Additionally, infractions generated by the
22 use of automated traffic safety cameras must be processed in the same
23 manner as parking infractions for the purposes of RCW 3.50.100,
24 35.20.220, 46.16A.120, and 46.20.270(3). However, the amount of the
25 fine issued under this subsection (5) for an infraction generated
26 through the use of an automated traffic safety camera is one hundred
27 thirty-seven dollars. The court shall remit thirty-two dollars of the
28 fine to the state treasurer for deposit into the state patrol highway
29 account; and

30 (f) If a notice of infraction is sent to the registered owner and
31 the registered owner is a rental car business, the infraction must be
32 dismissed against the business if it mails to the patrol, within
33 fourteen days of receiving the notice, a declaration under penalty of
34 perjury of the name and known mailing address of the individual driving
35 or renting the vehicle when the infraction occurred. If the business
36 is unable to determine who was driving or renting the vehicle at the
37 time the infraction occurred, the business must sign a declaration
38 under penalty of perjury to this effect. The declaration must be

1 mailed to the patrol within fourteen days of receiving the notice of
2 traffic infraction. Timely mailing of this declaration to the issuing
3 agency relieves a rental car business of any liability under this
4 section for the notice of infraction. A declaration form suitable for
5 this purpose must be included with each automated traffic infraction
6 notice issued, along with instructions for its completion and use.

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

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

13 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND**
14 **SUPPORT--PROGRAM S**

15	Motor Vehicle Account--State Appropriation	((\$28,430,000))
16		<u>\$27,389,000</u>
17	Motor Vehicle Account--Federal Appropriation	\$30,000
18	Multimodal Transportation Account--State	
19	Appropriation	\$973,000
20	TOTAL APPROPRIATION	((\$29,433,000))
21		<u>\$28,392,000</u>

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

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

29 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**
30 **AND RESEARCH--PROGRAM T**

31	Motor Vehicle Account--State Appropriation	((\$23,394,000))
32		<u>\$22,114,000</u>
33	Motor Vehicle Account--Federal Appropriation	\$21,885,000
34	Multimodal Transportation Account--State	
35	Appropriation	\$662,000
36	Multimodal Transportation Account--Federal	

1	Appropriation	\$3,559,000
2	Multimodal Transportation Account--Private/Local	
3	Appropriation	\$100,000
4	TOTAL APPROPRIATION	((\$49,600,000))
5		<u>\$48,320,000</u>

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

8 (1) \$70,000 of the motor vehicle account--state appropriation is a
9 reappropriation provided solely for a corridor study of state route
10 number 516 from the eastern border of Maple Valley to state route
11 number 167 to determine whether improvements are needed and the costs
12 of any needed improvements.

13 (2) \$200,000 of the motor vehicle account--state appropriation is
14 provided solely for extending the freight database pilot project that
15 began in 2009. Global positioning system (GPS) data is intended to
16 help guide freight investment decisions and track highway project
17 effectiveness as it relates to freight traffic.

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

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

1 governmental, and environmental interests in regional communities
2 across the state.

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

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

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

11	Motor Vehicle Account--State Appropriation	((\$85,209,000))
12		<u>\$74,786,000</u>
13	Motor Vehicle Account--Federal Appropriation	\$400,000
14	Multimodal Transportation Account--State	
15	Appropriation	((\$3,320,000))
16		<u>\$1,798,000</u>
17	TOTAL APPROPRIATION	((\$88,929,000))
18		<u>\$76,984,000</u>

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

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

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

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

29 ~~(b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE~~
30 ~~STATE AUDITOR \$937,000~~

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

33 ~~(d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF~~
34 ~~PERSONNEL \$6,347,000~~

35 ~~(e) FOR PAYMENT OF SELF INSURANCE LIABILITY~~
36 ~~PREMIUMS AND ADMINISTRATION \$44,418,000~~

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

1 solely for grants to nonprofit providers of special needs
2 transportation. Grants for nonprofit providers must be based on need,
3 including the availability of other providers of service in the area,
4 efforts to coordinate trips among providers and riders, and the cost
5 effectiveness of trips provided.

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

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

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

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

35 (3)(a) \$6,000,000 of the multimodal transportation account--state
36 appropriation is provided solely for a vanpool grant program for: (a)
37 Public transit agencies to add vanpools or replace vans; and (b)
38 incentives for employers to increase employee vanpool use. The grant

1 program for public transit agencies will cover capital costs only;
2 operating costs for public transit agencies are not eligible for
3 funding under this grant program. Additional employees may not be
4 hired from the funds provided in this section for the vanpool grant
5 program, and supplanting of transit funds currently funding vanpools is
6 not allowed. The department shall encourage grant applicants and
7 recipients to leverage funds other than state funds.

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

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

13 (4) \$8,942,000 of the regional mobility grant program account--
14 state appropriation is reappropriated and provided solely for the
15 regional mobility grant projects identified in LEAP Transportation
16 Document (~~((2007-B, as developed April 20, 2007, or LEAP Transportation~~
17 ~~Document 2009-B, as developed April 24, 2009))~~ 2012-1 ALL PROJECTS -
18 Public Transportation - Program (V) as developed February 21, 2012.

19 The department shall continue to review all projects receiving grant
20 awards under this program at least semiannually to determine whether
21 the projects are making satisfactory progress. The department shall
22 promptly close out grants when projects have been completed, and any
23 remaining funds must be used only to fund projects identified in(~~(+)~~)
24 the LEAP Transportation Document (~~((2007-B, as developed April 20, 2007;~~
25 ~~LEAP Transportation Document 2009-B, as developed April 24, 2009; or~~
26 ~~LEAP Transportation Document 2011-B, as developed April 19, 2011))~~
27 referenced in this subsection. It is the intent of the legislature to
28 appropriate funds through the regional mobility grant program only for
29 projects that will be completed on schedule and that all funds in the
30 regional mobility grant program be used as soon as practicable to
31 advance eligible projects.

32 (5)(a) \$40,000,000 of the regional mobility grant program account--
33 state appropriation is provided solely for the regional mobility grant
34 projects identified in LEAP Transportation Document (~~((2011-B, as~~
35 ~~developed April 19, 2011))~~ 2012-1 ALL PROJECTS - Public Transportation
36 - Program (V) as developed February 21, 2012. The department shall
37 review all projects receiving grant awards under this program at least
38 semiannually to determine whether the projects are making satisfactory

1 progress. Any project that has been awarded funds, but does not report
2 activity on the project within one year of the grant award, must be
3 reviewed by the department to determine whether the grant should be
4 terminated. The department shall promptly close out grants when
5 projects have been completed, and any remaining funds must be used only
6 to fund projects identified in the LEAP Transportation Document ((2011-
7 B, as developed April 19, 2011)) referenced in this subsection. The
8 department shall provide annual status reports on December 15, 2011,
9 and December 15, 2012, to the office of financial management and the
10 transportation committees of the legislature regarding the projects
11 receiving the grants. It is the intent of the legislature to
12 appropriate funds through the regional mobility grant program only for
13 projects that will be completed on schedule.

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

28 (6) \$2,309,000 of the multimodal transportation account--state
29 appropriation is provided solely for the tri-county connection service
30 for Island, Skagit, and Whatcom transit agencies.

31 (7) \$200,000 of the multimodal transportation account--state
32 appropriation is contingent on the timely development of an annual
33 report summarizing the status of public transportation systems as
34 identified under RCW 35.58.2796.

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

37 (9) An affected urban growth area that has not previously
38 implemented a commute trip reduction program is exempt from the

1 requirements in RCW 70.94.527 if a solution to address the state
2 highway deficiency that exceeds the person hours of delay threshold has
3 been funded and is in progress during the 2011-2013 fiscal biennium.

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

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

7 Puget Sound Ferry Operations Account--State

8 Appropriation ((\$467,773,000))
9 \$468,135,000

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

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

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

23 ((+5)) (3) Until a reservation system is operational on the San
24 Juan islands inner-island route, the department shall provide the same
25 priority loading benefits on the San Juan islands inner-island route to
26 home health care workers as are currently provided to patients
27 traveling for purposes of receiving medical treatment.

28 ((+6)) (4) The department shall request from the United States
29 coast guard variable minimum staffing levels on all of its vessels by
30 December 31, 2011.

31 ((+10)) (5) The department shall continue to provide service to
32 Sidney, British Columbia and shall explore the option of purchasing a
33 foreign built vehicle and passenger ferry vessel either with safety of
34 life at sea (SOLAS) certification or the ability to be retrofitted for
35 SOLAS certification to operate solely on the Anacortes to Sidney,
36 British Columbia route currently served by vessels of the Washington
37 state ferries fleet. The vessel should have the capability of carrying

1 at least one hundred standard vehicles and approximately four hundred
2 to five hundred passengers. Further, the department shall explore the
3 possibilities of contracting a commercial company to operate the vessel
4 exclusively on this route so long as the contractor's employees
5 assigned to the vessel are represented by the same employee
6 organizations as the Washington state ferries. The department shall
7 report back to the transportation committees of the legislature
8 regarding: The availability of a vessel; the cost of the vessel,
9 including transport to the Puget Sound region; and the need for any
10 statutory changes for the operation of the Sydney, British Columbia
11 service by a private company.

12 ~~((+11))~~ (6) For the 2011-2013 fiscal biennium, the department of
13 transportation may enter into a distributor controlled fuel hedging
14 program and other methods of hedging approved by the fuel hedging
15 committee.

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

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

29 ~~((+14))~~ (8) \$150,000 of the Puget Sound ferry operations account--
30 state appropriation is provided solely for the department to increase
31 recreation and tourist ridership by entering into agreements for
32 marketing and outreach strategies with local economic development
33 agencies. The department shall identify the number of tourist and
34 recreation riders on the applicable ferry routes both before and after
35 implementation of marketing and outreach strategies developed through
36 the agreements. The department shall report results of the marketing
37 and outreach strategies to the transportation committees of the
38 legislature by October 15, 2012.

