

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

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

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

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

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

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

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

8 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

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

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

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

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

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

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

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

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

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

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

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

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

5 **FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

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

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

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

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

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

24 **FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

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

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

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

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

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

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

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

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

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

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

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

7 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

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

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

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

29 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

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

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

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

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

9 **FOR THE JOINT TRANSPORTATION COMMITTEE**

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

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

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

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

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

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

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

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

30 **FOR THE TRANSPORTATION COMMISSION**

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

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

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

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

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

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

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

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

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

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

12 (5) Within the amounts provided pursuant to section 305(17)(c) of
13 this act, the commission shall retain appropriate independent experts
14 and conduct an investment-grade traffic and revenue analysis for the
15 Columbia river crossing project, including origin and destination and
16 stated preferences studies.

17 (a) The commission's analysis must include the assessment and
18 review of the following variables within the project:

19 (i) Exemptions from tolls for vehicles with two, three, or more
20 occupants;

21 (ii) A variable toll where the tolls vary by time of day and day of
22 the week; and

23 (iii) A toll of one dollar per day for individuals who use the
24 bridge ten times or more in a seven day time period.

25 (b) The analysis must also assess the following:

26 (i) The impact light rail service in the corridor will have on
27 estimated toll revenues;

28 (ii) The level of diversion from the Interstate 5 corridor and the
29 impact on estimated toll revenues; and

30 (iii) The estimated toll revenues from vehicle trips originating
31 within the region, within the two states, and outside the two states,
32 by vehicle type.

33 (c) The commission must submit its final report of findings and
34 recommendations to the transportation committees of the legislature on
35 or before July 1, 2014.

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

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

2 Motor Vehicle Account--State Appropriation ((\$702,000))
3 \$680,000

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

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

16 **FOR THE WASHINGTON STATE PATROL**

17 (~~Vehicle Licensing Fraud Account--State Appropriation . . . \$100,000~~)
18 State Patrol Highway Account--State
19 Appropriation (~~(\$349,812,000)~~)
20 \$355,048,000
21 Highway Safety Account--State Appropriation \$6,432,000
22 State Patrol Highway Account--Federal
23 Appropriation \$10,903,000
24 State Patrol Highway Account--Private/Local
25 Appropriation (~~(\$3,369,000)~~)
26 \$3,494,000
27 TOTAL APPROPRIATION (~~(\$364,184,000)~~)
28 \$375,877,000

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

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

1 developed by the chief of the Washington state patrol. Cessna pilots
2 funded from the state patrol highway account who are certified to fly
3 the King Airs may pilot those aircraft for general fund purposes with
4 the general fund reimbursing the state patrol highway account an hourly
5 rate to cover the costs incurred during the flights since the aviation
6 section is no longer part of the Washington state patrol cost
7 allocation system as of July 1, 2009.

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

11 (3) \$370,000 of the state patrol highway account--state
12 appropriation is provided solely for costs associated with the pilot
13 program described under section 216(5) of this act. The Washington
14 state patrol may incur costs related only to the assignment of cadets
15 and necessary computer equipment and to the reimbursement of the
16 Washington state department of transportation for contract costs. The
17 appropriation in this subsection must be funded from the portion of the
18 automated traffic safety camera fines deposited into the state patrol
19 highway account; however, if the fines deposited into the state patrol
20 highway account from automated traffic safety camera infractions do not
21 reach three hundred seventy thousand dollars, the department of
22 transportation shall remit funds necessary to the Washington state
23 patrol to ensure the completion of the pilot program. The Washington
24 state patrol may not incur overtime as a result of this pilot program.
25 The Washington state patrol shall not assign troopers to operate or
26 deploy the pilot program equipment used in the roadway construction
27 zones.

28 (4) (~~(\$12,655,000)~~) \$12,178,000 of the total appropriation is
29 provided solely for automobile fuel in the 2011-2013 fiscal biennium.
30 The Washington state patrol shall analyze their fuel consumption and
31 submit a report to the legislative transportation committees by
32 December 31, 2011, on fuel conservation methods that could be used to
33 minimize costs and ensure that the Washington state patrol is managing
34 fuel consumption effectively.

35 (5) (~~(\$7,421,000)~~) \$7,672,000 of the total appropriation is
36 provided solely for the purchase of pursuit vehicles.

37 (6) (~~(\$6,611,000)~~) \$6,695,000 of the total appropriation is

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

3 (7) (~~(\$1,724,000)~~) \$1,865,000 of the total appropriation is
4 provided solely for the purchase of mission vehicles used for highway
5 purposes in the commercial vehicle and traffic investigation sections
6 of the Washington state patrol.

7 (8) \$1,200,000 of the total appropriation is provided solely for
8 outfitting officers. The Washington state patrol shall prepare a cost-
9 benefit analysis of the standard trooper uniform as compared to a
10 battle dress uniform and uniforms used by other states and
11 jurisdictions. The Washington state patrol shall report the results of
12 the analysis to the transportation committees of the legislature by
13 December 1, 2011.

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

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

25 (~~((\$100,000 of the vehicle licensing fraud account--state~~
26 ~~appropriation is provided solely to support the transportation portion~~
27 ~~of the vehicle license fraud program during the 2011-2013 fiscal~~
28 ~~biennium--))~~ \$2,187,000 of the state patrol highway account--state
29 appropriation is provided solely for mobile office platforms.

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

36 (13) \$3,500,000 of the highway safety account--state appropriation
37 is provided solely for equipment acquisition, installation,
38 integration, and financing needs associated with the conversion of the

1 existing communication system to narrowbanding as required by the
2 federal communications commission. If chapter ... (Engrossed
3 Substitute Senate Bill No. 6455), Laws of 2012 is not enacted by June
4 30, 2012, the amount provided in this subsection lapses.

5 (14) \$900,000 of the highway safety account--state appropriation is
6 provided solely for: The cadet detachment used to manage traffic and
7 augment security at the Seattle ferry terminals; contracts for
8 additional traffic control personnel for the Edmonds and Seattle ferry
9 terminals; and K-9 explosives dogs. If chapter ... (Engrossed
10 Substitute Senate Bill No. 6455), Laws of 2012 is not enacted by June
11 30, 2012, the amount provided in this subsection lapses.

12 (15) \$3,500,000 of the state patrol highway account--state
13 appropriation and \$1,600,000 of the highway safety account--state
14 appropriation are provided solely for the ongoing operations of the
15 Washington state patrol. If chapter ... (Engrossed Substitute Senate
16 Bill No. 6455), Laws of 2012 is not enacted by June 30, 2012, the
17 amount provided in this subsection lapses.

18 (16) \$432,000 of the highway safety account--state appropriation is
19 provided solely for implementation of chapter . . . (Second Substitute
20 House Bill No. 2443), Laws of 2012 (persons who drive impaired). If
21 chapter . . . (Second Substitute House Bill No. 2443), Laws of 2012 is
22 not enacted by June 30, 2012, the amount provided in this subsection
23 lapses.

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

26 **FOR THE DEPARTMENT OF LICENSING**

27	Marine Fuel Tax Refund Account--State Appropriation	\$32,000
28	<u>License Plate Technology Account--State</u>	
29	<u>Appropriation</u>	<u>\$1,250,000</u>
30	Motorcycle Safety Education Account--State	
31	Appropriation	((\$4,411,000))
32		\$4,365,000
33	Wildlife Account--State Appropriation	((\$859,000))
34		\$825,000
35	Highway Safety Account--State Appropriation	((\$149,904,000))
36		\$146,889,000
37	Highway Safety Account--Federal Appropriation	((\$2,884,000))

1		<u>\$4,299,000</u>
2	<u>Highway Safety Account--Private/Local Appropriation</u>	<u>\$200,000</u>
3	Motor Vehicle Account--State Appropriation	((\$78,586,000))
4		<u>\$76,034,000</u>
5	Motor Vehicle Account--Private/Local Appropriation	((\$1,721,000))
6		<u>\$1,714,000</u>
7	Motor Vehicle Account--Federal Appropriation	((\$242,000))
8		<u>\$380,000</u>
9	Department of Licensing Services Account--State	
10	Appropriation	((\$5,815,000))
11		<u>\$6,095,000</u>
12	Ignition Interlock Device Revolving Account--State	
13	Appropriation	((\$1,315,000))
14		<u>\$2,027,000</u>
15	TOTAL APPROPRIATION	((\$245,769,000))
16		<u>\$244,110,000</u>

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

19 ~~(1) ((\$62,000 of the motor vehicle account--state appropriation is
20 provided solely for the implementation of chapter ... (Engrossed
21 Substitute Senate Bill No. 5251), Laws of 2011 (electric vehicle fee).
22 If chapter ... (Engrossed Substitute Senate Bill No. 5251), Laws of
23 2011 is not enacted by June 30, 2011, the amount provided in this
24 subsection lapses.~~

25 (2)) \$231,000 of the motor vehicle account--state appropriation is
26 provided solely for the implementation of chapter ... (Substitute
27 Senate Bill No. 5800), Laws of 2011 (off-road motorcycles). If chapter
28 ... (Substitute Senate Bill No. 5800), Laws of 2011 is not enacted by
29 June 30, 2011, the amount provided in this subsection lapses.

30 ((3)) (2) \$193,000 of the department of licensing services
31 account--state appropriation is provided solely for a phased
32 implementation of chapter ... (Substitute House Bill No. 1046), Laws of
33 2011 (vehicle and vessel quick titles). Funding is contingent upon
34 revenues associated with the vehicle and vessel quick title program
35 paying all direct and indirect expenditures associated with the
36 department's implementation of this subsection. If chapter ...
37 (Substitute House Bill No. 1046), Laws of 2011 is not enacted by June
38 30, 2011, the amount provided in this subsection lapses.

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

10 ~~(5) \$1,938,000))~~ (3) The department may seek federal funds to
11 implement a facial recognition matching system for drivers' licenses,
12 permits, and identicards, consistent with Substitute House Bill No.
13 2433 (facial recognition matching system).

14 (4) \$4,299,000 of the highway safety account--federal appropriation
15 is for federal funds that may be received during the 2011-2013 fiscal
16 biennium. Upon receipt of the funds, the department shall provide a
17 report on the use of the funds to the transportation committees of the
18 legislature and the office of financial management.

19 ~~((6))~~ (5) By December 31, 2011, the department shall submit to
20 the office of financial management and the transportation committees of
21 the legislature draft legislation that rewrites the tow truck statutes
22 (chapter 46.55 RCW) in plain language and is revenue and policy
23 neutral.

24 ~~((7))~~ (6) \$128,000 of the highway safety account--state
25 appropriation is provided solely for the implementation of chapter ...
26 (Engrossed Substitute House Bill No. 1635), Laws of 2011 (driver's
27 license exams). If chapter ... (Engrossed Substitute House Bill No.
28 1635), Laws of 2011 is not enacted by June 30, 2011, the amount
29 provided in this subsection lapses.

30 ~~((8))~~ (7) \$68,000 of the highway safety account--state
31 appropriation is provided solely for the implementation of chapter ...
32 (Engrossed Second Substitute House Bill No. 1789), Laws of 2011
33 ~~((driving under the influence))~~ (addressing DUI accountability). If
34 chapter ... (Engrossed Second Substitute House Bill No. 1789), Laws of
35 2011 is not enacted by June 30, 2011, the amount provided in this
36 subsection lapses.

37 ~~((9))~~ (8) \$63,000 of the highway safety account--state
38 appropriation is provided solely for the implementation of chapter ...

1 (Substitute House Bill No. 1237), Laws of 2011 (selective service
2 system). If chapter ... (Substitute House Bill No. 1237), Laws of 2011
3 is not enacted by June 30, 2011, the amount provided in this subsection
4 lapses.

