

PSSB 5992

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

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

12 **2011-2013 FISCAL BIENNIUM**

13 **GENERAL GOVERNMENT AGENCIES--OPERATING**

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

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

17 Motor Vehicle Account--State Appropriation ((~~\$430,000~~))
18 \$416,000

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))
10		<u>\$1,728,000</u>
11	Puget Sound Ferry Operations Account--State	
12	Appropriation	((\$4,624,000))
13		<u>\$1,260,000</u>
14	TOTAL APPROPRIATION	((\$6,840,000))
15		<u>\$2,988,000</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 information 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	(\$95,000)
27	<u>\$75,000</u>

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

30 **FOR THE DEPARTMENT OF AGRICULTURE**

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

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

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

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

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

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

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

13 **TRANSPORTATION AGENCIES--OPERATING**

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

16 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

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

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

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

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

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

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

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

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

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

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

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

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

36 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

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

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

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

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

21 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

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

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

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

1 **FOR THE JOINT TRANSPORTATION COMMITTEE**

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

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

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

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

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

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

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

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

21 **FOR THE TRANSPORTATION COMMISSION**

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

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

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

1 committees, in addition to the data gathered from the current ferry
2 user survey.

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

12 ((+4)) (3) Consistent with its authority in RCW 47.56.840, the
13 transportation commission shall consider the need for a citizen
14 advisory group that provides oversight on new tolled facilities.

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

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

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

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

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

32 **FOR THE WASHINGTON STATE PATROL**

33 (~~Vehicle Licensing Fraud Account--State Appropriation . . . \$100,000~~)

34 Ignition Interlock Device Revolving Account--
35 State Appropriation \$106,000

36 State Patrol Highway Account--State

1 reach three hundred seventy thousand dollars, the department of
2 transportation shall remit funds necessary to the Washington state
3 patrol to ensure the completion of the pilot program. The Washington
4 state patrol may not incur overtime as a result of this pilot program.
5 The Washington state patrol shall not assign troopers to operate or
6 deploy the pilot program equipment used in the roadway construction
7 zones.

8 (4) (~~(\$12,655,000)~~) \$12,166,000 of the total appropriation is
9 provided solely for automobile fuel in the 2011-2013 fiscal biennium.
10 The Washington state patrol shall analyze their fuel consumption and
11 submit a report to the legislative transportation committees by
12 December 31, 2011, on fuel conservation methods that could be used to
13 minimize costs and ensure that the Washington state patrol is managing
14 fuel consumption effectively.

15 (5) (~~(\$7,421,000)~~) \$7,672,000 of the total appropriation is
16 provided solely for the purchase of pursuit vehicles.

17 (6) (~~(\$6,611,000)~~) \$6,689,000 of the total appropriation is
18 provided solely for vehicle repair and maintenance costs of vehicles
19 used for highway purposes.

20 (7) (~~(\$1,724,000)~~) \$1,730,000 of the total appropriation is
21 provided solely for the purchase of mission vehicles used for highway
22 purposes in the commercial vehicle and traffic investigation sections
23 of the Washington state patrol.

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

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

37 (10) During the 2011-2013 fiscal biennium, the Washington state
38 patrol shall continue to perform traffic accident investigations on

1 Thurston county roads, and shall work with Thurston county to
2 transition the traffic accident investigations on Thurston county roads
3 to Thurston county by July 1, 2013.

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

9 (12) \$2,731,000 of the state patrol highway account--state
10 appropriation is provided solely for the continuation of the target
11 zero trooper program.

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

14 **FOR THE DEPARTMENT OF LICENSING**

15	Marine Fuel Tax Refund Account--State Appropriation	\$32,000
16	Motorcycle Safety Education Account--State	
17	Appropriation	(\$4,411,000)
18		<u>\$4,367,000</u>
19	Wildlife Account--State Appropriation	(\$859,000)
20		<u>\$826,000</u>
21	Highway Safety Account--State Appropriation	(\$149,904,000)
22		<u>\$148,102,000</u>
23	Highway Safety Account--Federal Appropriation	(\$2,884,000)
24		<u>\$4,299,000</u>
25	<u>Highway Safety Account--Private/Local Appropriation</u>	<u>\$200,000</u>
26	Motor Vehicle Account--State Appropriation	(\$78,586,000)
27		<u>\$76,605,000</u>
28	Motor Vehicle Account--Private/Local Appropriation . . .	(\$1,721,000)
29		<u>\$1,714,000</u>
30	Motor Vehicle Account--Federal Appropriation	(\$242,000)
31		<u>\$380,000</u>
32	Department of Licensing Services Account--State	
33	Appropriation	(\$5,815,000)
34		<u>\$6,095,000</u>
35	Ignition Interlock Device Revolving Account--State	
36	Appropriation	\$1,315,000
37	TOTAL APPROPRIATION	(\$245,769,000)