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

9 ~~((+16))~~ (10) The department, office of financial management, and
10 transportation committees of the legislature shall make recommendations
11 regarding an appropriate budget structure for the Washington state
12 ferries. The recommendation may include a potential restructuring of
13 the Washington state ferries budget. The recommendation must
14 facilitate transparency in reporting and budgeting as well as provide
15 the opportunity to link revenue sources with expenditures. Findings
16 and recommendations must be reported to the office of financial
17 management and the joint transportation committee by September 1, 2011.

18 ~~((+17))~~ (11) Two Kwa-di-tabil class ferry vessels must be placed
19 on the Port Townsend/Coupeville (Keystone) route to provide service at
20 the same levels provided when the steel electric vessels were in
21 service. After the vessels as funded under section 308~~((+7))~~ (5) of
22 this act are in service, the two most appropriate of these vessels for
23 the Port Townsend/Coupeville (Keystone) route must be placed on the
24 route. \$100,000 of the Puget Sound ferry operations account--state
25 appropriation is provided solely for the additional staffing required
26 to maintain a reservation system at this route when the second vessel
27 is in service.

28 ~~((+19))~~ (12) \$706,000 of the Puget Sound ferry operations
29 account--state appropriation is provided solely for terminal operations
30 to implement new federal passenger vessel Americans with disabilities
31 act requirements.

32 ~~((+20))~~ (13) \$152,000 of the Puget Sound ferry operations
33 account--state appropriation is provided solely for the department's
34 compliance with its national pollution discharge elimination system
35 permit.

36 ~~((+21) If chapter ... (Substitute House Bill No. 2053), Laws of
37 2011 (additive transportation funding) is not enacted by June 30, 2011,
38 the \$4,000,000 in service reductions identified in subsection (12) of~~

1 ~~this section must be restored and an identical amount must be reduced~~
2 ~~from the amount provided for the second 144 car vessel identified in~~
3 ~~section 308(8) of this act.)~~

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

6	FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING	
7	Multimodal Transportation Account--State	
8	Appropriation	((\$29,688,000))
9		<u>\$33,342,000</u>
10	Multimodal Transportation Account--Federal	
11	Appropriation	((\$300,000))
12		<u>\$400,000</u>
13	TOTAL APPROPRIATION	((\$29,988,000))
14		<u>\$33,742,000</u>

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

17 (1) ((~~\$24,091,000~~)) \$27,816,000 of the multimodal transportation
18 account--state appropriation is provided solely for the Amtrak service
19 contract and Talgo maintenance contract associated with providing and
20 maintaining state-supported passenger rail service. The department is
21 directed to continue to pursue efforts to reduce costs, increase
22 ridership, and review fares or fare schedules. Within thirty days of
23 each annual cost/revenue reconciliation under the Amtrak service
24 contract, the department shall report annual credits to the office of
25 financial management and the legislative transportation committees.
26 Annual credits from Amtrak to the department including, but not limited
27 to, credits for increased revenue due to higher ridership, and fare or
28 fare schedule adjustments, must be used to offset corresponding amounts
29 of the multimodal transportation account--state appropriation, which
30 must be placed in reserve. Upon completion of the rail platform
31 project in the city of Stanwood, the department shall continue to
32 provide daily Amtrak Cascades service to the city.

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

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

36 (4) The department shall conduct a pilot program by partnering with
37 the travel industry on the Amtrak Cascades service between Vancouver,

1 British Columbia, and Seattle to test opportunities for increasing
2 ridership, maximizing farebox recovery, and stimulating private
3 investment. The pilot program must run from July 1, 2011, to June 30,
4 2012. The department shall report on the results of the pilot program
5 to the office of financial management and the legislature by September
6 30, 2012.

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

9 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
10 **OPERATING**

11 Motor Vehicle Account--State Appropriation	((\$8,853,000))
	<u>\$8,518,000</u>
13 Motor Vehicle Account--Federal Appropriation	\$2,567,000
14 TOTAL APPROPRIATION	((\$11,420,000))
15	<u>\$11,085,000</u>

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

26 **TRANSPORTATION AGENCIES--CAPITAL**

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

29 **FOR THE WASHINGTON STATE PATROL**

30 State Patrol Highway Account--State Appropriation . . .	((\$6,487,000))
31	<u>\$6,681,000</u>

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

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

8 (2) (~~(\$3,226,000)~~) \$4,903,000 of the state patrol highway account--
9 state appropriation is provided solely for the Shelton academy of the
10 Washington state patrol for the new waste water treatment lines, waste
11 water plants, water lines, and water systems. (~~However, \$2,129,000 of~~
12 ~~this amount is contingent on the department of corrections receiving~~
13 ~~funding for its portion of the regional water project in the 2011-2013~~
14 ~~omnibus capital appropriations act. If this funding is not provided by~~
15 ~~June 30, 2011, \$2,129,000 of the appropriation provided in this~~
16 ~~subsection lapses.))~~

17 (3) \$421,000 of the state patrol highway account--state
18 appropriation is provided solely for the reappropriation of the Shelton
19 regional water project.

20 (4) (~~(\$2,187,000 of the total appropriation is provided solely for~~
21 ~~mobile office platforms.~~

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

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

30 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

31 Motor Vehicle Account--State Appropriation	\$874,000
32 Rural Arterial Trust Account--State Appropriation . . . ((\$37,417,000))	
33	<u>\$62,510,000</u>
34 County Arterial Preservation Account--State	
35 Appropriation	\$29,360,000
36 TOTAL APPROPRIATION	((\$67,651,000))
37	<u>\$92,744,000</u>

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

3 (1) \$874,000 of the motor vehicle account--state appropriation may
4 be used for county ferry projects as developed pursuant to RCW
5 47.56.725(4).

6 (2) (~~(\$37,417,000)~~) \$62,510,000 of the rural arterial trust
7 account--state appropriation is provided solely for county road
8 preservation grant projects as approved by the county road
9 administration board. These funds may be used to assist counties
10 recovering from federally declared emergencies by providing
11 capitalization advances and local match for federal emergency funding,
12 and may only be made using existing fund balances. It is the intent of
13 the legislature that the rural arterial trust account be managed based
14 on cash flow. The county road administration board shall specifically
15 identify any of the selected projects and shall include information
16 concerning the selected projects in its next annual report to the
17 legislature.

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

20 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

21 Small City Pavement and Sidewalk Account--State

22	Appropriation	((\$3,812,000))
23		<u>\$5,270,000</u>
24	Transportation Improvement Account--State	
25	Appropriation	((\$201,050,000))
26		<u>\$237,545,000</u>
27	TOTAL APPROPRIATION	((\$204,862,000))
28		<u>\$242,815,000</u>

29 The appropriations in this section are subject to the following
30 conditions and limitations: The transportation improvement
31 account--state appropriation includes up to \$22,143,000 in proceeds
32 from the sale of bonds authorized in RCW 47.26.500.

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

35 **FOR THE DEPARTMENT OF TRANSPORTATION--FACILITIES--PROGRAM D--**

1 (DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)--CAPITAL

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

3 \$5,545,000

4 Transportation Partnership Account--State

5 Appropriation \$1,575,000

6 TOTAL APPROPRIATION \$7,120,000

7 The appropriation in this section is subject to the following

8 conditions and limitations:

9 (1) \$1,364,000 of the motor vehicle account--state appropriation is

10 provided solely for the Olympic region site acquisition debt service

11 payments and administrative costs associated with capital improvement

12 and preservation project and financial management.

13 (2) (~~(\$3,669,000)~~) \$3,781,000 of the motor vehicle account--state

14 appropriation is provided solely for high priority safety projects that

15 are directly linked to employee safety, environmental risk, or minor

16 works that prevent facility deterioration.

17 (3) \$400,000 of the motor vehicle account--state appropriation is

18 provided solely for the department's compliance with its national

19 pollution discharge elimination system permit.

20 (4) \$1,575,000 of the transportation partnership account--state

21 appropriation is provided solely for the traffic management center

22 (100010T).

23 (5) The department shall make all future requests for the

24 construction of new buildings and facilities within Facilities--Program

25 D--(Department of Transportation-Only Projects)--Capital. Each capital

26 facility construction project must be listed in this program's capital

27 facilities project list submitted by the department as part of its

28 budget submittal. It is the intent of the legislature that the

29 construction of buildings and facilities is not appropriated through

30 the capital highway improvements appropriation.

31 **Sec. 305.** 2011 c 367 s 305 (uncodified) is amended to read as

32 follows:

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

34 (~~(Multimodal Transportation Account--State~~

35 ~~Appropriation \$1,000))~~

36 Transportation Partnership Account--State

37 Appropriation ((\$1,991,547,000))

1		<u>\$1,632,450,000</u>
2	Motor Vehicle Account--State Appropriation	((\$86,139,000))
3		<u>\$103,454,000</u>
4	Motor Vehicle Account--Federal Appropriation	((\$450,691,000))
5		<u>\$841,365,000</u>
6	Motor Vehicle Account--Private/Local	
7	Appropriation	((\$50,485,000))
8		<u>\$128,783,000</u>
9	Transportation 2003 Account (Nickel Account)--State	
10	Appropriation	((\$436,005,000))
11		<u>\$416,123,000</u>
12	State Route Number 520 Corridor Account--State	
13	Appropriation	((\$1,019,460,000))
14		<u>\$1,779,000,000</u>
15	<u>Special Category C Account--State Appropriation</u>	<u>\$124,000</u>
16	<u>Tacoma Narrows Toll Bridge Account--State</u>	
17	<u>Appropriation</u>	<u>\$5,791,000</u>
18	TOTAL APPROPRIATION	((\$4,034,328,000))
19		<u>\$4,888,228,000</u>

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

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

31 (2) ((~~The department shall, on a quarterly basis beginning July 1,~~
32 ~~2011, provide to the office of financial management and the legislature~~
33 ~~reports providing the status on each active project funded in part or~~
34 ~~whole by the transportation 2003 account (nickel account) or the~~
35 ~~transportation partnership account. Funding provided at a programmatic~~
36 ~~level for transportation partnership account and transportation 2003~~
37 ~~account (nickel account) projects relating to bridge rail, guard rail,~~
38 ~~fish passage barrier removal, and roadside safety projects must be~~

1 ~~reported on a programmatic basis. Projects within this programmatic~~
2 ~~level funding must be completed on a priority basis and scoped to be~~
3 ~~completed within the current programmatic budget. Report formatting~~
4 ~~and elements must be consistent with the October 2009 quarterly project~~
5 ~~report. The department shall also provide the information required~~
6 ~~under this subsection on a quarterly basis.~~

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

11 ~~((4))~~ (3) The department shall apply for surface transportation
12 program enhancement funds to be expended in lieu of or in addition to
13 state funds for eligible costs of projects in programs I and P
14 including, but not limited to, the state route number 518, state route
15 number 520, Columbia river crossing, and Alaskan Way viaduct projects.