5 ~~((+10))~~ (9) \$340,000 of the motor vehicle account--private/local
6 appropriation is provided solely for the implementation of chapter ...
7 (Engrossed Substitute Senate Bill No. 5457), Laws of 2011 (congestion
8 reduction charge). If chapter ... (Engrossed Substitute Senate Bill
9 No. 5457), Laws of 2011 is not enacted by June 30, 2011, the amount
10 provided in this subsection lapses.

11 ~~((+12))~~ (10) \$1,738,000 of the department of licensing services
12 account--state appropriation is provided solely for purchasing
13 equipment for field licensing service offices and subagent offices.

14 (11) \$176,000 of the highway safety account--state appropriation is
15 provided solely for the implementation of Substitute House Bill No.
16 2234 (notifying employers of commercial driver's license suspension).
17 If Substitute House Bill No. 2234 is not enacted by June 30, 2012, the
18 amount provided in this subsection lapses.

19 (12) \$34,000 of the motor vehicle account--state appropriation is
20 provided solely for the implementation of Substitute House Bill No.
21 2299 (4-H special license plates). If Substitute House Bill No. 2299
22 is not enacted by June 30, 2012, the amount provided in this subsection
23 lapses.

24 (13) \$69,000 of the motor vehicle account--state appropriation is
25 provided solely for the implementation of Substitute House Bill No.
26 2312 (military service award emblems). If Substitute House Bill No.
27 2312 is not enacted by June 30, 2012, the amount provided in this
28 subsection lapses.

29 (14) \$275,000 of the motor vehicle account--state appropriation is
30 provided solely for the implementation of Substitute House Bill No.
31 2751 (local option transportation revenue). If Substitute House Bill
32 No. 2751 is not enacted by June 30, 2012, the amount provided in this
33 subsection lapses.

34 (15) \$712,000 of the ignition interlock device revolving account--
35 state appropriation is provided solely for the implementation of Second
36 Substitute House Bill No. 2443 (DUI accountability). If Second
37 Substitute House Bill No. 2443 is not enacted by June 30, 2012, the
38 amount provided in this subsection lapses.

1 (16) \$420,000 of the highway safety account--state appropriation is
2 provided solely for the implementation of chapter ... (Engrossed
3 Substitute Senate Bill No. 6150), Laws of 2012 and chapter ...
4 (Engrossed Substitute Senate Bill No. 6455), Laws of 2012. If chapter
5 ... (Engrossed Substitute Senate Bill No. 6150), Laws of 2012 or
6 chapter ... (Engrossed Substitute Senate Bill No. 6455), Laws of 2012
7 are not enacted by June 30, 2012, the amount provided in this
8 subsection lapses.

9 (17) Consistent with RCW 43.135.055 and 43.24.086, during the
10 2011-2013 fiscal biennium, the legislature authorizes the department to
11 adjust the business and vehicle fees for the for hire licensing program
12 in amounts sufficient to recover the costs of administering the for
13 hire licensing program.

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

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

18	High Occupancy Toll Lanes Operations Account--State	
19	Appropriation	((\$1,295,000))
20		<u>\$1,274,000</u>
21	Motor Vehicle Account--State Appropriation	((\$550,000))
22		<u>\$537,000</u>
23	Tacoma Narrows Toll Bridge Account--State	
24	Appropriation	((\$23,429,000))
25		<u>\$23,361,000</u>
26	State Route Number 520 Corridor Account--State	
27	Appropriation	\$27,295,000
28	State Route Number 520 Civil Penalties	
29	Account--State Appropriation	((\$4,622,000))
30		<u>\$3,622,000</u>
31	TOTAL APPROPRIATION	((\$57,191,000))
32		<u>\$56,089,000</u>

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

- 35 (1) The department shall make detailed quarterly expenditure
36 reports available to the transportation commission and to the public on
37 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~~
26 ~~the 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>\$67,327,000</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>\$70,610,000</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>\$45,725,000</u>
4	Motor Vehicle Account--Federal Appropriation	((\$500,000))
5		<u>\$1,796,000</u>
6	Multimodal Transportation Account--State	
7	Appropriation	\$250,000
8	TOTAL APPROPRIATION	((\$48,168,000))
9		<u>\$47,771,000</u>

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

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

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

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

26 ~~((4))~~ (3) The legislature recognizes that the Dryden pit site
27 (WSDOT Inventory Control (IC) No. 2-04-00103) is unused state-owned
28 real property under the jurisdiction of the department of
29 transportation, and that the public would benefit significantly from
30 the complete enjoyment of the natural scenic beauty and recreational
31 opportunities available at the site. Therefore, pursuant to RCW
32 47.12.080, the legislature declares that transferring the property to
33 the department of fish and wildlife for recreational use and fish and
34 wildlife restoration efforts is consistent with the public interest in
35 order to preserve the area for the use of the public and the betterment
36 of the natural environment. The department of transportation shall
37 work with the department of fish and wildlife, and shall transfer and
38 convey the Dryden pit site to the department of fish and wildlife as is

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

9 (4) The legislature recognizes that the trail known as the Apple
10 Capital Loop, and its extensions, serve to separate motor vehicle
11 traffic from pedestrians and bicyclists, increasing motor vehicle
12 safety on existing state route number 28. Consistent with chapter
13 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that
14 transferring portions of WSDOT Inventory Control (IC) Nos. 2-09-04537
15 and 2-09-04569 to Douglas county and the city of East Wenatchee is
16 consistent with the public interest. The legislature directs the
17 department to transfer the property to Douglas county and the city of
18 East Wenatchee. The department must be paid fair market value for any
19 portions of the transferred real property that is later abandoned,
20 vacated, or ceases to be publicly maintained for trail purposes.
21 Douglas county and the city of East Wenatchee must agree to accept
22 responsibility for trail segments within their respective jurisdictions
23 and sign an agreement with the state that the transfer of these parcels
24 to their respective jurisdictions extinguishes any state obligations to
25 improve, maintain, or be in any way responsible for these assets. The
26 department shall report to the transportation committees of the
27 legislature by June 30, 2013, and annually thereafter, on the status of
28 the transfer until complete.

29 (5) If the department determines that all or portion of real
30 property or an interest in real property that was acquired through
31 condemnation within the previous ten years is no longer necessary for
32 a transportation purpose, the former owner has a right of repurchase as
33 described in this subsection. For the purposes of this subsection,
34 "former owner" means the person or entity from whom the department
35 acquired title. At least ninety days prior to the date on which the
36 property is intended to be sold by the department, the department must
37 mail notice of the planned sale to the former owner of the property at
38 the former owner's last known address or to a forwarding address if

1 that owner has provided the department with a forwarding address. If
2 the former owner of the property's last known address, or forwarding
3 address if a forwarding address has been provided, is no longer the
4 former owner of the property's address, the right of repurchase is
5 extinguished. If the former owner notifies the department within
6 thirty days of the date of the notice that the former owner intends to
7 repurchase the property, the department shall proceed with the sale of
8 the property to the former owner for fair market value and shall not
9 list the property for sale to other owners. If the former owner does
10 not provide timely written notice to the department of the intent to
11 exercise a repurchase right, or if the sale to the former owner is not
12 completed within seven months of the date of notice that the former
13 owner intends to repurchase the property, the right of repurchase is
14 extinguished.

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

17 **FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM**
18 **K**

19 Motor Vehicle Account--State Appropriation	(((\$622,000))
20	\$826,000
21 Multimodal Transportation Account--State Appropriation	\$110,000
22 TOTAL APPROPRIATION	(((\$732,000))
23	\$936,000

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

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

34 (b) If subsequent appropriations are provided, the department may
35 conduct a limited scope pilot project to test the feasibility of a road
36 user assessment system to be applied to electric vehicles. The pilot

1 project must be carried out under the guidance of the steering
2 committee described under section 205(4)(a) of this act and in
3 coordination with the transportation commission.

4 (2) The department shall conduct a study on the potential to
5 generate revenue from off-premise outdoor advertising signs that are
6 erected or maintained adjacent and visible to the interstate system
7 highways, primary system highways, or scenic system highways. The
8 study must provide an evaluation of the market for outdoor advertising
9 signs, including an evaluation of the number of potential advertisers
10 and the amount charged by other jurisdictions for sign permits, and
11 must provide a recommendation for a revised fee structure that
12 recognizes the market value for off-premise signs and considers
13 charging differential fees based on the size, type, and location of the
14 sign.

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

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

18 Motor Vehicle Account--State Appropriation	((\$380,327,000))
19	<u>\$373,209,000</u>
20 Motor Vehicle Account--Federal Appropriation	\$7,000,000
21 <u>Highway Safety Account--State Appropriation</u>	<u>\$4,000,000</u>
22 TOTAL APPROPRIATION	((\$387,327,000))
23	<u>\$384,209,000</u>

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

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

31 (2) \$7,000,000 of the motor vehicle account--state appropriation is
32 provided solely for third-party damages to the highway system where the
33 responsible party is known and reimbursement is anticipated. The
34 department shall request additional appropriation authority for any
35 funds received for reimbursements of third-party damages that are in
36 excess of this appropriation.

1 (3) \$7,000,000 of the motor vehicle account--federal appropriation
2 is for unanticipated federal funds that may be received during the
3 2011-2013 fiscal biennium. Upon receipt of the funds, the department
4 shall provide a report on the use of the funds to the transportation
5 committees of the legislature and the office of financial management.

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

9 (5) \$4,530,000 of the motor vehicle account--state appropriation is
10 provided solely for the department's compliance with its national
11 pollution discharge elimination system permit.

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

16 (7) \$6,884,000 of the motor vehicle account--state appropriation is
17 provided solely for the high priority maintenance backlog. Addressing
18 the maintenance backlog must result in increased levels of service. If
19 chapter ... (Engrossed Substitute Senate Bill No. 5251), Laws of 2011
20 (electric vehicle fee) is not enacted by June 30, 2011, \$500,000 of the
21 appropriation provided in this subsection lapses.

22 (8) \$317,000 of the motor vehicle account--state appropriation is
23 provided solely for maintaining a new active traffic management system
24 on Interstate 5, Interstate 90, and state route number 520. The
25 department shall track the costs associated with these systems on a
26 corridor basis and report to the transportation committees of the
27 legislature on the costs and benefits of the systems by December 1,
28 ((2011)) 2012.

29 (9) \$4,000,000 of the highway safety account--state appropriation
30 is provided solely to further reduce the highway maintenance backlog in
31 order to maintain or increase levels of service. If chapter ...
32 (Engrossed Substitute Senate Bill No. 6150), Laws of 2012 is not
33 enacted by June 30, 2012, the amount provided in this subsection
34 lapses.

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

1 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
2 **OPERATING**

3	Motor Vehicle Account--State Appropriation	((\$50,166,000))
4		<u>\$48,741,000</u>
5	Motor Vehicle Account--Federal Appropriation	\$2,050,000
6	Motor Vehicle Account--Private/Local Appropriation	((\$127,000))
7		<u>\$250,000</u>
8	TOTAL APPROPRIATION	((\$52,343,000))
9		<u>\$51,041,000</u>

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

12 (1) \$6,000,000 of the motor vehicle account--state appropriation is
13 provided solely for low-cost enhancements. The department shall give
14 priority to low-cost enhancement projects that improve safety or
15 provide congestion relief. The department shall prioritize low-cost
16 enhancement projects on a statewide rather than regional basis. By
17 September 1st of each even-numbered year, the department shall provide
18 a report to the legislature listing all low-cost enhancement projects
19 prioritized on a statewide rather than regional basis completed in the
20 prior year.

21 (2) \$145,000 of the motor vehicle account--state appropriation is
22 provided solely for the department to continue a pilot tow truck
23 incentive program and to expand the program to other areas of the
24 state. The department may provide incentive payments to towing
25 companies that meet clearance goals on accidents that involve heavy
26 trucks.