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

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

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

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

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

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

1 ~~((+6))~~ (4) By December 31, 2011, the department shall submit to
2 the office of financial management and the transportation committees of
3 the legislature draft legislation that rewrites the tow truck statutes
4 (chapter 46.55 RCW) in plain language and is revenue and policy
5 neutral.

6 ~~((+7))~~ (5) \$128,000 of the highway safety account--state
7 appropriation is provided solely for the implementation of chapter ...
8 (Engrossed Substitute House Bill No. 1635), Laws of 2011 (driver's
9 license exams). If chapter ... (Engrossed Substitute House Bill No.
10 1635), Laws of 2011 is not enacted by June 30, 2011, the amount
11 provided in this subsection lapses.

12 ~~((+8))~~ (6) \$68,000 of the highway safety account--state
13 appropriation is provided solely for the implementation of chapter ...
14 (Engrossed Second Substitute House Bill No. 1789), Laws of 2011
15 (~~((driving under the influence))~~) (addressing DUI accountability). If
16 chapter ... (Engrossed Second Substitute House Bill No. 1789), Laws of
17 2011 is not enacted by June 30, 2011, the amount provided in this
18 subsection lapses.

19 ~~((+9))~~ (7) \$63,000 of the highway safety account--state
20 appropriation is provided solely for the implementation of chapter ...
21 (Substitute House Bill No. 1237), Laws of 2011 (selective service
22 system). If chapter ... (Substitute House Bill No. 1237), Laws of 2011
23 is not enacted by June 30, 2011, the amount provided in this subsection
24 lapses.

25 ~~((+10))~~ (8) \$340,000 of the motor vehicle account--private/local
26 appropriation is provided solely for the implementation of chapter ...
27 (Engrossed Substitute Senate Bill No. 5457), Laws of 2011 (congestion
28 reduction charge). If chapter ... (Engrossed Substitute Senate Bill
29 No. 5457), Laws of 2011 is not enacted by June 30, 2011, the amount
30 provided in this subsection lapses.

31 ~~((+12))~~ (9) \$1,738,000 of the department of licensing services
32 account--state appropriation is provided solely for purchasing
33 equipment for field licensing service offices and subagent offices.

34 (10) \$2,500,000 of the highway safety account--state appropriation
35 is provided solely for information technology field system
36 modernization.

37 (11) \$963,000 of the highway safety account--state appropriation is

1 provided solely for implementation of chapter 374, Laws of 2011
2 (limousine carriers) and chapter 298, Laws of 2011 (master license
3 service program).

4 (12) \$104,000 of the motor vehicle account--state appropriation is
5 provided solely for the implementation of chapter . . . (Second
6 Substitute Senate Bill No. 5251), Laws of 2012 (electric vehicle
7 license fee). If chapter . . . (Second Substitute Senate Bill No.
8 5251), Laws of 2012 is not enacted by June 30, 2012, the amount
9 provided in this subsection lapses.

10 (13) \$176,000 of the motor vehicle account--state appropriation is
11 provided solely for the implementation of chapter . . . (Engrossed
12 Second Substitute Senate Bill No. 5366), Laws of 2012 (four-wheel all-
13 terrain vehicles). If chapter . . . (Engrossed Second Substitute
14 Senate Bill No. 5366), Laws of 2012 is not enacted by June 30, 2012,
15 the amount provided in this subsection lapses.

16 (14) \$69,000 of the motor vehicle account--state appropriation is
17 provided solely for the implementation of chapter . . . (Engrossed
18 Substitute Senate Bill No. 5990), Laws of 2012 (state flower license
19 plate). If chapter . . . (Engrossed Substitute Senate Bill No. 5990),
20 Laws of 2012 is not enacted by June 30, 2012, the amount provided in
21 this subsection lapses.