16 ~~((5))~~ (4) The department shall apply for the competitive portion
17 of federal transit administration funds for eligible transit-related
18 costs of the state route number 520 bridge replacement and HOV project
19 and the Columbia river crossing project. The federal funds described
20 in this subsection must not include those federal transit
21 administration funds distributed by formula. The department shall
22 provide a report regarding this effort to the legislature by October 1,
23 2011.

24 ~~((7))~~ (5) The department shall work with the department of
25 archaeology and historic preservation to ensure that the cultural
26 resources investigation is properly conducted on all mega-highway
27 projects and large ferry terminal projects. These projects must be
28 conducted with active archaeological management. Additionally, the
29 department shall establish a scientific peer review of independent
30 archaeologists that are knowledgeable about the region and its cultural
31 resources.

32 ~~((8))~~ (6) For highway construction projects where the department
33 considers agricultural lands of long-term commercial significance, as
34 defined in RCW 36.70A.030, in reviewing and selecting sites to meet
35 environmental mitigation requirements under the national environmental
36 policy act (42 U.S.C. Sec. 4321 et seq.) and the state environmental
37 policy act (chapter 43.21C RCW), the department shall, to the greatest
38 extent possible, consider using public land first. If public lands are

1 not available that meet the required environmental mitigation needs,
2 the department may use other sites while making every effort to avoid
3 any net loss of agricultural lands that have a designation of long-term
4 commercial significance.

5 ~~((9) \$361,000))~~ (7) \$561,000 of the transportation partnership
6 account--state appropriation and ~~((1,245,000))~~ \$1,176,000 of the
7 transportation 2003 account (nickel account)--state appropriation are
8 provided solely for project OBI4ENV, Environmental Mitigation Reserve -
9 Nickel/TPA project, as indicated in the LEAP transportation document
10 referenced in subsection (1) of this section. Funds may be used only
11 for environmental mitigation work that is required by permits that were
12 issued for projects funded by the transportation partnership account or
13 transportation 2003 account (nickel account). ~~((As part of the 2012~~
14 ~~budget submittal, the department shall provide a list of all projects~~
15 ~~and associated amounts that are being charged to project OBI4ENV during~~
16 ~~the 2011-2013 fiscal biennium.~~

17 ~~(10))~~ (8) The transportation 2003 account (nickel account)--state
18 appropriation includes up to ~~((361,005,000))~~ \$338,751,000 in proceeds
19 from the sale of bonds authorized by RCW 47.10.861.

20 ~~((11))~~ (9) The transportation partnership account--state
21 appropriation includes up to ~~((1,427,696,000))~~ \$968,396,000 in
22 proceeds from the sale of bonds authorized in RCW 47.10.873.

23 ~~((12))~~ (10) The motor vehicle account--state appropriation
24 includes up to ~~((66,373,000))~~ \$45,870,000 in proceeds from the sale of
25 bonds authorized in RCW 47.10.843.

26 ~~((13))~~ (11) The state route number 520 corridor account--state
27 appropriation includes up to ~~((987,717,000))~~ \$1,779,000,000 in
28 proceeds from the sale of bonds authorized in RCW 47.10.879.

29 ~~((14) \$391,000))~~ (12) \$767,000 of the motor vehicle account--state
30 appropriation and ~~((4,027,000))~~ \$3,736,000 of the motor vehicle
31 account--federal appropriation are provided solely for the US 2 High
32 Priority Safety project (100224I). Expenditure of these funds is for
33 safety projects on state route number 2 between Monroe and Gold Bar,
34 which may include median rumble strips, traffic cameras, and electronic
35 message signs.

36 ~~((15) \$687,000))~~ (13) \$820,000 of the motor vehicle account--
37 federal appropriation, \$16,308,000 of the motor vehicle account--

1 private/local appropriation, and (~~(\$22,000)~~) \$48,000 of the motor
2 vehicle account--state appropriation are provided solely for the US
3 2/Bickford Avenue - Intersection Safety Improvements project (100210E).

4 (~~(16) \$435,000~~) (14) \$595,000 of the motor vehicle account--state
5 appropriation is provided solely for environmental work on the Belfair
6 Bypass project (300344C).

7 (~~(17) \$108,000~~) (15) \$372,000 of the motor vehicle account--
8 federal appropriation and (~~(\$3,000)~~) \$9,000 of the motor vehicle
9 account--state appropriation are provided solely for the I-5/Vicinity
10 of Joint Base Lewis-McChord - Install Ramp Meters project (300596M).

11 (~~(18) \$253,444,000~~) (16) \$202,863,000 of the transportation
12 partnership account--state appropriation and (~~(\$66,034,000)~~)
13 \$51,136,000 of the transportation 2003 account (nickel account)--state
14 appropriation are provided solely for the I-5/Tacoma HOV Improvements
15 (Nickel/TPA) project (300504A). The use of funds in this subsection to
16 renovate any buildings is subject to the requirements of section 604 of
17 this act. The department shall report to the legislature and the
18 office of financial management on any costs associated with building
19 renovations funded in this subsection.

20 (~~(19)~~) (17)(a) (\$8,321,000) \$9,343,000 of the transportation
21 partnership account--state appropriation and (~~(\$31,380,000)~~)
22 \$54,461,000 of the motor vehicle account--federal appropriation are
23 provided solely for the I-5/Columbia River Crossing project (400506A).

24 (~~(Of this amount,)~~) Of the amounts appropriated in this subsection,
25 \$30,000,000 of the motor vehicle account--federal appropriation must be
26 put into unallotted status and is subject to the review of the office
27 of financial management. This funding may be allotted in five million
28 dollar increments only when the state of Oregon's total share of
29 expenses on the project are within five percent of the state of
30 Washington's expenses. \$200,000 of the transportation partnership
31 account--state appropriation in this subsection is provided solely for
32 the department to work with the department of archaeology and historic
33 preservation to ensure that the cultural resources investigation is
34 properly conducted on the Columbia river crossing project. This
35 project must be conducted with active archaeological management and
36 result in one report that spans the single cultural area in Oregon and
37 Washington. Additionally, the department shall establish a scientific
38 peer review of independent archaeologists that are knowledgeable about

1 the region and its cultural resources. (~~No funding from any account~~
2 ~~may be expended until written confirmation has been received by the~~
3 ~~department that the state of Oregon is providing an equal amount of~~
4 ~~additional funding to the project.~~)

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

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

30 (~~(20) \$107,000~~) (18) \$309,000 of the motor vehicle account--
31 federal appropriation and (~~(\$27,000)~~) \$78,000 of the motor vehicle
32 account--state appropriation are provided solely for the SR 9/SR 204
33 Intersection Improvement project (L2000040).

34 (~~(21) \$2,134,000~~) (19) \$3,385,000 of the motor vehicle account--
35 federal appropriation and (~~(\$47,000)~~) \$50,000 of the motor vehicle
36 account--state appropriation are provided solely for the US 12/Nine
37 Mile Hill to Woodward Canyon Vic - Build New Highway project (501210T).

1 ~~((22) \$294,000)~~ (20) \$5,791,000 of the Tacoma Narrows toll bridge
2 account--state appropriation is provided solely for deferred sales tax
3 expenses on the construction of the new Tacoma Narrows bridge.
4 However, if chapter . . . (Senate Bill No. 6073), Laws of 2012 (sales
5 tax exemption on SR 16 projects) is enacted by June 30, 2012, the
6 amount provided in this subsection lapses.

7 (21) \$391,000 of the motor vehicle account--federal appropriation
8 and ~~((13,000))~~ \$16,000 of the motor vehicle account--state
9 appropriation are provided solely for the SR 16/Rosedale Street NW
10 Vicinity - Frontage Road project (301639C). The frontage road must be
11 built for driving speeds of no more than thirty-five miles per hour.

12 ~~((23) \$1,000,000)~~ (22) \$621,000 of the motor vehicle account--
13 federal appropriation is provided solely for the SR 20/Race Road to
14 Jacob's Road safety project (L2200042).

15 ~~((24) \$24,002,000)~~ (23) \$32,162,000 of the transportation
16 partnership account--state appropriation is provided solely for the SR
17 28/ US 2 and US 97 Eastmont Avenue Extension project (202800D).

18 ~~((25) \$569,000)~~ (24) \$1,227,000 of the motor vehicle account--
19 federal appropriation and ~~((9,000))~~ \$38,000 of the motor vehicle
20 account--state appropriation are provided solely for design and right-
21 of-way work on the I-82/Red Mountain Vicinity project (508208M). The
22 department shall continue to work with the local partners in developing
23 transportation solutions necessary for the economic growth in the Red
24 Mountain American viticulture area of Benton county.

25 ~~((26))~~ (25) \$1,500,000 of the motor vehicle account--federal
26 appropriation is provided solely for the I-90 Comprehensive Tolling
27 Study project (100067T).

28 ~~((27) \$9,422,000)~~ (26) \$12,149,000 of the motor vehicle account--
29 federal appropriation and ~~((193,000))~~ \$362,000 of the motor vehicle
30 account--state appropriation are provided solely for the I-90/Sullivan
31 Road to Barker Road - Additional Lanes project (609049N).