27 (3) During the 2011-2013 fiscal biennium, the department shall
28 implement a pilot program that expands private transportation
29 providers' access to high occupancy vehicle lanes. Under the pilot
30 program, when the department reserves a portion of a highway based on
31 the number of passengers in a vehicle, the following vehicles must be
32 authorized to use the reserved portion of the highway if the vehicle
33 has the capacity to carry eight or more passengers, regardless of the
34 number of passengers in the vehicle: (a) Auto transportation company
35 vehicles regulated under chapter 81.68 RCW; (b) passenger charter
36 carrier vehicles regulated under chapter 81.70 RCW, except marked or
37 unmarked stretch limousines and stretch sport utility vehicles as
38 defined under department of licensing rules; (c) private nonprofit

1 transportation provider vehicles regulated under chapter 81.66 RCW; and
2 (d) private employer transportation service vehicles. For purposes of
3 this subsection, "private employer transportation service" means
4 regularly scheduled, fixed-route transportation service that is offered
5 by an employer for the benefit of its employees. By June 30, 2013, the
6 department shall report to the transportation committees of the
7 legislature on whether private transportation provider use of high
8 occupancy vehicle lanes under the pilot program reduces the speeds of
9 high occupancy vehicle lanes. Nothing in this subsection is intended
10 to authorize the conversion of public infrastructure to private, for-
11 profit purposes or to otherwise create an entitlement or other claim by
12 private users to public infrastructure. If chapter ... (Substitute
13 Senate Bill No. 5836), Laws of 2011 is enacted by June 30, 2011, this
14 subsection is null and void.

15 (4) \$9,000,000 of the motor vehicle account--state appropriation is
16 provided solely for the department's incident response program.

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

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

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

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

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

9 (e) For purposes of the 2011-2013 fiscal biennium pilot program,
10 infractions detected through the use of automated traffic safety
11 cameras are not part of the registered owner's driving record under RCW
12 46.52.101 and 46.52.120. Additionally, infractions generated by the
13 use of automated traffic safety cameras must be processed in the same
14 manner as parking infractions for the purposes of RCW 3.50.100,
15 35.20.220, 46.16A.120, and 46.20.270(3). However, the amount of the
16 fine issued under this subsection (5) for an infraction generated
17 through the use of an automated traffic safety camera is one hundred
18 thirty-seven dollars. The court shall remit thirty-two dollars of the
19 fine to the state treasurer for deposit into the state patrol highway
20 account; and

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

36 (6) The department shall track the costs associated with active
37 traffic management systems on a corridor basis and report to the

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

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

5 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND**
6 **SUPPORT--PROGRAM S**

7	Motor Vehicle Account--State Appropriation	((\$28,430,000))
8		<u>\$27,335,000</u>
9	Motor Vehicle Account--Federal Appropriation	\$30,000
10	Multimodal Transportation Account--State	
11	Appropriation	\$973,000
12	TOTAL APPROPRIATION	((\$29,433,000))
13		<u>\$28,338,000</u>

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

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

21 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**
22 **AND RESEARCH--PROGRAM T**

23	Motor Vehicle Account--State Appropriation	((\$23,394,000))
24		<u>\$22,055,000</u>
25	Motor Vehicle Account--Federal Appropriation	\$21,885,000
26	Multimodal Transportation Account--State	
27	Appropriation	\$662,000
28	Multimodal Transportation Account--Federal	
29	Appropriation	\$3,559,000
30	Multimodal Transportation Account--Private/Local	
31	Appropriation	\$100,000
32	TOTAL APPROPRIATION	((\$49,600,000))
33		<u>\$48,261,000</u>

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

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

6 (2) \$200,000 of the motor vehicle account--state appropriation is
7 provided solely for extending the freight database pilot project that
8 began in 2009. Global positioning system (GPS) data is intended to
9 help guide freight investment decisions and track highway project
10 effectiveness as it relates to freight traffic.

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

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

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

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

37 Motor Vehicle Account--State Appropriation (~~(\$85,209,000)~~)

1 department of transportation. No transit agency may receive more than
2 thirty percent of these distributions.

3 (2) \$395,000 of the multimodal transportation account--state
4 appropriation is provided solely for administration costs of the
5 regional and rural mobility grant programs.

6 (3) Funds are provided for the rural mobility grant program as
7 follows:

8 (a) \$8,500,000 of the rural mobility grant program account--state
9 appropriation is provided solely for grants for those transit systems
10 serving small cities and rural areas as identified in the "Summary of
11 Public Transportation - 2009" published by the department of
12 transportation. Noncompetitive grants must be distributed to the
13 transit systems serving small cities and rural areas in a manner
14 similar to past disparity equalization programs. If the funding
15 provided in this subsection ((+2)) (3)(a) exceeds the amount required
16 for recipient counties to reach eighty percent of the average per
17 capita sales tax, funds in excess of that amount may be used for the
18 competitive grant process established in (b) of this subsection.

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

23 ((+3)) (4)(a) \$6,000,000 of the multimodal transportation
24 account--state appropriation is provided solely for a vanpool grant
25 program for: (a) Public transit agencies to add vanpools or replace
26 vans; and (b) incentives for employers to increase employee vanpool
27 use. The grant program for public transit agencies will cover capital
28 costs only; operating costs for public transit agencies are not
29 eligible for funding under this grant program. Additional employees
30 may not be hired from the funds provided in this section for the
31 vanpool grant program, and supplanting of transit funds currently
32 funding vanpools is not allowed. The department shall encourage grant
33 applicants and recipients to leverage funds other than state funds.

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

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

1 (~~(4)~~) (5) \$8,942,000 of the regional mobility grant program
2 account--state appropriation is reappropriated and provided solely for
3 the regional mobility grant projects identified in LEAP Transportation
4 Document 2007-B, as developed April 20, 2007, or LEAP Transportation
5 Document 2009-B, as developed April 24, 2009. The department shall
6 continue to review all projects receiving grant awards under this
7 program at least semiannually to determine whether the projects are
8 making satisfactory progress. The department shall promptly close out
9 grants when projects have been completed, and any remaining funds must
10 be used only to fund projects identified in: LEAP Transportation
11 Document 2007-B, as developed April 20, 2007; LEAP Transportation
12 Document 2009-B, as developed April 24, 2009; or LEAP Transportation
13 Document 2011-B, as developed April 19, 2011. It is the intent of the
14 legislature to appropriate funds through the regional mobility grant
15 program only for projects that will be completed on schedule and that
16 all funds in the regional mobility grant program be used as soon as
17 practicable to advance eligible projects.

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

37 (b) In order to be eligible to receive a grant under (a) of this
38 subsection during the 2011-2013 fiscal biennium, a transit agency must

1 establish a process for private transportation providers to apply for
2 the use of park and ride facilities. For purposes of this subsection,
3 (i) "private transportation provider" means: An auto transportation
4 company regulated under chapter 81.68 RCW; a passenger charter carrier
5 regulated under chapter 81.70 RCW, except marked or unmarked stretch
6 limousines and stretch sport utility vehicles as defined under
7 department of licensing rules; a private nonprofit transportation
8 provider regulated under chapter 81.66 RCW; or a private employer
9 transportation service provider; and (ii) "private employer
10 transportation service" means regularly scheduled, fixed-route
11 transportation service that is offered by an employer for the benefit
12 of its employees.

13 ~~((+6))~~ (7) \$2,309,000 of the multimodal transportation account--
14 state appropriation is provided solely for the tri-county connection
15 service for Island, Skagit, and Whatcom transit agencies.

16 ~~((+7))~~ (8) \$200,000 of the multimodal transportation account--
17 state appropriation is contingent on the timely development of an
18 annual report summarizing the status of public transportation systems
19 as identified under RCW 35.58.2796.

20 ~~((+8))~~ (9) Funds provided for the commute trip reduction program
21 may also be used for the growth and transportation efficiency center
22 program.

23 ~~((+9))~~ (10) An affected urban growth area that has not previously
24 implemented a commute trip reduction program is exempt from the
25 requirements in RCW 70.94.527 if a solution to address the state
26 highway deficiency that exceeds the person hours of delay threshold has
27 been funded and is in progress during the 2011-2013 fiscal biennium.

28 (11) \$10,000,000 of the multimodal transportation account--state
29 appropriation is provided solely for a grant program for transit
30 authorities. The funding provided in this subsection must be
31 distributed statewide to transit authorities according to the
32 distribution formula in (a) of this subsection. Funding must be used
33 for operations.

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

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

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

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

3 (b) For the purposes of this subsection:

4 (i) "Transit authorities" has the same meaning as in RCW
5 9.91.025(2).

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

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

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

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

16 Puget Sound Ferry Operations Account--State	
17 Appropriation	((\$467,773,000))
18	<u>\$475,654,000</u>

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

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

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

32 ~~((+5))~~ (3) Until a reservation system is operational on the San
33 Juan islands inner-island route, the department shall provide the same
34 priority loading benefits on the San Juan islands inner-island route to
35 home health care workers as are currently provided to patients
36 traveling for purposes of receiving medical treatment.

1 ~~((+6+))~~ (4) The department shall request from the United States
2 coast guard variable minimum staffing levels on all of its vessels by
3 December 31, 2011.

4 ~~((+10+))~~ (5) The department shall continue to provide service to
5 Sidney, British Columbia and shall explore the option of purchasing a
6 foreign built vehicle and passenger ferry vessel either with safety of
7 life at sea (SOLAS) certification or the ability to be retrofitted for
8 SOLAS certification to operate solely on the Anacortes to Sidney,
9 British Columbia route currently served by vessels of the Washington
10 state ferries fleet. The vessel should have the capability of carrying
11 at least one hundred standard vehicles and approximately four hundred
12 to five hundred passengers. Further, the department shall explore the
13 possibilities of contracting a commercial company to operate the vessel
14 exclusively on this route so long as the contractor's employees
15 assigned to the vessel are represented by the same employee
16 organizations as the Washington state ferries. The department shall
17 report back to the transportation committees of the legislature
18 regarding: The availability of a vessel; the cost of the vessel,
19 including transport to the Puget Sound region; and the need for any
20 statutory changes for the operation of the Sydney, British Columbia
21 service by a private company.

22 ~~((+11+))~~ (6) For the 2011-2013 fiscal biennium, the department of
23 transportation may enter into a distributor controlled fuel hedging
24 program and other methods of hedging approved by the fuel hedging
25 committee.

26 ~~((+12+))~~ ~~The department shall target service reductions totaling~~
27 ~~\$4,000,000, such that the shortening of shoulder seasons and~~
28 ~~eliminations of off-peak runs on all routes are considered. Prior to~~
29 ~~implementing the reductions, the department shall consult with ferry~~
30 ~~employees and ferry advisory committees to determine which reductions~~
31 ~~would impact the fewest number of riders. The reductions must be~~
32 ~~identified and implementation must begin no later than the fall 2011~~
33 ~~schedule.~~

34 ~~(+13+)~~ ~~\$135,248,000))~~ (7) \$136,648,000 of the Puget Sound ferry
35 operations account--state appropriation is provided solely for auto
36 ferry vessel operating fuel in the 2011-2013 fiscal biennium. The
37 amount provided in this appropriation represents the fuel budget for
38 purposes of calculating any ferry fare fuel surcharge.

1 ~~((14))~~ (8) \$8,000,000 of the Puget Sound ferry operations
2 account--state appropriation is provided solely for the purchase of
3 fuel for marine operations. If chapter ... (Engrossed Substitute
4 Senate Bill No. 6150), Laws of 2012 is not enacted by June 30, 2012,
5 the amount provided in this subsection lapses.

6 (9) \$150,000 of the Puget Sound ferry operations account--state
7 appropriation is provided solely for the department to increase
8 recreation and tourist ridership by entering into agreements for
9 marketing and outreach strategies with local economic development
10 agencies. The department shall identify the number of tourist and
11 recreation riders on the applicable ferry routes both before and after
12 implementation of marketing and outreach strategies developed through
13 the agreements. The department shall report results of the marketing
14 and outreach strategies to the transportation committees of the
15 legislature by October 15, 2012.