22 (15) \$190,000 of the highway safety account--state appropriation is
23 provided solely for the implementation of chapter . . . (Substitute
24 Senate Bill No. 6075), Laws of 2012 (vehicle owner information). If
25 chapter . . . (Substitute Senate Bill No. 6075), Laws of 2012 is not
26 enacted by June 30, 2012, the amount provided in this subsection
27 lapses.

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

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

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

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

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

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

22 (19) \$142,000 of the motor vehicle account--state appropriation is
23 provided solely for the implementation of chapter . . . (Engrossed
24 Substitute Senate Bill No. 6455), Laws of 2012 (transportation
25 revenue). If chapter . . . (Engrossed Substitute Senate Bill No.
26 6455), Laws of 2012 is not enacted by June 30, 2012, the amount
27 provided in this subsection lapses.

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

34 (21) Within the amounts provided in this section, the department
35 must develop a transition plan for moving to a paperless renewal
36 notice. The plan must consider people that do not have access to the
37 internet and must include an opportunity for people to opt-in to a

1 paper renewal notice. Prior to the implementation of a paperless
2 renewal system, the department must consult with the joint
3 transportation committee.

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

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

8	High Occupancy Toll Lanes Operations Account--State	
9	Appropriation	((\$1,295,000))
10		<u>\$1,276,000</u>
11	Motor Vehicle Account--State Appropriation	((\$550,000))
12		<u>\$538,000</u>
13	Tacoma Narrows Toll Bridge Account--State	
14	Appropriation	((\$23,429,000))
15		<u>\$23,365,000</u>
16	State Route Number 520 Corridor Account--State	
17	Appropriation	\$27,295,000
18	State Route Number 520 Civil Penalties	
19	Account--State Appropriation	((\$4,622,000))
20		<u>\$3,622,000</u>
21	TOTAL APPROPRIATION	((\$57,191,000))
22		<u>\$56,096,000</u>

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

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

31 (2) ((~~\$4,622,000~~)) \$3,622,000 of the state route number 520 civil
32 penalties account--state appropriation and \$1,458,000 of the Tacoma
33 Narrows toll bridge account--state appropriation are provided solely
34 for expenditures related to the toll adjudication process. All costs
35 associated with the toll adjudication process are anticipated to be
36 covered by revenue collected from the toll adjudication process. The
37 department shall report quarterly on the civil penalty process to the

1 office of financial management and the house of representatives and
2 senate transportation committees beginning September 30, 2011. The
3 reports must include a summary table for each toll facility that
4 includes: The number of notices of civil penalty issued; the number of
5 recipients who pay before the notice becomes a penalty; the number of
6 recipients who request a hearing and the number who do not respond;
7 workload costs related to hearings; the cost and effectiveness of debt
8 collection activities; and revenues generated from notices of civil
9 penalty.

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

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

22 (5) \$17,786,000 of the state route number 520 corridor account--
23 state appropriation is provided solely for nonvendor costs associated
24 with tolling the state route number 520 bridge. Funds from the state
25 route number 520 corridor account--state appropriation shall not be
26 used to pay for items prohibited by Executive Order No. 1057, including
27 subscriptions to technical publications, employee educational expenses,
28 professional membership dues and fees, employee recognition and safety
29 awards, meeting meals and light refreshments, commute trip reduction
30 incentives, and employee travel.

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

33 **FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM**
34 **C**

35	Motor Vehicle Account--State Appropriation	((\$69,107,000))
36		<u>\$67,398,000</u>
37	Transportation Partnership Account--State	

1 consistent with the process followed by nontransportation capital
2 construction projects. The department shall not award a contract for
3 construction of a new traffic management center until the predesign
4 proposal has been submitted and the office of financial management has
5 completed a budget evaluation study that indicates a new building is
6 the recommended option for accommodating additional traffic management
7 operations.

8 (2) \$850,000 of the motor vehicle account--state appropriation is
9 provided solely for the department's compliance with its national
10 pollution discharge elimination system permit.