32 ~~((28))~~ (27) Up to \$8,000,000 in savings realized on the I-
33 90/Snoqualmie Pass East - Hyak to Keechelus Dam - Corridor project
34 (509009B) may be used for design work on the next two-mile segment of
35 the corridor. Any additional savings on this project must remain on
36 the corridor. ~~((590,000 of the funds appropriated for this project~~
37 ~~may be used to purchase land currently owned by the state parks~~

1 ~~department.~~) Project funds may not be used to build or improve
2 buildings until the plan described in section 604 of this act is
3 complete.

4 ~~((+29) \$932,000))~~ (28) \$657,000 of the motor vehicle account--
5 federal appropriation is provided solely for the US 97A/North of
6 Wenatchee - Wildlife Fence project (209790B).

7 ~~((+30))~~ (29) The department shall reconvene an expert review panel
8 of no more than three members as described under RCW 47.01.400 for the
9 purpose of updating the work that was previously completed by the panel
10 on the Alaskan Way viaduct replacement project and to ensure that an
11 appropriate and viable financial plan is created and regularly
12 reviewed. The expert review panel must be selected cooperatively by
13 the chairs of the senate and house of representatives transportation
14 committees, the secretary of transportation, and the governor. The
15 expert review panel must report findings and recommendations to the
16 transportation committees of the legislature, the governor's Alaskan
17 Way viaduct project oversight committee, and the transportation
18 commission by October 2011, and annually thereafter until the project
19 is operationally complete.

20 ~~((+31))~~ (30) It is important that the public and policymakers have
21 accurate and timely access to information related to the Alaskan Way
22 viaduct replacement project as it proceeds to, and during, the
23 construction of all aspects of the project including, but not limited
24 to, information regarding costs, schedules, contracts, project status,
25 and neighborhood impacts. Therefore, it is the intent of the
26 legislature that the state, city, and county departments of
27 transportation establish a single source of accountability for
28 integration, coordination, tracking, and information of all requisite
29 components of the replacement project, which must include, at a
30 minimum:

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

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

35 ~~((+32))~~ (31) Within the amounts provided in this section, \$20,000
36 of the motor vehicle account--state appropriation and \$980,000 of the
37 motor vehicle account--federal appropriation are provided solely for
38 the department to continue work on a comprehensive tolling study of the

1 state route number 167 corridor (project 316718S). As funding allows,
2 the department shall also continue work on a comprehensive tolling
3 study of the state route number 509 corridor.

4 ~~((+33+))~~ (32)(a) ~~(((\$131,303,000))~~ \$137,022,000 of the
5 transportation partnership account--state appropriation(~~(~~
6 ~~\$51,410,000))~~ and \$50,623,000 of the transportation 2003 account
7 (nickel account)--state appropriation(~~(, and \$10,000,000 of the motor~~
8 ~~vehicle account--federal appropriation))~~) are provided solely for the I-
9 405/Kirkland Vicinity Stage 2 - Widening project (8BI1002). This
10 project must be completed as soon as practicable as a design-build
11 project and must be constructed with a footprint that would accommodate
12 potential future express toll lanes.

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

23 (c) Of the amount appropriated in (a) of this subsection,
24 \$15,000,000 of the transportation partnership account--state
25 appropriation is provided solely for the preliminary design and
26 purchase of rights-of-way on the state route number 167 direct
27 connector. It is the intent of the legislature to fund an additional
28 \$25,000,000 of the transportation partnership account--state
29 appropriation for the preliminary design and purchase of rights-of-way
30 on the state route number 167 direct connector during the 2013-2015
31 biennium.

32 ~~((+34+))~~ (33) Funding for a signal at state route number 507 and
33 Yew Street is included in the appropriation for intersection and spot
34 improvements (0BI2002).

35 ~~((+35)---\$226,809,000))~~ (34) \$224,592,000 of the transportation
36 partnership account--state appropriation and ~~(((\$1,019,460,000))~~
37 \$898,286,000 of the state route number 520 corridor account--state
38 appropriation are provided solely for the state route number 520 bridge

1 replacement and HOV program (8BI1003). When developing the financial
2 plan for the program, the department shall assume that all maintenance
3 and operation costs for the new facility are to be covered by tolls
4 collected on the toll facility, and not by the motor vehicle account.

5 ~~((36) \$650,000 of the motor vehicle account--federal appropriation~~
6 ~~is provided solely for the SR 522 Improvements/61st Avenue NE and NE~~
7 ~~181st Street project (L1000055).~~

8 ~~(37))~~ (35) \$500,000 of the motor vehicle account--state
9 appropriation is provided solely for a multimodal corridor plan on
10 state route number 520 between Interstate 405 and Avondale Road in
11 Redmond (L1000054).

12 (36) \$300,000 of the motor vehicle account--federal appropriation
13 is provided solely for the SR 523 Corridor study (L1000059).

14 ~~((38))~~ (37) The department shall consider using the city of
15 Mukilteo's off-site mitigation program in the event any projects on
16 state route number 525 or 526 require environmental mitigation.

17 ~~((39))~~ (38) Any savings on projects on the state route number 532
18 corridor must be used within the corridor to begin work on flood
19 prevention and raising portions of the highway above flood and storm
20 influences.

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

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

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

28 Transportation Partnership Account--State	
29 Appropriation	(((\$34,182,000))
30	<u>\$44,463,000</u>
31 Motor Vehicle Account--State Appropriation	(((\$67,790,000))
32	<u>\$85,241,000</u>
33 Motor Vehicle Account--Federal Appropriation	(((\$632,489,000))
34	<u>\$548,306,000</u>
35 Motor Vehicle Account--Private/Local Appropriation	(((\$19,253,000))
36	<u>\$21,585,000</u>
37 <u>Transportation 2003 Account (Nickel Account)--State</u>	

1	<u>Appropriation</u>	<u>\$23,000</u>
2	TOTAL APPROPRIATION	((\$753,714,000))
3		<u>\$699,618,000</u>

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

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

15 ((~~The department shall, on a quarterly basis beginning July 1,~~
16 ~~2011, provide to the office of financial management and the legislature~~
17 ~~reports providing the status on each active project funded in part or~~
18 ~~whole by the transportation 2003 account (nickel account) or the~~
19 ~~transportation partnership account. Funding provided at a programmatic~~
20 ~~level for transportation partnership account projects relating to~~
21 ~~seismic bridges must be reported on a programmatic basis. Projects~~
22 ~~within this programmatic level funding must be completed on a priority~~
23 ~~basis and scoped to be completed within the current programmatic~~
24 ~~budget. The department shall work with the office of financial~~
25 ~~management and the transportation committees of the legislature to~~
26 ~~agree on report formatting and elements. Elements must include, but~~
27 ~~not be limited to, project scope, schedule, and costs. The department~~
28 ~~shall also provide the information required under this subsection on a~~
29 ~~quarterly basis.~~

30 ((~~3~~)) The department of transportation shall continue to implement
31 the lowest life-cycle cost planning approach to pavement management
32 throughout the state to encourage the most effective and efficient use
33 of pavement preservation funds. Emphasis should be placed on
34 increasing the number of roads addressed on time and reducing the
35 number of roads past due.

36 ((~~+5~~)) (3) Within the motor vehicle account--state appropriation
37 and motor vehicle account--federal appropriation, the department may

1 transfer funds between programs I and P, except for funds that are
2 otherwise restricted in this act.

3 ~~((+6))~~ (4) The department shall apply for surface transportation
4 program enhancement funds to be expended in lieu of or in addition to
5 state funds for eligible costs of projects in programs I and P.

6 ~~((+7))~~ (5) The motor vehicle account--state appropriation includes
7 up to \$17,652,000 in proceeds from the sale of bonds authorized in RCW
8 47.10.843.

9 ~~((+8))~~ (6) The department must work with cities and counties to
10 develop a comparison of direct and indirect labor costs, overhead
11 rates, and other costs for high-cost bridge inspections charged by the
12 state, counties, and other entities. The comparison is due to the
13 transportation committees of the legislature on September 1, 2011.

14 ~~((+9) \$277,000)~~ (7) \$789,000 of the motor vehicle account--federal
15 appropriation and ~~((+10) \$10,000)~~ \$6,000 of the motor vehicle account--
16 state appropriation are provided solely for the environmental impact
17 statement and preliminary planning for the replacement of the state
18 route number 9 Snohomish river bridge (project L2000018).

19 ~~((+11) \$9,641,000)~~ (8) \$10,843,000 of the motor vehicle account--
20 federal appropriation, ~~((+12) \$2,000,000)~~ \$1,992,000 of the motor vehicle
21 account--private/local appropriation, and ~~((+13) \$361,000)~~ \$390,000 of the
22 motor vehicle account--state appropriation are provided solely for the
23 SR 21/Keller Ferry - Replace Boat project (602110J).

24 ~~((+14) \$3,093,000)~~ (9) \$165,000 of the motor vehicle account--
25 federal appropriation is provided solely for the I-90/Ritzville to
26 Tokio - Paving of Outside Lanes project (609041G).

27 ~~((+15) \$2,733,000)~~ (10) \$5,565,000 of the motor vehicle account--
28 federal appropriation and ~~((+16) \$114,000)~~ \$232,000 of the motor vehicle
29 account--state appropriation are provided solely for the SR
30 167/Puyallup River Bridge Replacement project (316725A). This project
31 must be completed as a design-build project. The department must work
32 with local jurisdictions and the community during the environmental
33 review process to develop appropriate esthetic design elements, at no
34 additional cost to the department, and traffic management plans
35 pertaining to this project. The department must report to the
36 transportation committees of the legislature on estimated cost and/or
37 time savings realized as a result of using the design-build process.

1 ((~~(13)~~-\$295,000)) (11) \$507,000 of the motor vehicle account--
2 federal appropriation and (~~(\$5,000)~~) \$13,000 of the motor vehicle
3 account--state appropriation are provided solely for the SR
4 906/Travelers Rest - Building Renovation project (090600A).