16 ~~((15))~~ (10) The Washington state ferries shall participate in the
17 facilities plan included in section 604 of this act and shall include
18 an investigation and identification of less costly relocation options
19 for the Seattle headquarters office. The department shall include
20 relocation options for the Washington state ferries Seattle
21 headquarters office in the facilities plan. Until September 1, 2012,
22 the department may not enter into a lease renewal for the Seattle
23 headquarters office.

24 ~~((16))~~ (11) The department, office of financial management, and
25 transportation committees of the legislature shall make recommendations
26 regarding an appropriate budget structure for the Washington state
27 ferries. The recommendation may include a potential restructuring of
28 the Washington state ferries budget. The recommendation must
29 facilitate transparency in reporting and budgeting as well as provide
30 the opportunity to link revenue sources with expenditures. Findings
31 and recommendations must be reported to the office of financial
32 management and the joint transportation committee by September 1, 2011.

33 ~~((17))~~ (12) Two Kwa-di-tabil class ferry vessels must be placed
34 on the Port Townsend/Coupeville (Keystone) route to provide service at
35 the same levels provided when the steel electric vessels were in
36 service. After the vessels as funded under section 308~~((7))~~ (6) of
37 this act are in service, the two most appropriate of these vessels for
38 the Port Townsend/Coupeville (Keystone) route must be placed on the

1 route. \$100,000 of the Puget Sound ferry operations account--state
2 appropriation is provided solely for the additional staffing required
3 to maintain a reservation system at this route when the second vessel
4 is in service.

5 ~~((+19))~~ (13) \$706,000 of the Puget Sound ferry operations
6 account--state appropriation is provided solely for terminal operations
7 to implement new federal passenger vessel Americans with disabilities
8 act requirements.

9 ~~((+20))~~ (14) \$152,000 of the Puget Sound ferry operations
10 account--state appropriation is provided solely for the department's
11 compliance with its national pollution discharge elimination system
12 permit.

13 ~~((+21) If chapter ... (Substitute House Bill No. 2053), Laws of
14 2011 (additive transportation funding) is not enacted by June 30, 2011,
15 the \$4,000,000 in service reductions identified in subsection (12) of
16 this section must be restored and an identical amount must be reduced
17 from the amount provided for the second 144 car vessel identified in
18 section 308(8) of this act.))~~

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

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

22 Multimodal Transportation Account--State	
23 Appropriation	(((\$29,688,000))
24	<u>\$33,339,000</u>
25 Multimodal Transportation Account--Federal	
26 Appropriation	(((\$300,000))
27	<u>\$400,000</u>
28 TOTAL APPROPRIATION	(((\$29,988,000))
29	<u>\$33,739,000</u>

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

32 (1) ~~(((\$24,091,000))~~ \$27,816,000 of the multimodal transportation
33 account--state appropriation is provided solely for the Amtrak service
34 contract and Talgo maintenance contract associated with providing and
35 maintaining state-supported passenger rail service. The department is
36 directed to continue to pursue efforts to reduce costs, increase
37 ridership, and review fares or fare schedules. Within thirty days of

1 each annual cost/revenue reconciliation under the Amtrak service
2 contract, the department shall report annual credits to the office of
3 financial management and the legislative transportation committees.
4 Annual credits from Amtrak to the department including, but not limited
5 to, credits for increased revenue due to higher ridership, and fare or
6 fare schedule adjustments, must be used to offset corresponding amounts
7 of the multimodal transportation account--state appropriation, which
8 must be placed in reserve. Upon completion of the rail platform
9 project in the city of Stanwood, the department shall continue to
10 provide daily Amtrak Cascades service to the city.

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

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

14 (4) The department shall conduct a pilot program by partnering with
15 the travel industry on the Amtrak Cascades service between Vancouver,
16 British Columbia, and Seattle to test opportunities for increasing
17 ridership, maximizing farebox recovery, and stimulating private
18 investment. The pilot program must run from July 1, 2011, to June 30,
19 2012. The department shall report on the results of the pilot program
20 to the office of financial management and the legislature by September
21 30, 2012.

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

24 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
25 **OPERATING**

26	Motor Vehicle Account--State Appropriation	((\$8,853,000))
27		<u>\$8,605,000</u>
28	Motor Vehicle Account--Federal Appropriation	\$2,567,000
29	TOTAL APPROPRIATION	((\$11,420,000))
30		<u>\$11,172,000</u>

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

33 (1) \$100,000 of the motor vehicle account--state appropriation is
34 provided solely for an additional staff person for the freight mobility
35 strategic investment board.

36 (2) The department shall submit a report to the transportation
37 committees of the legislature by December 1, 2011, on the

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

7 **TRANSPORTATION AGENCIES--CAPITAL**

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

10 **FOR THE WASHINGTON STATE PATROL**

11 State Patrol Highway Account--State Appropriation . . . ((~~\$6,487,000~~))
12 \$2,875,000

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

15 (1) ((~~\$653,000~~)) \$1,357,000 of the state patrol highway account--
16 state appropriation is provided solely for the following minor works
17 projects: \$200,000 for emergency infrastructure repairs; \$75,000 for
18 water and sewer upgrades; \$210,000 for emergency backup system
19 replacement; \$85,000 for chiller replacement; ((and)) \$83,000 for roof
20 replacements; \$128,000 for septic system repairs; and \$576,000 for HVAC
21 replacements and energy upgrades.

22 (2) ((~~\$3,226,000~~)) \$1,097,000 of the state patrol highway account--
23 state appropriation is provided solely for the Shelton academy of the
24 Washington state patrol for the new waste water treatment lines, waste
25 water plants, reclaimed water lines, and water systems. ((However,
26 ~~\$2,129,000 of this amount is contingent on the department of~~
27 ~~corrections receiving funding for its portion of the regional water~~
28 ~~project in the 2011-2013 omnibus capital appropriations act. If this~~
29 ~~funding is not provided by June 30, 2011, \$2,129,000 of the~~
30 ~~appropriation provided in this subsection lapses.))~~

31 (3) \$421,000 of the state patrol highway account--state
32 appropriation is provided solely for the reappropriation of the Shelton
33 regional water project.

34 (4) ((~~\$2,187,000 of the total appropriation is provided solely for~~
35 ~~mobile office platforms.~~

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

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

6 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

7	Small City Pavement and Sidewalk Account--State	
8	Appropriation	((\$3,812,000))
9		<u>\$5,270,000</u>
10	Transportation Improvement Account--State	
11	Appropriation	((\$201,050,000))
12		<u>\$237,545,000</u>
13	<u>Highway Safety Account--State Appropriation</u>	<u>\$4,000,000</u>
14	TOTAL APPROPRIATION	((\$204,862,000))
15		<u>\$246,815,000</u>

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

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

21 (2) \$4,000,000 of the highway safety account--state appropriation
22 is provided solely to help cities meet urgent preservation and storm
23 water needs.

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

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

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

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

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

35	Motor Vehicle Account--State Appropriation	((\$5,433,000))
36		<u>\$5,545,000</u>

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

3 (1) \$1,364,000 of the motor vehicle account--state appropriation is
4 provided solely for the Olympic region site acquisition debt service
5 payments and administrative costs associated with capital improvement
6 and preservation project and financial management.

7 (2) (~~(\$3,669,000)~~) \$3,781,000 of the motor vehicle account--state
8 appropriation is provided solely for high priority safety projects that
9 are directly linked to employee safety, environmental risk, or minor
10 works that prevent facility deterioration.

11 (3) \$400,000 of the motor vehicle account--state appropriation is
12 provided solely for the department's compliance with its national
13 pollution discharge elimination system permit.

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

16	FOR THE DEPARTMENT OF TRANSPORTATION--IMPROVEMENTS--PROGRAM I	
17	((Multimodal Transportation Account--State	
18	Appropriation	(\$1,000))
19	Transportation Partnership Account--State	
20	Appropriation	((\$1,991,547,000))
21		<u>\$1,621,875,000</u>
22	Motor Vehicle Account--State Appropriation	((\$86,139,000))
23		<u>\$111,459,000</u>
24	Motor Vehicle Account--Federal Appropriation	((\$450,691,000))
25		<u>\$849,944,000</u>
26	Motor Vehicle Account--Private/Local	
27	Appropriation	((\$50,485,000))
28		<u>\$129,115,000</u>
29	Transportation 2003 Account (Nickel Account)--State	
30	Appropriation	((\$436,005,000))
31		<u>\$416,125,000</u>
32	State Route Number 520 Corridor Account--State	
33	Appropriation	((\$1,019,460,000))
34		<u>\$1,779,000,000</u>
35	<u>Special Category C Account--State Appropriation</u>	<u>\$124,000</u>
36	<u>Tacoma Narrows Toll Bridge Account--State</u>	
37	<u>Appropriation</u>	<u>\$5,791,000</u>

1 TOTAL APPROPRIATION ((\$4,034,328,000))
2 \$4,913,433,000

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

5 (1) Except as provided otherwise in this section, the entire
6 transportation 2003 account (nickel account) appropriation and the
7 entire transportation partnership account appropriation are provided
8 solely for the projects and activities as listed by fund, project, and
9 amount in (~~LEAP Transportation Document 2011-1 as developed April 19,~~
10 ~~2011, Program - Highway Improvement Program (I))~~ LEAP Transportation
11 Document 2012-1 as developed February 16, 2012, Program - Highway
12 Improvement Program (I). However, limited transfers of specific
13 line-item project appropriations may occur between projects for those
14 amounts listed subject to the conditions and limitations in section 603
15 of this act.

16 (~~(2) ((The department shall, on a quarterly basis beginning July 1,~~
17 ~~2011, provide to the office of financial management and the legislature~~
18 ~~reports providing the status on each active project funded in part or~~
19 ~~whole by the transportation 2003 account (nickel account) or the~~
20 ~~transportation partnership account. Funding provided at a programmatic~~
21 ~~level for transportation partnership account and transportation 2003~~
22 ~~account (nickel account) projects relating to bridge rail, guard rail,~~
23 ~~fish passage barrier removal, and roadside safety projects must be~~
24 ~~reported on a programmatic basis. Projects within this programmatic~~
25 ~~level funding must be completed on a priority basis and scoped to be~~
26 ~~completed within the current programmatic budget. Report formatting~~
27 ~~and elements must be consistent with the October 2009 quarterly project~~
28 ~~report. The department shall also provide the information required~~
29 ~~under this subsection on a quarterly basis.~~

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

34 (~~(4))~~ (3) The department shall apply for surface transportation
35 program enhancement funds to be expended in lieu of or in addition to
36 state funds for eligible costs of projects in programs I and P
37 including, but not limited to, the state route number 518, state route
38 number 520, Columbia river crossing, and Alaskan Way viaduct projects.

1 ~~((+5))~~ (4) The department shall apply for the competitive portion
2 of federal transit administration funds for eligible transit-related
3 costs of the state route number 520 bridge replacement and HOV project
4 and the Columbia river crossing project. The federal funds described
5 in this subsection must not include those federal transit
6 administration funds distributed by formula. The department shall
7 provide a report regarding this effort to the legislature by October 1,
8 2011.

9 ~~((+7))~~ (5) The department shall work with the department of
10 archaeology and historic preservation to ensure that the cultural
11 resources investigation is properly conducted on all mega-highway
12 projects and large ferry terminal projects. These projects must be
13 conducted with active archaeological management. Additionally, the
14 department shall establish a scientific peer review of independent
15 archaeologists that are knowledgeable about the region and its cultural
16 resources.

17 ~~((+8))~~ (6) For highway construction projects where the department
18 considers agricultural lands of long-term commercial significance, as
19 defined in RCW 36.70A.030, in reviewing and selecting sites to meet
20 environmental mitigation requirements under the national environmental
21 policy act (42 U.S.C. Sec. 4321 et seq.) and the state environmental
22 policy act (chapter 43.21C RCW), the department shall, to the greatest
23 extent possible, consider using public land first. If public lands are
24 not available that meet the required environmental mitigation needs,
25 the department may use other sites while making every effort to avoid
26 any net loss of agricultural lands that have a designation of long-term
27 commercial significance.