5 (12) The department shall submit a renewal and rehabilitation plan
6 for the new state route number 16 Tacoma Narrows bridge as a decision
7 package as part of its 2013-2015 biennial budget submittal.

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

10 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
11 **CAPITAL**

12	Motor Vehicle Account--State Appropriation	((\$6,439,000))
13		<u>\$8,742,000</u>
14	Motor Vehicle Account--Federal Appropriation	((\$5,600,000))
15		<u>\$7,246,000</u>
16	TOTAL APPROPRIATION	((\$12,039,000))
17		<u>\$15,988,000</u>

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

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

27 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
28 **CONSTRUCTION--PROGRAM W**

29	Puget Sound Capital Construction Account--State	
30	Appropriation	((\$68,013,000))
31		<u>\$64,878,000</u>
32	Puget Sound Capital Construction Account--Federal	
33	Appropriation	((\$41,500,000))
34		<u>\$56,086,000</u>
35	<u>Puget Sound Capital Construction Account--Private/Local</u>	
36	<u>Appropriation</u>	<u>\$200,000</u>

1	Transportation 2003 Account (Nickel Account)--State	
2	Appropriation	(((\$118,027,000))
3		<u>\$110,928,000</u>
4	Transportation Partnership Account--State	
5	Appropriation	(((\$12,536,000))
6		<u>\$12,838,000</u>
7	Multimodal Transportation Account--State	
8	Appropriation	(((\$43,265,000))
9		<u>\$38,254,000</u>
10	TOTAL APPROPRIATION	(((\$283,341,000))
11		<u>\$283,184,000</u>

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

14 ~~(1) (((\$68,013,000 of the Puget Sound capital construction~~
15 ~~account state appropriation, \$41,500,000 of the Puget Sound capital~~
16 ~~construction account federal appropriation, \$12,536,000 of the~~
17 ~~transportation partnership account state appropriation, \$118,027,000~~
18 ~~of the transportation 2003 account (nickel account) state~~
19 ~~appropriation, and \$43,265,000 of the multimodal transportation~~
20 ~~account state appropriation are provided solely for ferry projects,))~~
21 Except as provided otherwise in this section, the entire appropriations
22 in this section are provided solely for the projects and activities as
23 listed in LEAP Transportation Document ((2011-2)) 2012-1 ALL PROJECTS
24 as developed ((April 19, 2011)) February 21, 2012, Program - Washington
25 State Ferries Capital Program (W).

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

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

34 ~~(4) ((The transportation 2003 account (nickel account) state~~
35 ~~appropriation includes up to \$82,143,000 in proceeds from the sale of~~
36 ~~bonds authorized in RCW 47.10.861-~~

37 ~~(5))~~ The Puget Sound capital construction account--state

1 appropriation includes up to (~~(\$52,516,000)~~) \$45,000,000 in proceeds
2 from the sale of bonds authorized in RCW 47.10.843.

3 (~~((7) \$20,906,000)~~) (5) \$17,970,000 of the transportation 2003
4 account (nickel account)--state appropriation(~~(, \$9,711,000 of the~~
5 ~~multimodal transportation account--state appropriation, and \$1,537,000~~
6 ~~of the Puget Sound capital construction account--state appropriation~~
7 ~~are)) is provided solely for the acquisition of new Kwa-di-tabil class
8 ferry vessels (project 944470A) subject to the conditions of RCW
9 47.56.780.~~

10 (~~((8))~~) (6) \$33,404,000 of the multimodal transportation account--
11 state appropriation, (~~(\$2,000,000)~~) \$1,000,000 of the Puget Sound
12 capital construction account--(~~state~~) federal appropriation,
13 \$11,500,000 of the transportation partnership account--state
14 appropriation, and (~~(\$81,085,000)~~) \$76,924,000 of the transportation
15 2003 account (nickel account)--state appropriation are provided solely
16 for the acquisition of (~~two~~) one 144-car vessel(~~(s contingent upon~~
17 ~~new and sufficient resources. Of these amounts, \$123,828,000 is~~
18 ~~provided solely for the first 144-car vessel)) (project L2200038). The
19 department shall use as much already procured equipment as practicable
20 on the 144-car vessel. The vendor must present to the joint
21 transportation committee and the office of financial management, by
22 August 15, 2011, a list of options that will result in significant cost
23 savings changes in terms of construction or the long-term maintenance
24 and operations of the vessel. The vendor must allow for exercising the
25 options without a penalty. If neither chapter ... (Engrossed
26 Substitute Senate Bill No. 5742), Laws of 2011 nor chapter ... (House
27 Bill No. 2083), Laws of 2011 is enacted by June 30, 2011, \$75,000,000
28 of the transportation 2003 account (nickel account)--state
29 appropriation in this subsection lapses.~~

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

1 ~~identified on the list referenced in subsection (1) of this section~~
2 ~~must be developed according to an earned value method of project~~
3 ~~monitoring.~~

4 ~~((11) \$3,932,000))~~ (7) \$5,749,000 of the total appropriation is
5 provided solely for continued permitting work on the Mukilteo ferry
6 terminal (project 952515P). The department shall seek additional
7 federal funding for this project. Prior to beginning terminal
8 improvements, the department shall report to the legislature on the
9 final environmental impact statement by December 31, 2012. The report
10 must include an overview of the costs and benefits of each of the
11 alternatives considered, as well as an identification of costs and a
12 funding plan for the preferred alternative.

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

20 ~~((14) \$2,000,000))~~ (9) \$3,000,000 of the Puget Sound capital
21 construction account--state appropriation is provided solely for
22 emergency capital repair costs (project 999910K). Funds may be spent
23 only after approval from the office of financial management.

24 ~~((15) \$7,167,000))~~ (10) \$4,851,000 of the Puget Sound capital
25 construction account--state appropriation is provided solely for the
26 reservation and communications system projects (L200041 & L200042).

27 (11) \$641,000 of the Puget Sound capital construction account--
28 state appropriation is provided solely for the department to continue
29 efforts to convert the existing diesel powered Issaquah class fleet to
30 liquid natural gas powered vessels. Of this amount, \$391,000 is solely
31 for the department to work with appropriate agencies of the state and
32 federal government to amend the state's current alternative security
33 plan to account for the use of liquid natural gas as a propulsion fuel
34 in the ferry fleet. Of this amount, \$250,000 is solely for the
35 department to issue a request for proposals for a design-build contract
36 to fully convert the existing diesel powered Issaquah class fleet to be
37 solely powered by liquid natural gas. The successful bidder must be
38 able to offer detailed design services, attain coast guard approval

1 regarding vessel safety and any other requirements pertaining to
2 design, acquire engines with liquid natural gas as a sole fuel source,
3 provide public outreach and education regarding the conversion of ferry
4 vessels to liquid natural gas, perform all conversion work, and supply
5 dependable and suitable quantities of liquid natural gas without any
6 additional, direct appropriations from the legislature other than that
7 provided in this act. To the extent allowable under current law, the
8 bidder awarded the design-build contract for converting the Issaquah
9 fleet to liquid natural gas under this subsection shall be given
10 bidding preferences in any future liquid natural gas related ferry
11 proposals or projects.

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

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

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

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

31 Essential Rail Assistance Account--State	
32 Appropriation	(((\$1,000,000))
33	<u>\$1,565,000</u>
34 Transportation Infrastructure Account--State	
35 Appropriation	(((\$5,838,000))
36	<u>\$5,693,000</u>
37 Multimodal Transportation Account--State	

1	Appropriation	((\$52,000,000))
2		<u>\$58,020,000</u>
3	Multimodal Transportation Account--Federal	
4	Appropriation	((\$366,314,000))
5		<u>\$236,597,000</u>
6	Multimodal Transportation Account--Private/Local	
7	Appropriation	((\$1,292,000))
8		<u>\$1,010,000</u>
9	TOTAL APPROPRIATION	((\$426,444,000))
10		<u>\$302,885,000</u>

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

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

18 (b) Within the amounts provided in this section, ((~~\$2,903,000~~))
19 \$4,757,000 of the transportation infrastructure account--state
20 appropriation is for low-interest loans through the freight rail
21 investment bank program for specific projects listed as recipients of
22 these loans in the LEAP transportation document identified in (a) of
23 this subsection. The department shall issue freight rail investment
24 bank program loans with a repayment period of no more than ten years,
25 and only so much interest as is necessary to recoup the department's
26 costs to administer the loans.

27 (c) Within the amounts provided in this section, ((~~\$1,754,000~~))
28 \$2,047,000 of the multimodal transportation account--state
29 appropriation, \$10,000 of the multimodal transportation account--
30 private/local appropriation, and \$1,000,000 of the essential rail
31 assistance account--state appropriation are for statewide emergent
32 freight rail assistance projects identified in the LEAP transportation
33 document identified in (a) of this subsection.

34 (2)(a) ((~~If any funds remain in the program reserves (F01001A &~~
35 ~~F01000A) for the program and projects listed in subsection (1)(b) and~~
36 ~~(c) of this section,~~)) The department shall issue a call for projects
37 for the freight rail investment bank (FRIB) loan program and the
38 emergent freight rail assistance program (FRAP) grants, and shall

1 evaluate the applications according to the cost-benefit methodology
2 developed during the 2008 interim using the legislative priorities
3 specified in (c) of this subsection. Unsuccessful FRAP grant
4 applicants should be encouraged to apply to the FRIB loan program, if
5 eligible. By November 1, (~~2011~~) 2012, the department shall submit a
6 prioritized list of recommended projects to the office of financial
7 management and the transportation committees of the legislature.

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

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

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

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

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

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

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

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

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

36 (4) The department shall provide quarterly reports to the office of
37 financial management and the transportation committees of the

1 legislature regarding applications that the department submits for
2 federal funds and the status of such applications.