28 ~~((+9) -- \$361,000))~~ (7) \$561,000 of the transportation partnership
29 account--state appropriation and ~~((+\$1,245,000))~~ \$1,176,000 of the
30 transportation 2003 account (nickel account)--state appropriation are
31 provided solely for project OBI4ENV, Environmental Mitigation Reserve -
32 Nickel/TPA project, as indicated in the LEAP transportation document
33 referenced in subsection (1) of this section. Funds may be used only
34 for environmental mitigation work that is required by permits that were
35 issued for projects funded by the transportation partnership account or
36 transportation 2003 account (nickel account). ~~((As part of the 2012~~
37 ~~budget submittal, the department shall provide a list of all projects~~

1 ~~and associated amounts that are being charged to project OBI4ENV during~~
2 ~~the 2011-2013 fiscal biennium.~~

3 ~~(10))~~ (8) The transportation 2003 account (nickel account)--state
4 appropriation includes up to ~~((\$361,005,000))~~ \$378,105,000 in proceeds
5 from the sale of bonds authorized by RCW 47.10.861.

6 ~~((11))~~ (9) The transportation partnership account--state
7 appropriation includes up to ~~((\$1,427,696,000))~~ \$869,365,000 in
8 proceeds from the sale of bonds authorized in RCW 47.10.873.

9 ~~((12))~~ (10) The motor vehicle account--state appropriation
10 includes up to ~~((\$66,373,000))~~ \$48,354,000 in proceeds from the sale of
11 bonds authorized in RCW 47.10.843.

12 ~~((13))~~ (11) The state route number 520 corridor account--state
13 appropriation includes up to ~~((\$987,717,000))~~ \$1,779,000,000 in
14 proceeds from the sale of bonds authorized in RCW 47.10.879.

15 ~~((14) \$391,000))~~ (12) \$767,000 of the motor vehicle account--state
16 appropriation and ~~((\$4,027,000))~~ \$3,736,000 of the motor vehicle
17 account--federal appropriation are provided solely for the US 2 High
18 Priority Safety project (100224I). Expenditure of these funds is for
19 safety projects on state route number 2 between Monroe and Gold Bar,
20 which may include median rumble strips, traffic cameras, and electronic
21 message signs.

22 ~~((15) \$687,000))~~ (13) \$820,000 of the motor vehicle account--
23 federal appropriation, \$16,308,000 of the motor vehicle account--
24 private/local appropriation, and ~~((\$22,000))~~ \$48,000 of the motor
25 vehicle account--state appropriation are provided solely for the US
26 2/Bickford Avenue - Intersection Safety Improvements project (100210E).

27 ~~((16) \$435,000))~~ (14) \$595,000 of the motor vehicle account--state
28 appropriation is provided solely for environmental work on the Belfair
29 Bypass project (300344C).

30 ~~((17) \$108,000))~~ (15) \$372,000 of the motor vehicle account--
31 federal appropriation and ~~((\$3,000))~~ \$9,000 of the motor vehicle
32 account--state appropriation are provided solely for the I-5/Vicinity
33 of Joint Base Lewis-McChord - Install Ramp Meters project (300596M).

34 ~~((18) \$253,444,000))~~ (16) \$202,863,000 of the transportation
35 partnership account--state appropriation and ~~((\$66,034,000))~~
36 \$51,138,000 of the transportation 2003 account (nickel account)--state
37 appropriation are provided solely for the I-5/Tacoma HOV Improvements
38 (Nickel/TPA) project (300504A). The use of funds in this subsection to

1 renovate any buildings is subject to the requirements of section 604 of
2 this act. The department shall report to the legislature and the
3 office of financial management on any costs associated with building
4 renovations funded in this subsection.

5 ~~((+19))~~ (17)(a) ((\$8,321,000)) \$7,423,000 of the transportation
6 partnership account--state appropriation ~~((and—\$31,380,000))~~,
7 \$62,779,000 of the motor vehicle account--federal appropriation, and
8 \$29,548,000 of the motor vehicle account--private/local appropriation
9 are provided solely for the I-5/Columbia River Crossing project
10 (400506A). Of this amount, \$200,000 of the transportation partnership
11 account--state appropriation is provided solely for the department to
12 work with the department of archaeology and historic preservation to
13 ensure that the cultural resources investigation is properly conducted
14 on the Columbia river crossing project. This project must be conducted
15 with active archaeological management and result in one report that
16 spans the single cultural area in Oregon and Washington. Additionally,
17 the department shall establish a scientific peer review of independent
18 archaeologists that are knowledgeable about the region and its cultural
19 resources. No funding from any account may be expended until written
20 confirmation has been received by the department that the state of
21 Oregon is providing an equal amount of additional funding to the
22 project.

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

33 (c) Of the amounts provided in this subsection (17), \$1,800,000 of
34 the motor vehicle account--federal appropriation is provided solely for
35 the investment-grade traffic and revenue analysis described in section
36 205(5) of this act, and this is the maximum amount the department may
37 expend for this purpose. The department shall enter into an

1 interagency agreement with the transportation commission to cover the
2 costs of the investment-grade traffic and revenue analysis described in
3 section 205(5) of this act.

4 ~~((20) \$107,000))~~ (18) \$309,000 of the motor vehicle account--
5 federal appropriation and ~~((27,000))~~ \$78,000 of the motor vehicle
6 account--state appropriation are provided solely for the SR 9/SR 204
7 Intersection Improvement project (L2000040).

8 ~~((21) \$2,134,000))~~ (19) \$3,385,000 of the motor vehicle account--
9 federal appropriation and ~~((47,000))~~ \$50,000 of the motor vehicle
10 account--state appropriation are provided solely for the US 12/Nine
11 Mile Hill to Woodward Canyon Vic - Build New Highway project (501210T).

12 ~~((22) \$294,000))~~ (20) \$391,000 of the motor vehicle account--
13 federal appropriation and ~~((13,000))~~ \$16,000 of the motor vehicle
14 account--state appropriation are provided solely for the SR 16/Rosedale
15 Street NW Vicinity - Frontage Road project (301639C). The frontage
16 road must be built for driving speeds of no more than thirty-five miles
17 per hour.

18 ~~((23) \$1,000,000))~~ (21) \$621,000 of the motor vehicle account--
19 federal appropriation is provided solely for the SR 20/Race Road to
20 Jacob's Road safety project (L2200042).

21 ~~((24) \$24,002,000))~~ (22) \$32,162,000 of the transportation
22 partnership account--state appropriation is provided solely for the SR
23 28/ US 2 and US 97 Eastmont Avenue Extension project (202800D).

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

31 ~~((26))~~ (24) \$1,500,000 of the motor vehicle account--federal
32 appropriation is provided solely for the I-90 Comprehensive Tolling
33 Study and Environmental Review project (100067T). The department shall
34 undertake a comprehensive environmental review of tolling Interstate 90
35 between Interstate 5 and Interstate 405 for the purposes of both
36 managing traffic and providing funding for construction of the unfunded
37 state route number 520 from Interstate 5 to Medina project. The

1 environmental review must include significant outreach to potentially
2 affected communities. The department may consider traffic management
3 options that extend as far east as Issaquah.

4 ~~((+27) \$9,422,000))~~ (25) \$12,149,000 of the motor vehicle account--
5 federal appropriation and ~~((+193,000))~~ \$362,000 of the motor vehicle
6 account--state appropriation are provided solely for the I-90/Sullivan
7 Road to Barker Road - Additional Lanes project (609049N).

8 ~~((+28))~~ (26) Up to \$8,000,000 in savings realized on the I-
9 90/Snoqualmie Pass East - Hyak to Keechelus Dam - Corridor project
10 (509009B) may be used for design work on the next two-mile segment of
11 the corridor. Any additional savings on this project must remain on
12 the corridor. ~~((+590,000 of the funds appropriated for this project~~
13 ~~may be used to purchase land currently owned by the state parks~~
14 ~~department.))~~ Project funds may not be used to build or improve
15 buildings until the plan described in section 604 of this act is
16 complete.

17 ~~((+29) \$932,000))~~ (27) \$657,000 of the motor vehicle account--
18 federal appropriation is provided solely for the US 97A/North of
19 Wenatchee - Wildlife Fence project (209790B).

20 ~~((+30))~~ (28) The department shall reconvene an expert review panel
21 of no more than three members as described under RCW 47.01.400 for the
22 purpose of updating the work that was previously completed by the panel
23 on the Alaskan Way viaduct replacement project and to ensure that an
24 appropriate and viable financial plan is created and regularly
25 reviewed. The expert review panel must be selected cooperatively by
26 the chairs of the senate and house of representatives transportation
27 committees, the secretary of transportation, and the governor. The
28 expert review panel must report findings and recommendations to the
29 transportation committees of the legislature, the governor's Alaskan
30 Way viaduct project oversight committee, and the transportation
31 commission by October 2011, and annually thereafter until the project
32 is operationally complete.

33 ~~((+31))~~ (29) It is important that the public and policymakers have
34 accurate and timely access to information related to the Alaskan Way
35 viaduct replacement project as it proceeds to, and during, the
36 construction of all aspects of the project including, but not limited
37 to, information regarding costs, schedules, contracts, project status,
38 and neighborhood impacts. Therefore, it is the intent of the

1 legislature that the state, city, and county departments of
2 transportation establish a single source of accountability for
3 integration, coordination, tracking, and information of all requisite
4 components of the replacement project, which must include, at a
5 minimum:

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

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

10 ~~((+32+))~~ (30) Within the amounts provided in this section, \$20,000
11 of the motor vehicle account--state appropriation and \$980,000 of the
12 motor vehicle account--federal appropriation are provided solely for
13 the department to continue work on a comprehensive tolling study of the
14 state route number 167 corridor (project 316718S). As funding allows,
15 the department shall also continue work on a comprehensive tolling
16 study of the state route number 509 corridor.

17 ~~((+33+))~~ (31)(a) ~~(((\$131,303,000))~~ \$137,022,000 of the
18 transportation partnership account--state appropriation(~~(-~~
19 ~~\$51,410,000))~~ and \$50,623,000 of the transportation 2003 account
20 (nickel account)--state appropriation(~~(, and \$10,000,000 of the motor~~
21 ~~vehicle account--federal appropriation))~~ are provided solely for the I-
22 405/Kirkland Vicinity Stage 2 - Widening project (8BI1002). This
23 project must be completed as soon as practicable as a design-build
24 project and must be constructed with a footprint that would accommodate
25 potential future express toll lanes.

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

36 (c) Within the amounts provided for this project, funding is
37 provided solely for tolling equipment, such as gantries, barriers, or
38 cameras, on Interstate 405, consistent with chapter 369, Laws of 2011.

1 The department shall place amounts for tolling equipment into
2 unallotted status until the traffic and revenue analysis required in
3 RCW 47.56.886 is submitted to the governor and the legislature. Once
4 the report has been submitted, the office of financial management may
5 approve the allotment of funds for tolling equipment only after
6 consultation with the joint transportation committee.

7 (32) \$40,000,000 in savings realized on the I-405/Kirkland Vicinity
8 Stage 2--Widening project (8BI1002) shall be used for preliminary
9 engineering, construction, and rights-of-way purchase on the Interstate
10 405/state route number 167 direct connector.

11 ~~((34))~~ (33) Funding for a signal at state route number 507 and
12 Yew Street is included in the appropriation for intersection and spot
13 improvements (0BI2002).