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

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

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

16 ~~(8) \$1,087,000 of the multimodal transportation account state
17 appropriation is provided solely as state matching funds for successful
18 grant applications to either the federal rail line relocation and
19 improvement program (project 798999D) or new federal high speed rail
20 grants.~~

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

28 ~~((10) \$339,139,000))~~ (6) \$218,341,000 of the multimodal
29 transportation account--federal appropriation and ~~(((\$5,099,000))~~
30 \$3,639,000 of the multimodal transportation account--state
31 appropriation are provided solely for expenditures related to passenger
32 high-speed rail grants. At one and one-half percent of the total
33 project funds, the multimodal transportation account--state funds are
34 provided solely for expenditures that are not federally reimbursable.
35 Funding in this subsection is the initial portion of multiyear
36 high-speed rail program grants awarded to Washington state for
37 high-speed intercity passenger rail investments. Funding will allow

1 for two additional round trips between Seattle and Portland and other
2 rail improvements.

3 ~~((11))~~ (7) \$750,000 of the multimodal transportation account--
4 state appropriation is provided solely for the Port of Royal Slope
5 rehabilitation project (L1000053). Funding is contingent upon the
6 project completing the rail cost-benefit methodology process developed
7 during the 2008 interim using the legislative priorities outlined in
8 subsection (2)(c) of this section.

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

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

25 (10) \$500,000 of the essential rail assistance account--state
26 appropriation is provided solely for the purpose of rehabilitation and
27 maintenance of the Palouse river and Coulee City railroad line.
28 Expenditures from this appropriation may not exceed the combined total
29 of:

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

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

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

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

5 ~~((3))~~ (2) The department shall apply for surface transportation
6 program enhancement funds to be expended in lieu of or in addition to
7 state funds for eligible costs of projects in local programs, program
8 Z--capital.

9 ~~((4))~~ (3) Federal funds may be transferred from program Z to
10 programs I and P and state funds must be transferred from programs I
11 and P to program Z to replace those federal funds in a dollar-for-
12 dollar match. Fund transfers authorized under this subsection shall
13 not affect project prioritization status. Appropriations must
14 initially be allotted as appropriated in this act. The department may
15 not transfer funds as authorized under this subsection without approval
16 of the office of financial management. The department shall submit a
17 report on those projects receiving fund transfers to the office of
18 financial management and the transportation committees of the
19 legislature by December 1, 2011, and December 1, 2012.

20 ~~((5))~~ (4) The city of Winthrop may utilize a design-build process
21 for the Winthrop bike path project.

22 ~~((6)---\$11,557,000))~~ (5) \$14,813,000 of the multimodal
23 transportation account--state appropriation, ~~(((\$12,136,000))~~
24 \$12,804,000 of the motor vehicle account--federal appropriation, and
25 ~~(((\$5,195,000))~~ \$6,241,000 of the transportation partnership account--
26 state appropriation are provided solely for the pedestrian and bicycle
27 safety program projects and safe routes to schools program projects
28 identified in: LEAP Transportation Document 2011-A, pedestrian and
29 bicycle safety program projects and safe routes to schools program
30 projects, as developed April 19, 2011; LEAP Transportation Document
31 2009-A, pedestrian and bicycle safety program projects and safe routes
32 to schools program projects, as developed March 30, 2009; LEAP
33 Transportation Document 2007-A, pedestrian and bicycle safety program
34 projects and safe routes to schools program projects, as developed
35 April 20, 2007; and LEAP Transportation Document 2006-B, pedestrian and
36 bicycle safety program projects and safe routes to schools program
37 projects, as developed March 8, 2006. Projects must be allocated
38 funding based on order of priority. The department shall review all

1 projects receiving grant awards under this program at least
2 semiannually to determine whether the projects are making satisfactory
3 progress. Any project that has been awarded funds, but does not report
4 activity on the project within one year of the grant award must be
5 reviewed by the department to determine whether the grant should be
6 terminated. The department shall promptly close out grants when
7 projects have been completed, and identify where unused grant funds
8 remain because actual project costs were lower than estimated in the
9 grant award.

10 ~~((7))~~ (6) Except as provided otherwise in this section, the
11 entire appropriations in this section are provided solely for the
12 projects and activities as listed by project and amount in LEAP
13 Transportation Document ~~((2011-2))~~ 2012-1 ALL PROJECTS as developed
14 ~~((April 19, 2011))~~ February 21, 2012, Program - Local Program (Z).

15 ~~((8))~~ (7) For the 2011-2013 project appropriations, unless
16 otherwise provided in this act, the director of the office of financial
17 management may authorize a transfer of appropriation authority between
18 projects managed by the freight mobility strategic investment board in
19 order for the board to manage project spending and efficiently deliver
20 all projects in the respective program.

21 ~~((9))~~ (8) With each department budget submittal, the department
22 shall provide an update on the status of the repayment of the twenty
23 million dollars of unobligated federal funds authority advanced by the
24 department in September 2010 to the city of Tacoma for the Murray
25 Morgan/11th Street bridge project.

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

35 ~~((11))~~ (9) If funding is specifically designated in this act for
36 main street projects, the department shall prepare a list of projects
37 that is consistent with chapter 257, Laws of 2011, for approval in the
38 2013-2015 fiscal biennium.

1 appropriation is provided solely for safety improvements at the
2 intersection of South Wapato and McDonald Road (L1000052).

3 ~~((+18+))~~ (17) \$2,000,000 of the multimodal transportation account--
4 state appropriation is provided solely for the state route number 432
5 rail realignment and highway improvements project (L1000056).

6 ~~((+19+))~~ ~~\$500,000 of the multimodal transportation account--state~~
7 ~~appropriation is provided solely for a multimodal corridor plan on~~
8 ~~state route number 520 between Interstate 405 and Avondale Road in~~
9 ~~Redmond (L1000054).~~

10 ~~(+20+))~~ (18) \$100,000 of the motor vehicle account--federal
11 appropriation is provided solely for state route number 164 and Auburn
12 Way South pedestrian improvements (L1000057).

13 ~~((+21+))~~ (19) \$115,000 of the motor vehicle account--federal
14 appropriation is provided solely for median street lighting on state
15 route number 410 (L1000058).

16 ~~((+22+))~~ (20) \$60,000 of the multimodal transportation account--
17 state appropriation is provided solely for a cross docking study for
18 the port of Douglas county (L1000060).

19 ~~((+23+))~~ (21) \$100,000 of the motor vehicle account--federal
20 appropriation is provided solely for city of Auburn - 8th and R Street
21 NE intersection improvements (L2200043).

22 ~~((+24+))~~ (22) \$65,000 of the multimodal transportation account--
23 state appropriation is provided solely for the Puget Sound regional
24 council to further the implementation of multimodal concurrency
25 practice through a transit service overlay zone implemented at the
26 local level (L1000061). This approach will improve the linkage of land
27 use and transportation investment decisions, improve the efficiency of
28 transit service by encouraging transit-supportive development, provide
29 incentives for developers, and support integrated regional growth,
30 economic development, and transportation plans. In carrying out this
31 work, the council shall involve representatives from cities and
32 counties, developers, transit agencies, and other interested
33 stakeholders, and shall consult with other regional transportation
34 planning organizations across the state. The council shall report the
35 results of their work and recommendations to the joint transportation
36 committee by December 2011, with a final report to the transportation
37 committees of the legislature by January 31, 2012.

1 (23) \$650,000 of the motor vehicle account--federal appropriation
2 is provided solely for the SR 522 Improvements/61st Avenue NE and NE
3 181st Street project (L1000055).

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

6 **REPORTING REQUIREMENTS FOR CAPITAL PROGRAM**

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

11 (1) For active projects, the report must include:

12 (a) A TEIS version containing actual capital expenditures for all
13 projects consistent with the structure of the most recently enacted
14 budget;

15 (b) Anticipated cost savings, cost increases, reappropriations, and
16 schedule adjustments for all projects consistent with the structure of
17 the most recently enacted budget;

18 (c) The award amount, the engineer's estimate, and the number of
19 bidders for all active projects consistent with the structure of the
20 most recently enacted budget;

21 (d) Projected costs and schedule for individual projects that are
22 funded at a programmatic level for projects relating to bridge rail,
23 guard rail, fish passage barrier removal, roadside safety projects, and
24 seismic bridges. Projects within this programmatic level funding must
25 be completed on a priority basis and scoped to be completed within the
26 current programmatic budget;

27 (e) Highway projects that may be reduced in scope and still achieve
28 a functional benefit;

29 (f) Highway projects that have experienced scope increases and that
30 can be reduced in scope;

31 (g) Highway projects that have lost significant local or regional
32 contributions that were essential to completing the project; and

33 (h) Contingency amounts for all projects consistent with the
34 structure of the most recently enacted budget.

35 (2) For completed projects, the report must:

36 (a) Compare the original project cost estimates and schedule

1 approved in the transportation 2003 and 2005 transportation partnership
2 project lists to the completed cost of the project;

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

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

10 (3) For prospective projects, the report must:

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

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

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

20 **TRANSFERS AND DISTRIBUTIONS**

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

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

27	Highway Bond Retirement Account--State	
28	Appropriation	((\$920,560,000))
29		<u>\$796,020,000</u>
30	Ferry Bond Retirement Account--State Appropriation	\$31,801,000
31	State Route Number 520 Corridor Account--State	
32	Appropriation	\$1,075,000
33	Transportation Improvement Board Bond Retirement	
34	Account--State Appropriation	((\$16,544,000))
35		<u>\$16,504,000</u>

1	Nondebt-Limit Reimbursable Account Appropriation . . .	((\$25,200,000))
2		<u>\$20,892,000</u>
3	Transportation Partnership Account--State	
4	Appropriation	((\$3,142,000))
5		<u>\$2,846,000</u>
6	Motor Vehicle Account--State Appropriation	((\$333,000))
7		<u>\$298,000</u>
8	Transportation 2003 Account (Nickel Account)--State	
9	Appropriation	((\$1,140,000))
10		<u>\$1,110,000</u>
11	Transportation Improvement Account--State	
12	Appropriation	\$29,000
13	Multimodal Transportation Account--State	
14	Appropriation	((\$138,000))
15		<u>\$125,000</u>
16	Toll Facility Bond Retirement Account--State	
17	Appropriation	((\$33,792,000))
18		<u>\$48,807,000</u>
19	Toll Facility Bond Retirement Account--Federal	
20	Appropriation	((\$14,649,000))
21		<u>\$7,500,000</u>
22	TOTAL APPROPRIATION	((\$1,048,403,000))
23		<u>\$927,007,000</u>

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

26 ~~(1) \$4,610,000 of the highway bond retirement account state~~
27 ~~appropriation is provided solely for debt service on bonds issued to~~
28 ~~construct a ferry boat vessel with a carrying capacity of one hundred~~
29 ~~forty four cars. If neither chapter ... (House Bill No. 2083), Laws of~~
30 ~~2011 nor chapter ... (Engrossed Substitute Senate Bill No. 5742) is~~
31 ~~enacted by June 30, 2011, the amount provided in this subsection~~
32 ~~lapses.~~

33 ~~(2) \$165,000 of the transportation 2003 account (nickel account)--~~
34 ~~state appropriation is provided solely for discounts on bonds sold to~~
35 ~~construct a ferry boat vessel with a carrying capacity of one hundred~~
36 ~~forty four cars. If neither chapter ... (House Bill No. 2083), Laws of~~
37 ~~2011 nor chapter ... (Engrossed Substitute Senate Bill No. 5742) is~~

1 enacted by June 30, 2011, the amount provided in this subsection
2 lapses.))