14 ~~((35) \$226,809,000)~~ (34) \$226,167,000 of the transportation
15 partnership account--state appropriation ((and \$1,019,460,000))
16 \$898,286,000 of the state route number 520 corridor account--state
17 appropriation, and \$63,003,000 of the motor vehicle account--federal
18 appropriation are provided solely for the state route number 520 bridge
19 replacement and HOV program (8BI1003). When developing the financial
20 plan for the program, the department shall assume that all maintenance
21 and operation costs for the new facility are to be covered by tolls
22 collected on the toll facility, and not by the motor vehicle account.

23 ~~((36) \$650,000 of the motor vehicle account--federal appropriation~~
24 ~~is provided solely for the SR 522 Improvements/61st Avenue NE and NE~~
25 ~~181st Street project (L1000055)).~~

26 ~~(37))~~ (35) \$500,000 of the motor vehicle account--state
27 appropriation is provided solely for a multimodal corridor plan on
28 state route number 520 between Interstate 405 and Avondale Road in
29 Redmond (L1000054).

30 (36) \$300,000 of the motor vehicle account--federal appropriation
31 is provided solely for the SR 523 Corridor study (L1000059).

32 ~~((38))~~ (37) The department shall consider using the city of
33 Mukilteo's off-site mitigation program in the event any projects on
34 state route number 525 or 526 require environmental mitigation.

35 ~~((39))~~ (38) Any savings on projects on the state route number 532
36 corridor must be used within the corridor to begin work on flood
37 prevention and raising portions of the highway above flood and storm
38 influences.

1 ~~agree on report formatting and elements. Elements must include, but~~
2 ~~not be limited to, project scope, schedule, and costs. The department~~
3 ~~shall also provide the information required under this subsection on a~~
4 ~~quarterly basis.~~

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

11 ~~((5))~~ (3) Within the motor vehicle account--state appropriation
12 and motor vehicle account--federal appropriation, the department may
13 transfer funds between programs I and P, except for funds that are
14 otherwise restricted in this act.

15 ~~((6))~~ (4) The department shall apply for surface transportation
16 program enhancement funds to be expended in lieu of or in addition to
17 state funds for eligible costs of projects in programs I and P.

18 ~~((7) The motor vehicle account--state appropriation includes up to~~
19 ~~\$17,652,000 in proceeds from the sale of bonds authorized in RCW~~
20 ~~47.10.843.~~

21 ~~(8))~~ (5) The department must work with cities and counties to
22 develop a comparison of direct and indirect labor costs, overhead
23 rates, and other costs for high-cost bridge inspections charged by the
24 state, counties, and other entities. The comparison is due to the
25 transportation committees of the legislature on September 1, 2011.

26 ~~((9) \$277,000))~~ (6) \$789,000 of the motor vehicle account--federal
27 appropriation and ~~((10,000))~~ \$6,000 of the motor vehicle account--
28 state appropriation are provided solely for the environmental impact
29 statement and preliminary planning for the replacement of the state
30 route number 9 Snohomish river bridge (project L2000018).

31 ~~((10) \$9,641,000))~~ (7) \$10,843,000 of the motor vehicle account--
32 federal appropriation, ~~((2,000,000))~~ \$1,992,000 of the motor vehicle
33 account--private/local appropriation, and ~~((361,000))~~ \$390,000 of the
34 motor vehicle account--state appropriation are provided solely for the
35 SR 21/Keller Ferry - Replace Boat project (602110J).

36 ~~((11) \$3,093,000))~~ (8) \$165,000 of the motor vehicle account--
37 federal appropriation is provided solely for the I-90/Ritzville to
38 Tokio - Paving of Outside Lanes project (609041G).

1 vehicle account--state appropriation for project 000005Q is provided
2 solely for state matching funds for federally selected competitive
3 grants or congressional earmark projects. These moneys must be placed
4 into reserve status until such time as federal funds are secured that
5 require a state match.

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

8 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
9 **CONSTRUCTION--PROGRAM W**

10	Puget Sound Capital Construction Account--State	
11	Appropriation	((\$68,013,000))
12		<u>\$70,381,000</u>
13	Puget Sound Capital Construction Account--Federal	
14	Appropriation	((\$41,500,000))
15		<u>\$53,802,000</u>
16	<u>Puget Sound Capital Construction Account--Private/Local</u>	
17	<u>Appropriation</u>	<u>\$200,000</u>
18	Transportation 2003 Account (Nickel Account)--State	
19	Appropriation	((\$118,027,000))
20		<u>\$158,376,000</u>
21	Transportation Partnership Account--State	
22	Appropriation	((\$12,536,000))
23		<u>\$12,838,000</u>
24	Multimodal Transportation Account--State	
25	Appropriation	((\$43,265,000))
26		<u>\$35,054,000</u>
27	TOTAL APPROPRIATION	((\$283,341,000))
28		<u>\$330,651,000</u>

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

31 (1) ((~~\$68,013,000~~)) \$70,381,000 of the Puget Sound capital
32 construction account--state appropriation, ((~~\$41,500,000~~)) \$53,802,000
33 of the Puget Sound capital construction account--federal appropriation,
34 ((~~\$12,536,000~~)) \$12,838,000 of the transportation partnership account--
35 state appropriation, ((~~\$118,027,000~~)) \$158,376,000 of the
36 transportation 2003 account (nickel account)--state appropriation,
37 ((~~and \$43,265,000~~)) \$35,054,000 of the multimodal transportation

1 account--state appropriation, and \$200,000 of the Puget Sound capital
2 construction account--private/local appropriation are provided solely
3 for ferry projects, as listed in LEAP Transportation Document ((2011))
4 2012-2 ALL PROJECTS as developed ((April 19, 2011)) February 16, 2012,
5 Program - Washington State Ferries Capital Program (W).

6 (2) The department shall work with the department of archaeology
7 and historic preservation to ensure that the cultural resources
8 investigation is properly conducted on all large ferry terminal
9 projects. These projects must be conducted with active archaeological
10 management.

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

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

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

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

26 ((~~(8) \$33,404,000~~)) (7) \$30,404,000 of the multimodal
27 transportation account--state appropriation, ((~~\$2,000,000~~)) \$1,000,000
28 of the Puget Sound capital construction account--((~~state~~)) federal
29 appropriation, \$11,500,000 of the transportation partnership account--
30 state appropriation, and ((~~\$81,085,000~~)) \$80,924,057 of the
31 transportation 2003 account (nickel account)--state appropriation are
32 provided solely for the acquisition of ((~~two~~)) one 144-car vessel((~~s~~
33 ~~contingent upon new and sufficient resources. Of these amounts,~~
34 ~~\$123,828,000 is provided solely for the first 144 car vessel~~))
35 L2200038. The department shall use as much already procured equipment
36 as practicable on the 144-car vessel. The vendor must present to the
37 joint transportation committee and the office of financial management,
38 by August 15, 2011, a list of options that will result in significant

1 cost savings changes in terms of construction or the long-term
2 maintenance and operations of the vessel. The vendor must allow for
3 exercising the options without a penalty. If neither chapter ...
4 (Engrossed Substitute Senate Bill No. 5742), Laws of 2011 nor chapter
5 ... (House Bill No. 2083), Laws of 2011 is enacted by June 30, 2011,
6 \$75,000,000 of the transportation 2003 account (nickel account)--state
7 appropriation in this subsection lapses.

8 ~~((+9))~~ (7) \$43,447,000 of the transportation 2003 account (nickel
9 account)--state appropriation and \$2,500,000 of the Puget Sound capital
10 construction account--federal appropriation are provided solely for a
11 second 144-car diesel vessel. If chapter ... (Engrossed Substitute
12 House Bill No. 6455), Laws of 2012 is not enacted by June 30, 2012, the
13 amount provided in this subsection lapses.

14 (8) The department shall provide to the office of financial
15 management and the legislature quarterly reports providing the status
16 on each project listed in this section and in the project lists
17 submitted pursuant to this act and on any additional projects for which
18 the department has expended funds during the 2011-2013 fiscal biennium.
19 Elements must include, but not be limited to, project scope, schedule,
20 and costs. The department shall also provide the information required
21 under this subsection via the transportation executive information
22 system. ~~((The quarterly report regarding the status of projects~~
23 identified on the list referenced in subsection (1) of this section
24 must be developed according to an earned value method of project
25 monitoring.)) The earned value method of project monitoring must be
26 used for the following projects while in the design phase: Seattle
27 Terminal Building Replacement project; Seattle Slip 3 Transfer Span and
28 OHL Replacement project; Mukilteo Multimodal project; Vashon Trestle
29 Replacement project; and Southworth Trestle Replacement project.

30 ~~((+11) \$3,932,000))~~ (9) \$7,048,000 of the total appropriation is
31 provided solely for continued permitting work on the Mukilteo ferry
32 terminal (project 952515P). The department shall seek additional
33 federal funding for this project. Prior to beginning terminal
34 improvements, the department shall report to the legislature on the
35 final environmental impact statement by December 31, 2012. The report
36 must include an overview of the costs and benefits of each of the
37 alternatives considered, as well as an identification of costs and a
38 funding plan for the preferred alternative.

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

5 ~~((+13))~~ (11) The department shall review all terminal project cost
6 estimates to identify projects where similar design requirements could
7 result in reduced preliminary engineering or miscellaneous items costs.
8 The department shall report to the legislature by September 1, 2011.
9 The report must use programmatic design and include estimated cost
10 savings by reducing repetitive design costs or miscellaneous costs, or
11 both, applied to projects.

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

16 ~~((+15) \$7,167,000)~~ (13) \$4,851,000 of the Puget Sound capital
17 construction account--state appropriation is provided solely for the
18 reservation (L2000041) and communications (L2000042) system project.

19 (14) Consistent with RCW 47.60.662, which requires the Washington
20 state ferry system to collaborate with passenger-only ferry and transit
21 providers to provide service at existing terminals, the department
22 shall ensure that multimodal access, including for passenger-only
23 ferries and transit service providers, is maintained at the Seattle
24 terminal and included in any future modifications at the terminal.

25 (15) \$641,500 of the Puget Sound capital construction account--
26 state appropriation is provided solely for the department to work with
27 the United States coast guard and other relevant agencies to conduct
28 security and operational planning, and public outreach, in order to
29 provide additional information for decision-making regarding the use of
30 liquefied natural gas-powered vessels in the Washington state ferry
31 fleet. The department shall invite representatives of Alaska and
32 Canada to participate in this process.

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

1 ~~\$1,000,000 of the essential rail assistance account state~~
2 ~~appropriation are for statewide emergent freight rail assistance~~
3 ~~projects identified in the LEAP transportation document identified in~~
4 ~~(a) of this subsection.))~~

5 (2)(a) If any funds remain in the program reserves (F01001A &
6 F01000A) for the program and projects listed in subsection (1)(b) ((and
7 (e))) of this section, the department shall issue a call for projects
8 for the freight rail investment bank (FRIB) loan program and the
9 emergent freight rail assistance program (FRAP) grants, and shall
10 evaluate the applications according to the cost-benefit methodology
11 developed during the 2008 interim using the legislative priorities
12 specified in (c) of this subsection. Unsuccessful FRAP grant
13 applicants should be encouraged to apply to the FRIB loan program, if
14 eligible. By November 1, 2011, the department shall submit a
15 prioritized list of recommended projects to the office of financial
16 management and the transportation committees of the legislature.

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

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

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

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

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

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

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

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

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

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

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

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

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

25 ~~(8) \$1,087,000 of the multimodal transportation account--state
26 appropriation is provided solely as state matching funds for successful
27 grant applications to either the federal rail line relocation and
28 improvement program (project 798999D) or new federal high speed rail
29 grants.~~

30 ~~(9))~~ Revenues from the grain train railcar program must be used to
31 support grain train railcar maintenance and program costs accrued by
32 ports. Upon legislative approval, excess grain train railcar revenues
33 may be used for maintenance of state-owned railroads and future
34 purchases of grain train railcars.