3 **Sec. 402.** 2011 c 367 s 402 (uncodified) is amended to read as
4 follows:

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

8	State Route Number 520 Corridor Account--State	
9	Appropriation	\$68,000
10	Transportation Partnership Account--State	
11	Appropriation	(((\$608,000))
12		<u>\$478,000</u>
13	Motor Vehicle Account--State Appropriation	(((\$60,000))
14		<u>\$47,000</u>
15	Transportation 2003 Account (Nickel Account)--State	
16	Appropriation	(((\$219,000))
17		<u>\$173,000</u>
18	Transportation Improvement Account--State Appropriation	\$5,000
19	Multimodal Transportation Account--State	
20	Appropriation	(((\$26,000))
21		<u>\$19,000</u>
22	TOTAL APPROPRIATION	(((\$986,000))
23		<u>\$790,000</u>

24 ((The appropriations in this section are subject to the following
25 conditions and limitations: \$30,000 of the transportation 2003 account
26 (nickel account) state appropriation is provided solely for expenses
27 associated with bonds sold to construct a ferry boat vessel with a
28 carrying capacity of one hundred forty four cars. If neither chapter
29 ... (House Bill No. 2083), Laws of 2011 nor chapter ... (Engrossed
30 Substitute Senate Bill No. 5742) is enacted by June 30, 2011, the
31 amount provided in this subsection lapses.))

32 **Sec. 403.** 2011 c 367 s 403 (uncodified) is amended to read as
33 follows:

34 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
35 **BOND REGISTRATION AND TRANSFER CHARGES: FOR MVFT BONDS AND TRANSFERS**

36 Motor Vehicle Account--State Appropriation: For

1 transfer to the Puget Sound Capital Construction
2 Account ((\$52,516,000))
3 \$45,000,000

4 The department of transportation is authorized to sell up to
5 ((\$52,516,000)) \$45,000,000 in bonds authorized by RCW 47.10.843 for
6 vessel and terminal acquisition, major and minor improvements, and long
7 lead-time materials acquisition for the Washington state ferries. ((Of
8 the authorized amounts, \$14,500,000 is provided solely for expenditures
9 made during the fiscal biennium ending June 30, 2011.))

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

12 **FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION**
13 Motor Vehicle Account--State Appropriation for motor
14 vehicle fuel tax distributions to cities and
15 counties ((\$478,155,000))
16 \$470,701,000

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

19 **FOR THE STATE TREASURER--TRANSFERS**
20 Motor Vehicle Account--State Appropriation: For
21 motor vehicle fuel tax refunds and statutory
22 transfers ((\$1,246,357,000))
23 \$1,227,005,000

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

26 **FOR THE DEPARTMENT OF LICENSING--TRANSFERS**
27 Motor Vehicle Account--State Appropriation: For
28 motor vehicle fuel tax refunds and transfers . . . ((\$127,984,000))
29 \$151,870,000

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

32 **FOR THE STATE TREASURER--ADMINISTRATIVE TRANSFERS**
33 (1) ((Tacoma Narrows Toll Bridge Account--State
34 Appropriation: For transfer to the Motor Vehicle

1 ~~Account--State~~ \$543,000
2 ~~(2))~~ Motor Vehicle Account--State Appropriation:
3 For transfer to the Puget Sound Ferry Operations
4 Account--State ((~~\$46,500,000~~))
5 \$45,500,000
6 ~~((3))~~ (2) Recreational Vehicle Account--State
7 Appropriation: For transfer to the Motor Vehicle
8 Account--State ((~~\$1,450,000~~))
9 \$1,150,000
10 ~~((4))~~ (3) License Plate Technology Account--State
11 Appropriation: For transfer to the Highway Safety
12 Account--State ((~~\$3,200,000~~))
13 \$3,000,000
14 ~~((5))~~ (4) Multimodal Transportation Account--State
15 Appropriation: For transfer to the Puget Sound
16 Ferry Operations Account--State ((~~\$43,000,000~~))
17 \$42,000,000
18 ~~((6))~~ (5) Highway Safety Account--State Appropriation:
19 For transfer to the Motor Vehicle Account--State \$23,000,000
20 ~~((7) Department of Licensing Services Account~~
21 ~~--State Appropriation: For transfer to the Motor Vehicle~~
22 ~~Account--State~~ \$400,000
23 ~~(8))~~ (6) Advanced Right-of-Way Revolving Fund: For
24 transfer to the Motor Vehicle Account--State \$5,000,000
25 ~~((9) State Route Number 520 Civil Penalties~~
26 ~~Account--State Appropriation: For transfer to the~~
27 ~~State Route Number 520 Corridor Account--State~~ \$754,000
28 ~~(10))~~ (7) Rural Mobility Grant Program Account--State
29 Appropriation: For transfer to the Multimodal
30 Transportation Account--State \$3,000,000
31 ~~((11))~~ (8) Motor Vehicle Account--State
32 Appropriation: For transfer to the State Patrol
33 Highway Account--State ((~~\$14,000,000~~))
34 \$16,000,000
35 ~~((12))~~ (9) State Route Number 520 Corridor
36 Account--State Appropriation: For transfer to the
37 Motor Vehicle Account--State(~~, in an amount equal to~~
38 ~~funds dispersed during the 2009-2011 fiscal biennium~~

1 ~~authorized under section 805(7) of this act.))~~ \$58,000
2 ((+13)) (10) Motor Vehicle Account--State
3 Appropriation: For transfer to the Special Category C
4 Account--State (((\$1,500,000))
5 \$2,500,000
6 ((+14)) (11) Regional Mobility Grant Program
7 Account--State Appropriation: For transfer to the
8 Multimodal Transportation Account--State \$1,000,000
9 ((+15)) (12) State Patrol Highway Account--State
10 Appropriation: For transfer to the Vehicle
11 Licensing Fraud Account \$100,000
12 ((+16) State Route Number 520 Corridor Account--State
13 Appropriation: For transfer to the Motor Vehicle
14 Account (\$2,435,000))
15 (13) Capital Vessel Replacement Account--State
16 Appropriation: For transfer to the Transportation 2003
17 Account (Nickel Account)--State \$6,367,000

18 ((+17)) (14) The transfers identified in this section are subject
19 to the following conditions and limitations:

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

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

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

32 **COMPENSATION**

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

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

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

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

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

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

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

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

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

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

32 No agreement has been reached between the governor and the masters,
33 mates, and pilots marine operations watch supervisors under chapter
34 47.64 RCW for the 2011-2013 fiscal biennium. Appropriations in this
35 act reflect funding to maintain the provisions or terms and conditions
36 of the 2009-2011 agreements for fiscal year 2012. Fiscal year 2013

1 appropriations are reduced to reflect a 6.0 percent temporary salary
2 reduction effective July 1, 2012, through June 29, 2013, a reduction to
3 overtime calculation, reduced vacation accruals, and other management
4 priorities in collective bargaining. Effective June 30, 2013, the
5 salary schedules effective July 1, 2009, through June 30, 2011, will be
6 reinstated.

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

9 **EMPLOYEE HEALTH INSURANCE**

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

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

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

18 (2) The appropriation from funds and accounts must be made in the
19 amounts specified and from the funds and accounts specified in OFM
20 Document 2011-INS-01 dated November 21, 2012.

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

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

23 (1) 2011 1st sp.s. c 50 s 718 (uncodified) (FOR THE OFFICE OF
24 FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEES--RETIREMENT SYSTEM
25 CONTRIBUTIONS);

26 (2) 2011 1st sp.s. c 50 s 719 (uncodified) (FOR THE OFFICE OF
27 FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEES--RETIREMENT SYSTEM
28 CONTRIBUTIONS);

29 (3) 2011 1st sp.s. c 50 s 720 (uncodified) (FOR THE OFFICE OF
30 FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEE SALARY REDUCTIONS); and

31 (4) 2011 1st sp.s. c 50 s 721 (uncodified) (FOR THE OFFICE OF
32 FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEES RETIREMENT SYSTEM
33 CONTRIBUTIONS).

34 **IMPLEMENTING PROVISIONS**

1 NEW SECTION. **Sec. 601.** A new section is added to chapter 47.76
2 RCW to read as follows:

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

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

11 **STAFFING LEVELS**

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

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

30 (3) In order to successfully deliver the highway construction
31 program as funded, the department of transportation may continue to
32 contract out engineering and technical services. In addition, the
33 department may continue the incentive program for retirements and
34 employee separations. (~~The department shall report quarterly to the~~
35 ~~office of financial management and the transportation committees of the~~
36 ~~legislature on its progress and plans to reduce highway construction~~

1 workforce levels to two thousand FTEs by June 2015. This report must
2 also be posted on the department's web site.))