35 (8) The Burlington Northern Santa Fe Skagit river bridge is an
36 integral part of the rail system. Constructed in 1916, the bridge does
37 not meet current design standards and is at risk during flood events
38 that occur on the Skagit river. The department shall work with

1 Burlington Northern Santa Fe and local jurisdictions to secure federal
2 funding for the Skagit river bridge and to develop an appropriate
3 replacement plan and schedule.

4 ((~~(10)~~—\$339,139,000)) (9) \$155,572,000 of the multimodal
5 transportation account--federal appropriation and (~~(\$5,099,000)~~)
6 \$2,697,000 of the multimodal transportation account--state
7 appropriation are provided solely for expenditures related to passenger
8 high-speed rail grants. At one and one-half percent of the total
9 project funds, the multimodal transportation account--state funds are
10 provided solely for expenditures that are not federally reimbursable.
11 Funding in this subsection is the initial portion of multiyear
12 high-speed rail program grants awarded to Washington state for
13 high-speed intercity passenger rail investments. Funding will allow
14 for two additional round trips between Seattle and Portland and other
15 rail improvements.

16 ((~~(11)~~)) (10) \$750,000 of the multimodal transportation account--
17 state appropriation is provided solely for the Port of Royal Slope
18 rehabilitation project (L1000053). Funding is contingent upon the
19 project completing the rail cost-benefit methodology process developed
20 during the 2008 interim using the legislative priorities outlined in
21 subsection (2)(c) of this section.

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

24 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
25 **CAPITAL**

26	Highway Infrastructure Account--State Appropriation	\$207,000
27	Highway Infrastructure Account--Federal	
28	Appropriation	\$1,602,000
29	Motor Vehicle Account--State Appropriation	((\$3,754,000))
30		<u>\$4,179,000</u>
31	Motor Vehicle Account--Federal Appropriation	((\$31,856,000))
32		<u>\$30,430,000</u>
33	Freight Mobility Investment Account--State	
34	Appropriation	\$11,278,000
35	Transportation Partnership Account--State	
36	Appropriation	((\$6,035,000))
37		<u>\$7,181,000</u>

1 funds as authorized under this subsection without approval of the
2 office of financial management. The department shall submit a report
3 on those projects receiving fund transfers to the office of financial
4 management and the transportation committees of the legislature by
5 December 1, 2011, and December 1, 2012.

6 ~~(5))~~ (3) The city of Winthrop may utilize a design-build process
7 for the Winthrop bike path project.

8 ~~((6)---\$11,557,000))~~ (4) \$14,813,000 of the multimodal
9 transportation account--state appropriation, ~~(((\$12,136,000))~~
10 \$12,804,000 of the motor vehicle account--federal appropriation, and
11 ~~(((\$5,195,000))~~ \$6,241,000 of the transportation partnership account--
12 state appropriation are provided solely for the pedestrian and bicycle
13 safety program projects and safe routes to schools program projects
14 identified in: LEAP Transportation Document 2011-A, pedestrian and
15 bicycle safety program projects and safe routes to schools program
16 projects, as developed April 19, 2011; LEAP Transportation Document
17 2009-A, pedestrian and bicycle safety program projects and safe routes
18 to schools program projects, as developed March 30, 2009; LEAP
19 Transportation Document 2007-A, pedestrian and bicycle safety program
20 projects and safe routes to schools program projects, as developed
21 April 20, 2007; and LEAP Transportation Document 2006-B, pedestrian and
22 bicycle safety program projects and safe routes to schools program
23 projects, as developed March 8, 2006. Projects must be allocated
24 funding based on order of priority. The department shall review all
25 projects receiving grant awards under this program at least
26 semiannually to determine whether the projects are making satisfactory
27 progress. Any project that has been awarded funds, but does not report
28 activity on the project within one year of the grant award must be
29 reviewed by the department to determine whether the grant should be
30 terminated. The department shall promptly close out grants when
31 projects have been completed, and identify where unused grant funds
32 remain because actual project costs were lower than estimated in the
33 grant award.

34 ~~((7))~~ (5) Except as provided otherwise in this section, the
35 entire appropriations in this section are provided solely for the
36 projects and activities as listed by project and amount in ~~((LEAP~~
37 ~~Transportation Document 2011-2 ALL PROJECTS as developed April 19,~~

1 ~~2011, Program—Local Program (Z))~~ LEAP Transportation Document 2012-2
2 ALL PROJECTS as developed February 16, 2012.

3 ((+8)) (6) For the 2011-2013 project appropriations, unless
4 otherwise provided in this act, the director of the office of financial
5 management may authorize a transfer of appropriation authority between
6 projects managed by the freight mobility strategic investment board and
7 may also advance projects in future biennia, as identified in LEAP
8 Transportation Document 2012-2 ALL PROJECTS as developed February 16,
9 2012, into the current biennium in order for the board to manage
10 project spending and efficiently deliver all projects in the respective
11 program.

12 ((+9)) (7) With each department budget submittal, the department
13 shall provide an update on the status of the repayment of the twenty
14 million dollars of unobligated federal funds authority advanced by the
15 department in September 2010 to the city of Tacoma for the Murray
16 Morgan/11th Street bridge project.

17 ((+10)) (8) The department shall prepare a list of main street
18 projects, consistent with chapter ... (Engrossed Substitute House Bill
19 No. 1071), Laws of 2011, for approval in the 2013-2015 fiscal biennium.
20 In order to ensure that any proposed list of projects is consistent
21 with legislative intent, the department shall provide a report to the
22 joint transportation committee by December 1, 2011. The report must
23 identify the eligible segments of main streets highways, the
24 department's proposed project selection and ranking method, criteria to
25 be considered, and a plan for soliciting project proposals. The call
26 for projects for the main streets highways program must be suspended
27 until funding for the program is identified.

28 ((+11)) (9) \$267,000 of the motor vehicle account--state
29 appropriation and \$2,859,000 of the motor vehicle account--federal
30 appropriation are provided solely for completion of the US 101
31 northeast peninsula safety rest area and associated roadway
32 improvements east of Port Angeles at the Deer Park scenic view point
33 (3LP187A). The department must surplus any right-of-way previously
34 purchased for this project near Sequim. Approval to proceed with
35 construction is contingent on surplus of previously purchased right-of-
36 way.

37 ((+12)) (10) Up to ((~~\$3,650,000~~)) \$3,702,000 of the motor vehicle
38 account--federal appropriation and ((~~\$23,000~~)) \$75,000 of the motor

1 vehicle account--state appropriation are provided solely to reimburse
2 the cities of Kirkland and Redmond for pavement and bridge deck
3 rehabilitation on state route number 908 (1LP611A). These funds may
4 not be expended unless the cities sign an agreement stating that the
5 cities agree to take ownership of state route number 908 in its
6 entirety and agree that the payment of these funds represents the
7 entire state commitment to the cities for state route number 908
8 expenditures.

9 ~~((+13))~~ (11) \$225,000 of the multimodal transportation account--
10 state appropriation is provided solely for the Shell Valley emergency
11 road and bicycle/pedestrian path (L1000036).

12 ~~((+14) \$150,000)~~ (12) \$188,000 of the motor vehicle account--state
13 appropriation is provided solely for flood reduction solutions on state
14 route number 522 caused by the lower McAleer and Lyon creek basins
15 (L1000041).

16 ~~((+15))~~ (13) \$896,000 of the multimodal transportation account--
17 state appropriation is provided solely for realignment of Parker Road
18 and construction of secondary access off of state route number 20
19 (L2200040).

20 ~~((+16))~~ (14) An additional ~~((+\$2,500,000))~~ \$2,623,000 of the motor
21 vehicle account--federal appropriation is provided solely for the
22 Strander Blvd/SW 27th St Connection project (1LP902F), which amount is
23 reflected in the LEAP transportation document identified in subsection
24 ~~((+7))~~ (5) of this section. These funds may only be committed if
25 needed, may not be used to supplant any other committed project
26 partnership funding, and must be the last funds expended.

27 ~~((+17))~~ (15) \$500,000 of the motor vehicle account--federal
28 appropriation is provided solely for safety improvements at the
29 intersection of South Wapato and McDonald Road (L1000052).

30 ~~((+18))~~ (16) \$2,000,000 of the multimodal transportation account--
31 state appropriation is provided solely for the state route number 432
32 rail realignment and highway improvements project (L1000056).

33 ~~((+19) \$500,000 of the multimodal transportation account--state
34 appropriation is provided solely for a multimodal corridor plan on
35 state route number 520 between Interstate 405 and Avondale Road in
36 Redmond (L1000054)).~~

37 ~~(+20))~~ (17) \$100,000 of the motor vehicle account--federal

1 appropriation is provided solely for state route number 164 and Auburn
2 Way South pedestrian improvements (L1000057).

3 ~~((+21))~~ (18) \$115,000 of the motor vehicle account--federal
4 appropriation is provided solely for median street lighting on state
5 route number 410 (L1000058).

6 ~~((+22))~~ (19) \$60,000 of the multimodal transportation account--
7 state appropriation is provided solely for a cross docking study for
8 the port of Douglas county (L1000060).

9 ~~((+23))~~ (20) \$100,000 of the motor vehicle account--federal
10 appropriation is provided solely for city of Auburn - 8th and R Street
11 NE intersection improvements (L2200043).

12 ~~((+24))~~ (21) \$65,000 of the multimodal transportation account--
13 state appropriation is provided solely for the Puget Sound regional
14 council to further the implementation of multimodal concurrency
15 practice through a transit service overlay zone implemented at the
16 local level (L1000061). This approach will improve the linkage of land
17 use and transportation investment decisions, improve the efficiency of
18 transit service by encouraging transit-supportive development, provide
19 incentives for developers, and support integrated regional growth,
20 economic development, and transportation plans. In carrying out this
21 work, the council shall involve representatives from cities and
22 counties, developers, transit agencies, and other interested
23 stakeholders, and shall consult with other regional transportation
24 planning organizations across the state. The council shall report the
25 results of their work and recommendations to the joint transportation
26 committee by December 2011, with a final report to the transportation
27 committees of the legislature by January 31, 2012.

28 (22) \$650,000 of the motor vehicle account--federal appropriation
29 is provided solely for the SR 522 Improvements/61st Avenue NE and NE
30 181st Street project (L1000055).

31 (23) The department shall implement an invitational call for
32 projects eligible for the bicycle and pedestrian grant program similar
33 to the call for projects conducted in 2010, although the department may
34 adjust the criteria to include mobility and connectivity. The
35 department shall include a list of prioritized bicycle and pedestrian
36 grant projects for approval in the 2013-2015 biennial transportation
37 budget.

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

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

7 (ii) \$2,500,000 of the amount provided in this subsection is
8 provided solely for safe routes to schools program projects, in rank
9 order, and identified as contingency projects in the LEAP
10 Transportation Document 2011-A, pedestrian and bicycle safety program
11 projects and safe routes to school program projects, referenced in
12 chapter 367, Laws of 2011 (the omnibus transportation appropriations
13 act).

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

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

19 **REPORTING REQUIREMENTS FOR CAPITAL PROGRAM**

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

23 (a) A TEIS version containing actual capital expenditures
24 consistent with the structure of the most recently enacted budget; and

25 (b) An update on awarded highway construction projects and
26 associated savings or increases.

27 (2) On a quarterly basis, the department of transportation shall
28 provide to the office of financial management and the legislative
29 transportation committees a status report on each active project funded
30 in part or in whole by the transportation 2003 account (nickel account)
31 or the transportation partnership act revenue packages. The department
32 of transportation shall also provide updated information for projects
33 funded with preexisting funds and agreed to by the legislature, office
34 of financial management, and the department. Funding provided at a
35 programmatic level for projects relating to bridge rail, guard rail,
36 fish passage barrier removal, roadside safety projects, and seismic
37 bridges must be reported on a programmatic basis; detail that shows

1 which projects comprise each project reported on a programmatic basis
2 must be provided separately. Projects within this programmatic level
3 funding must be completed on a priority basis and scoped to be
4 completed within the current programmatic budget. The quarterly report
5 must:

6 (a) Compare the original project cost estimates approved in the
7 transportation 2003 and 2005 transportation partnership project lists
8 to the completed cost of the project, or the most recent legislatively
9 approved budget and total project costs for projects not yet completed;

10 (b) Identify highway projects that may be reduced in scope and
11 still achieve a functional benefit;

12 (c) Identify highway projects that have experienced scope increases
13 and that can be reduced in scope;

14 (d) Identify highway projects that have lost significant local or
15 regional contributions that were essential to completing the project;

16 (e) Identify contingency amounts allocated to projects; and

17 (f) Identify updated information on the six major project
18 milestones.

19 (3) On an annual basis, the department of transportation shall
20 provide to the office of financial management and the legislative
21 transportation committees reports that:

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

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

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

33 **TRANSFERS AND DISTRIBUTIONS**

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

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

5	Highway Bond Retirement Account--State	
6	Appropriation	(((\$920,560,000))
7		<u>\$797,062,000</u>
8	Ferry Bond Retirement Account--State Appropriation	\$31,801,000
9	State Route Number 520 Corridor Account--State	
10	Appropriation	\$1,075,000
11	Transportation Improvement Board Bond Retirement	
12	Account--State Appropriation	(((\$16,544,000))
13		<u>\$16,504,000</u>
14	Nondebt-Limit Reimbursable Account Appropriation	(((\$25,200,000))
15		<u>\$19,843,000</u>
16	Transportation Partnership Account--State	
17	Appropriation	(((\$3,142,000))
18		<u>\$2,807,000</u>
19	Motor Vehicle Account--State Appropriation	(((\$333,000))
20		<u>\$331,000</u>
21	Transportation 2003 Account (Nickel Account)--State	
22	Appropriation	(((\$1,140,000))
23		<u>\$1,240,000</u>
24	Transportation Improvement Account--State	
25	Appropriation	\$29,000
26	Multimodal Transportation Account--State	
27	Appropriation	(((\$138,000))
28		<u>\$125,000</u>
29	Toll Facility Bond Retirement Account--State	
30	Appropriation	(((\$33,792,000))
31		<u>\$48,807,000</u>
32	Toll Facility Bond Retirement Account--Federal	
33	Appropriation	(((\$14,649,000))
34		<u>\$7,500,000</u>
35	TOTAL APPROPRIATION	(((\$1,048,403,000))
36		<u>\$927,124,000</u>

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

1 ~~(1) \$4,610,000 of the highway bond retirement account state~~
2 ~~appropriation is provided solely for debt service on bonds issued to~~
3 ~~construct a ferry boat vessel with a carrying capacity of one hundred~~
4 ~~forty four cars. If neither chapter ... (House Bill No. 2083), Laws of~~
5 ~~2011 nor chapter ... (Engrossed Substitute Senate Bill No. 5742) is~~
6 ~~enacted by June 30, 2011, the amount provided in this subsection~~
7 ~~lapses.~~

8 ~~(2) \$165,000 of the transportation 2003 account (nickel account)--~~
9 ~~state appropriation is provided solely for discounts on bonds sold to~~
10 ~~construct a ferry boat vessel with a carrying capacity of one hundred~~
11 ~~forty four cars. If neither chapter ... (House Bill No. 2083), Laws of~~
12 ~~2011 nor chapter ... (Engrossed Substitute Senate Bill No. 5742) is~~
13 ~~enacted by June 30, 2011, the amount provided in this subsection~~
14 ~~lapses.)~~

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

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

20	State Route Number 520 Corridor Account--State	
21	Appropriation	\$68,000
22	Transportation Partnership Account--State	
23	Appropriation	(((\$608,000))
24		<u>\$472,000</u>
25	Motor Vehicle Account--State Appropriation	(((\$60,000))
26		<u>\$52,000</u>
27	Transportation 2003 Account (Nickel Account)--State	
28	Appropriation	(((\$219,000))
29		<u>\$192,000</u>
30	Transportation Improvement Account--State Appropriation	\$5,000
31	Multimodal Transportation Account--State	
32	Appropriation	(((\$26,000))
33		<u>\$19,000</u>
34	TOTAL APPROPRIATION	(((\$986,000))
35		<u>\$808,000</u>

36 ~~((The appropriations in this section are subject to the following~~
37 ~~conditions and limitations: \$30,000 of the transportation 2003 account~~

1 ~~(nickel account) state appropriation is provided solely for expenses~~
2 ~~associated with bonds sold to construct a ferry boat vessel with a~~
3 ~~carrying capacity of one hundred forty four cars. If neither chapter~~
4 ~~... (House Bill No. 2083), Laws of 2011 nor chapter ... (Engrossed~~
5 ~~Substitute Senate Bill No. 5742) is enacted by June 30, 2011, the~~
6 ~~amount provided in this subsection lapses.))~~

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

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

11 Motor Vehicle Account--State Appropriation: For
12 transfer to the Puget Sound Capital Construction
13 Account \$52,516,000

14 The department of transportation is authorized to sell up to
15 \$52,516,000 in bonds authorized by RCW 47.10.843 for vessel and
16 terminal acquisition, major and minor improvements, and long lead-time
17 materials acquisition for the Washington state ferries. (~~Of the~~
18 ~~authorized amounts, \$14,500,000 is provided solely for expenditures~~
19 ~~made during the fiscal biennium ending June 30, 2011.))~~

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

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

23 Motor Vehicle Account--State Appropriation for motor
24 vehicle fuel tax distributions to cities and
25 counties ((~~\$478,155,000~~))
26 \$470,701,000

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

29 **FOR THE STATE TREASURER--TRANSFERS**

30 Motor Vehicle Account--State Appropriation: For
31 motor vehicle fuel tax refunds and statutory
32 transfers ((~~\$1,246,357,000~~))
33 \$1,242,659,000

1 ~~Account--State Appropriation: For transfer to the~~
2 ~~State Route Number 520 Corridor Account--State \$754,000~~
3 ~~(+10)) (8) Rural Mobility Grant Program Account--State~~
4 ~~Appropriation: For transfer to the Multimodal~~
5 ~~Transportation Account--State \$3,000,000~~
6 ~~((+11)) (9) Motor Vehicle Account--State~~
7 ~~Appropriation: For transfer to the State Patrol~~
8 ~~Highway Account--State \$14,000,000~~
9 ~~((+12) State Route Number 520 Corridor~~
10 ~~Account--State Appropriation: For transfer to the~~
11 ~~Motor Vehicle Account--State, in an amount equal to~~
12 ~~funds dispersed during the 2009-2011 fiscal biennium~~
13 ~~authorized under section 805(7) of this act.~~
14 ~~(+13)) (10) Motor Vehicle Account--State~~
15 ~~Appropriation: For transfer to the Special Category C~~
16 ~~Account--State ((\$1,500,000))~~
17 \$2,500,000
18 ~~((+14)) (11) Regional Mobility Grant Program~~
19 ~~Account--State Appropriation: For transfer to the~~
20 ~~Multimodal Transportation Account--State \$1,000,000~~
21 ~~((+15)) (12) State Patrol Highway Account--State~~
22 ~~Appropriation: For transfer to the Vehicle~~
23 ~~Licensing Fraud Account \$100,000~~
24 ~~((+16)) (13) State Route Number 520 Corridor Account--State~~
25 ~~Appropriation: For transfer to the Motor Vehicle~~
26 ~~Account ((\$2,435,000))~~
27 \$58,000
28 (14) Capital Vessel Replacement Account--State
29 Appropriation: For transfer to the Transportation 2003
30 Account (Nickel Account)--State \$6,362,000
31 ~~((+17)) (15) The transfers identified in this section are subject~~
32 ~~to the following conditions and limitations:~~
33 ~~(a) The amount transferred in subsection (1) of this section shall~~
34 ~~not exceed the amount put forth in RCW 46.63.160 and represents a~~
35 ~~partial repayment of the operating loan((s)) and reserve payment((s))~~
36 ~~provided to the Tacoma Narrows toll bridge account ((from the motor~~
37 ~~vehicle account in the 2005-2007 fiscal biennium)) in the 2005-2007~~

1 fiscal biennium. The remaining operating loan and reserve payment
2 shall be paid in future biennia.

3 (b) ~~((The transfer in subsection (9) of this section represents~~
4 ~~toll revenue collected from toll violations))~~ The amount transferred in
5 subsection (3) of this section shall not exceed the expenditures
6 incurred from the motor vehicle account--state for the recreational
7 vehicle sanitary disposal systems program.

8 (c) The amount transferred in subsection (14) of this section may
9 not exceed the funds available in the capital vessel replacement
10 account--state.

11 COMPENSATION

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

14 COLLECTIVE BARGAINING AGREEMENTS--WSP TROOPERS ASSOCIATION

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

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

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

29 COLLECTIVE BARGAINING AGREEMENTS--WSP LIEUTENANTS ASSOCIATION

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

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

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

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

12 No agreement has been reached between the governor and the masters,
13 mates, and pilots marine operations watch supervisors under chapter
14 47.64 RCW for the 2011-2013 fiscal biennium. Appropriations in this
15 act reflect funding to maintain the provisions or terms and conditions
16 of the 2009-2011 agreements for fiscal year 2012. Fiscal year 2013
17 appropriations are reduced to reflect: A 6.0 percent temporary salary
18 reduction effective July 1, 2012, through June 29, 2013; a reduction to
19 overtime calculations; a reduction to vacation leave accruals; and
20 other management priorities in collective bargaining. Effective June
21 30, 2013, the salary schedules effective July 1, 2009, through June 30,
22 2011, will be reinstated.

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

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

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

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

31 (3) 2011 1st sp.s. c 50 s 720 (uncodified) (FOR THE OFFICE OF
32 FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEE SALARY REDUCTIONS); and

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

1 **IMPLEMENTING PROVISIONS**

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

4 **FUND TRANSFERS**

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

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

26 (b) Transfers from a project may not be made as a result of the
27 reduction of the scope of a project or be made to support increases in
28 the scope of a project;

29 (c) Each transfer between projects may only occur if the director
30 of financial management finds that any resulting change will not hinder
31 the completion of the projects as approved by the legislature. Until
32 the legislature reconvenes to consider the 2012 supplemental
33 transportation budget, any unexpended 2009-2011 appropriation balance
34 as approved by the office of financial management, in consultation with
35 the legislative staff of the house of representatives and senate
36 transportation committees, may be considered when transferring funds
37 between projects;

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

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

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

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

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

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

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

27 NEW SECTION. **Sec. 602.** A new section is added to 2011 c 367
28 (uncodified) to read as follows:

29 The department of transportation is given the authority to provide
30 up to \$163,000 in toll credits to the Port of Kingston for its role in
31 the new passenger-only ferry service and ferry corridor-related
32 projects. The number of toll credits provided to the Port of Kingston
33 must be equal to, but no more than, the number sufficient to meet
34 federal match requirements for grant funding for passenger-only ferry
35 service, but shall not exceed the amount authorized in this section.

MISCELLANEOUS 2011-2013 FISCAL BIENNIUM

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

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

(2) Except as provided in subsection (5) of this section, effective June 1, 2009, state agencies are required to use a minimum of twenty percent biodiesel as compared to total volume of all diesel purchases made by the agencies for the operation of the agencies' diesel-powered vessels, vehicles, and construction equipment.

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

~~(4) ((For the 2009-2011 fiscal biennium, all fuel purchased by the Washington state ferries at Harbor Island for the operation of the Washington state ferries diesel powered vessels must be a minimum of five percent biodiesel blend so long as the per gallon price of diesel containing a five percent biodiesel blend level does not exceed the per gallon price of diesel by more than five percent. If the per gallon price of diesel containing a five percent biodiesel blend level exceeds the per gallon price of diesel by more than five percent, the requirements of this section do not apply to vessel fuel purchases by the Washington state ferries.~~

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

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

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

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