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

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

12 **FUND TRANSFERS**

13 (1) The transportation 2003 projects or improvements and the 2005
14 transportation partnership projects or improvements are listed in LEAP
15 Transportation Document ((2011-1)) 2012-2 as developed ((April 19,
16 2011)) February 21, 2012, which consists of a list of specific projects
17 by fund source and amount over a sixteen-year period. Current fiscal
18 biennium funding for each project is a line-item appropriation, while
19 the outer year funding allocations represent a sixteen-year plan. The
20 department is expected to use the flexibility provided in this section
21 to assist in the delivery and completion of all transportation
22 partnership account and transportation 2003 account (nickel account)
23 projects on the LEAP transportation documents referenced in this act.
24 For the 2009-2011 and 2011-2013 project appropriations, unless
25 otherwise provided in this act, the director of financial management
26 may authorize a transfer of appropriation authority between projects
27 funded with transportation 2003 account (nickel account)
28 appropriations, or transportation partnership account appropriations,
29 in order to manage project spending and efficiently deliver all
30 projects in the respective program under the following conditions and
31 limitations:

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

34 (b) Transfers from a project may not be made as a result of the
35 reduction of the scope of a project or be made to support increases in
36 the scope of a project;

1 (c) Each transfer between projects may only occur if the director
2 of financial management finds that any resulting change will not hinder
3 the completion of the projects as approved by the legislature. Until
4 the legislature reconvenes to consider the 2012 supplemental
5 transportation budget, any unexpended 2009-2011 appropriation balance
6 as approved by the office of financial management, in consultation with
7 the legislative staff of the house of representatives and senate
8 transportation committees, may be considered when transferring funds
9 between projects;

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

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

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

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

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

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

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

36 NEW SECTION. **Sec. 604.** A new section is added to 2011 c 367
37 (uncodified) to read as follows:

1 The department of transportation may provide up to \$163,000 in toll
2 credits to the Port of Kingston for its role in the new passenger-only
3 ferry service and ferry corridor-related projects. The number of toll
4 credits provided to the Port of Kingston must be equal to, but no more
5 than, the number sufficient to meet federal match requirements for
6 grant funding for passenger-only ferry service, but shall not exceed
7 the amount authorized in this section.

8 **CONDITIONALLY ADDITIVE APPROPRIATIONS**

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

11 **FOR THE WASHINGTON STATE PATROL**

12 State Patrol Highway Account--State Appropriation	\$5,642,000
13 Highway Safety Account--State Appropriation	\$3,500,000
14 TOTAL APPROPRIATION	\$9,142,000

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

17 (1) \$1,642,000 of the state patrol highway account--state
18 appropriation is provided solely for the auto theft investigation units
19 in King county, the city of Spokane, and the city of Tacoma.

20 (2) \$4,000,000 of state patrol highway account--state appropriation
21 and the entire highway safety account--state appropriation is provided
22 solely for equipment acquisition, installation, integration, and
23 financing needs associated with the conversion of the existing
24 communication system to narrowbanding as required by the federal
25 communications commission.

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

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

29 Highway Safety Account--State Appropriation	\$3,000,000
--	-------------

30 The appropriation in this section is subject to the following
31 conditions and limitations: The appropriation in this section is
32 provided solely for the county arterial preservation program to help
33 counties meet urgent preservation needs.

1 **FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE--PROGRAM M**
2 Highway Safety Account--State Appropriation \$3,000,000

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

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

9 **FOR THE DEPARTMENT OF TRANSPORTATION--PRESERVATION--PROGRAM P**
10 Highway Safety Account--State Appropriation \$3,000,000

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

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

17 **FOR THE STATE TREASURER: FOR DISTRIBUTION TO TRANSIT ENTITIES**
18 Multimodal Transportation Account--State Appropriation . . . \$3,500,000

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

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

24 (2) Of the amounts provided in this section:

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

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

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

31 (3) For the purposes of this section:

32 (a) "Transit authorities" has the same meaning as in RCW
33 9.91.025(2)(c).

34 (b) "Vehicle miles of service," "vehicle hours of service," and

1 "passenger trips" are transit service metrics as reported by the public
2 transportation program of the department of transportation in the
3 annual report required in RCW 35.58.2796 for calendar year 2010.

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

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

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

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

13 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
14 **CONSTRUCTION--PROGRAM W**
15 Transportation 2003 Account
16 (Nickel Account)--State Appropriation \$130,000,000

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

19 (1) The appropriation in this section is provided solely for the
20 purposes of constructing a ferry boat vessel with a carrying capacity
21 of at least one hundred forty-four cars.

22 (2) The appropriation in this section includes up to \$130,000,000
23 in proceeds from the sale of bonds authorized in RCW 47.10.861.

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

26 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
27 **CAPITAL**
28 Highway Safety Account--State Appropriation \$3,000,000

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

31 (1) \$1,000,000 of the highway safety account--state appropriation
32 is provided solely to the freight mobility strategic investment board
33 for grants to meet urgent freight corridor improvement and preservation

1 needs, including advancing projects that are identified in LEAP
2 Transportation Document 2012-2 ALL PROJECTS as developed February 21,
3 2012, and for other projects that meet the board's criteria.

4 (2) \$2,000,000 of the highway safety account--state appropriation
5 is provided solely for safe routes to schools program projects, in rank
6 order, and identified as contingency projects in the LEAP
7 Transportation Document 2011-A, pedestrian and bicycle safety program
8 projects and safe routes to school program projects, referenced in
9 chapter 367, Laws of 2011 (the omnibus transportation appropriations
10 act).

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

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

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

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

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

23 Transportation 2003 Account
24 (Nickel Account)--State Appropriation \$58,000

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

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

29 NEW SECTION. **Sec. 715.** If chapter . . . (Engrossed Substitute
30 Senate Bill No. 6150), Laws of 2012 is not enacted by June 30, 2012,
31 the appropriations in sections 702, 703, 705, 706, 708, and 710(1) of
32 this act are null and void.

INDEX	PAGE #
COLLECTIVE BARGAINING AGREEMENTS	
WSP LIEUTENANTS ASSOCIATION	78
WSP TROOPERS ASSOCIATION	77
COUNTY ROAD ADMINISTRATION BOARD	6, 43
CAPITAL	83
DEPARTMENT OF AGRICULTURE	4
DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION	1
DEPARTMENT OF ENTERPRISE SERVICES	4
DEPARTMENT OF LICENSING	14
TRANSFERS	75
DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS	
TERMS AND CONDITIONS	78
DEPARTMENT OF TRANSPORTATION	
AVIATION--PROGRAM F	23
CHARGES FROM OTHER AGENCIES--PROGRAM U	33
ECONOMIC PARTNERSHIPS--PROGRAM K	26
FACILITIES--PROGRAM D--CAPITAL	44
FACILITIES--PROGRAM D--OPERATING	23
HIGHWAY MAINTENANCE--PROGRAM M	26, 85
IMPROVEMENTS--PROGRAM I	45, 84
INFORMATION TECHNOLOGY--PROGRAM C	22
LOCAL PROGRAMS--PROGRAM Z--CAPITAL	66, 86
LOCAL PROGRAMS--PROGRAM Z--OPERATING	42
MARINE--PROGRAM X	38, 86
PRESERVATION--PROGRAM P	54, 85
PROGRAM DELIVERY MANAGEMENT AND SUPPORT--PROGRAM H	23
PUBLIC TRANSPORTATION--PROGRAM V	34
RAIL--PROGRAM Y--OPERATING	41
RAIL--PROGRAM Y--CAPITAL	61
TOLL OPERATIONS AND MAINTENANCE--PROGRAM B	20
TRAFFIC OPERATIONS--PROGRAM Q--CAPITAL	57
TRAFFIC OPERATIONS--PROGRAM Q--OPERATING	28
TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S	31
TRANSPORTATION PLANNING, DATA, AND RESEARCH--PROGRAM T	31
WASHINGTON STATE FERRIES CONSTRUCTION--PROGRAM W	86
WSF CONSTRUCTION--PROGRAM W	57

EMPLOYEE HEALTH INSURANCE	79
FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD	11
FUND TRANSFERS	81
JOINT TRANSPORTATION COMMITTEE	8
LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE	5
OFFICE OF FINANCIAL MANAGEMENT	1
PUBLIC EMPLOYMENT RELATIONS COMMISSION	4
REPORTING REQUIREMENTS FOR CAPITAL PROGRAM	71
STAFFING LEVELS	80
STATE TREASURER	
ADMINISTRATIVE TRANSFERS	75
BOND RETIREMENT AND INTEREST	72, 74, 87
STATE REVENUES FOR DISTRIBUTION	75
TRANSFERS	75
STATE TREASURER: FOR DISTRIBUTION TO TRANSIT ENTITIES	85
TRANSPORTATION COMMISSION	10
TRANSPORTATION EMPLOYEES	
COMPENSATION	79
TRANSPORTATION IMPROVEMENT BOARD	7, 44
CAPITAL	84
WASHINGTON STATE PATROL	11, 42, 83
WASHINGTON TRAFFIC SAFETY COMMISSION	5"

ESHB 2190 - S AMD
By Senator

ADOPTED 3/6/12

1 On page 1, beginning on line 2 of the title, strike the remainder
2 of the title and insert "amending 2011 c 367 ss 101, 103, 105, 106,
3 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214,
4 215, 216, 217, 218, 219, 220, 221, 222, 223, 301, 302, 303, 304, 305,
5 306, 307, 308, 309, 310, 401, 402, 403, 404, 405, 406, 407, 502, 503,
6 505, 603, and 608 (uncodified); adding a new section to chapter 47.76
7 RCW; adding new sections to 2011 c 367 (uncodified); creating new
8 sections; repealing 2011 1st sp.s. c 50 ss 718, 719, 720, and 721
9 (uncodified); making appropriations and authorizing expenditures for
10 capital improvements; providing effective dates; and declaring an

1 emergency."

--- END ---