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

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

14 Aeronautics Account--State Appropriation	((\$6,066,000))
15	<u>\$6,002,000</u>
16 Aeronautics Account--Federal Appropriation	\$2,150,000
17 TOTAL APPROPRIATION	((\$8,216,000))
18	<u>\$8,152,000</u>

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

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

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

27 Motor Vehicle Account--State Appropriation	((\$47,418,000))
28	<u>\$45,796,000</u>
29 Motor Vehicle Account--Federal Appropriation	\$500,000
30 Multimodal Transportation Account--State	
31 Appropriation	\$250,000
32 TOTAL APPROPRIATION	((\$48,168,000))
33	<u>\$46,546,000</u>

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

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

9 (2)) \$3,754,000 of the motor vehicle account--state appropriation
10 is provided solely for the department's compliance with its national
11 pollution discharge elimination system permit.

12 ((3)) (2) It is the intent of the legislature that (~~the real~~
13 ~~estate services division of the department will recover the cost of its~~
14 ~~efforts from future sale proceeds~~) future surplus property sale
15 proceeds support the efforts of the real estate services division of
16 the department.

17 ((4)) (3) The legislature recognizes that the Dryden pit site
18 (WSDOT Inventory Control (IC) No. 2-04-00103) is unused state-owned
19 real property under the jurisdiction of the department of
20 transportation, and that the public would benefit significantly from
21 the complete enjoyment of the natural scenic beauty and recreational
22 opportunities available at the site. Therefore, pursuant to RCW
23 47.12.080, the legislature declares that transferring the property to
24 the department of fish and wildlife for recreational use and fish and
25 wildlife restoration efforts is consistent with the public interest in
26 order to preserve the area for the use of the public and the betterment
27 of the natural environment. The department of transportation shall
28 work with the department of fish and wildlife, and shall transfer and
29 convey the Dryden pit site to the department of fish and wildlife as is
30 for an adjusted fair market value reflecting site conditions, the
31 proceeds of which must be deposited in the motor vehicle fund. The
32 department of transportation is not responsible for any costs
33 associated with the cleanup or transfer of this property. By July 1,
34 2011, and annually thereafter until the entire Dryden pit property has
35 been transferred, the department shall submit a status report regarding
36 the transaction to the chairs of the legislative transportation
37 committees.

1		<u>\$373,709,000</u>
2	Motor Vehicle Account--Federal Appropriation	\$7,000,000
3	TOTAL APPROPRIATION	((\$387,327,000))
4		<u>\$380,709,000</u>

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

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

12 (2) \$7,000,000 of the motor vehicle account--state appropriation is
13 provided solely for third-party damages to the highway system where the
14 responsible party is known and reimbursement is anticipated. The
15 department shall request additional appropriation authority for any
16 funds received for reimbursements of third-party damages that are in
17 excess of this appropriation.

18 (3) \$7,000,000 of the motor vehicle account--federal appropriation
19 is for unanticipated federal funds that may be received during the
20 2011-2013 fiscal biennium. Upon receipt of the funds, the department
21 shall provide a report on the use of the funds to the transportation
22 committees of the legislature and the office of financial management.

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

26 (5) \$4,530,000 of the motor vehicle account--state appropriation is
27 provided solely for the department's compliance with its national
28 pollution discharge elimination system permit.

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

33 (7) \$6,884,000 of the motor vehicle account--state appropriation is
34 provided solely for the high priority maintenance backlog. Addressing
35 the maintenance backlog must result in increased levels of service. If
36 chapter . . . (Engrossed Substitute Senate Bill No. 5251), Laws of 2011
37 (electric vehicle fee) is not enacted by June 30, 2011, \$500,000 of the
38 appropriation provided in this subsection lapses.

1 companies that meet clearance goals on accidents that involve heavy
2 trucks.

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

29 (4) \$9,000,000 of the motor vehicle account--state appropriation is
30 provided solely for the department's incident response program.

31 (5) The department, in consultation with the Washington state
32 patrol, must continue a pilot program for the patrol to issue
33 infractions based on information from automated traffic safety cameras
34 in roadway construction zones on state highways. The department must
35 report to the joint transportation committee by January 1, 2012, and
36 January 1, 2013, on the status of this pilot program. For the purpose
37 of this pilot program, during the 2011-2013 fiscal biennium, a roadway
38 construction zone includes areas where public employees or private

1 contractors may be present or where a driving condition exists that
2 would make it unsafe to drive at higher speeds, such as, when the
3 department is redirecting or realigning lanes on any public roadway
4 pursuant to ongoing construction. The department shall use the
5 following guidelines to administer the program:

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

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

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

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

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

35 (f) If a notice of infraction is sent to the registered owner and
36 the registered owner is a rental car business, the infraction must be
37 dismissed against the business if it mails to the patrol, within
38 fourteen days of receiving the notice, a declaration under penalty of

1 perjury of the name and known mailing address of the individual driving
2 or renting the vehicle when the infraction occurred. If the business
3 is unable to determine who was driving or renting the vehicle at the
4 time the infraction occurred, the business must sign a declaration
5 under penalty of perjury to this effect. The declaration must be
6 mailed to the patrol within fourteen days of receiving the notice of
7 traffic infraction. Timely mailing of this declaration to the issuing
8 agency relieves a rental car business of any liability under this
9 section for the notice of infraction. A declaration form suitable for
10 this purpose must be included with each automated traffic infraction
11 notice issued, along with instructions for its completion and use.

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

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

18 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND**
19 **SUPPORT--PROGRAM S**

20	Motor Vehicle Account--State Appropriation	((\$28,430,000))
21		<u>\$27,389,000</u>
22	Motor Vehicle Account--Federal Appropriation	\$30,000
23	Multimodal Transportation Account--State	
24	Appropriation	\$973,000
25	TOTAL APPROPRIATION	((\$29,433,000))
26		<u>\$28,392,000</u>

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

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

34 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**
35 **AND RESEARCH--PROGRAM T**

36	Motor Vehicle Account--State Appropriation	((\$23,394,000))
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1 providing information on potential state transportation uses and an
2 analysis of potential sources of revenue to implement investments. In
3 carrying out this planning, regional transportation planning
4 organizations must be broadly inclusive of business, civic, labor,
5 governmental, and environmental interests in regional communities
6 across the state.

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

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

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

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

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

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

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

31 ~~(a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT~~

32	DIVISION OF RISK MANAGEMENT FEES	\$1,639,000
33	(b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE	
34	STATE AUDITOR	\$937,000
35	(c) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF	
36	GENERAL ADMINISTRATION	\$6,060,000
37	(d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF	

1 appropriation is provided solely for a grant program for special needs
2 transportation provided by transit agencies and nonprofit providers of
3 transportation.

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

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

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

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

36 (b) \$8,500,000 of the rural mobility grant program account--state
37 appropriation is provided solely to providers of rural mobility service

1 in areas not served or underserved by transit agencies through a
2 competitive grant process.

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

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

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

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

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

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

35 (6) \$2,309,000 of the multimodal transportation account--state
36 appropriation is provided solely for the tri-county connection service
37 for Island, Skagit, and Whatcom transit agencies.

1 (7) \$200,000 of the multimodal transportation account--state
2 appropriation is contingent on the timely development of an annual
3 report summarizing the status of public transportation systems as
4 identified under RCW 35.58.2796.

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

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

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

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

15 Puget Sound Ferry Operations Account--State
16 Appropriation ((\$467,773,000))
17 \$468,135,000

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

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

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

31 ((+5)) (3) Until a reservation system is operational on the San
32 Juan islands inner-island route, the department shall provide the same
33 priority loading benefits on the San Juan islands inner-island route to
34 home health care workers as are currently provided to patients
35 traveling for purposes of receiving medical treatment.

36 ((+6)) (4) The department shall request from the United States

1 coast guard variable minimum staffing levels on all of its vessels by
2 December 31, 2011.

3 ~~((+10))~~ (5) The department shall continue to provide service to
4 Sidney, British Columbia and shall explore the option of purchasing a
5 foreign built vehicle and passenger ferry vessel either with safety of
6 life at sea (SOLAS) certification or the ability to be retrofitted for
7 SOLAS certification to operate solely on the Anacortes to Sidney,
8 British Columbia route currently served by vessels of the Washington
9 state ferries fleet. The vessel should have the capability of carrying
10 at least one hundred standard vehicles and approximately four hundred
11 to five hundred passengers. Further, the department shall explore the
12 possibilities of contracting a commercial company to operate the vessel
13 exclusively on this route so long as the contractor's employees
14 assigned to the vessel are represented by the same employee
15 organizations as the Washington state ferries. The department shall
16 report back to the transportation committees of the legislature
17 regarding: The availability of a vessel; the cost of the vessel,
18 including transport to the Puget Sound region; and the need for any
19 statutory changes for the operation of the Sydney, British Columbia
20 service by a private company.

21 ~~((+11))~~ (6) For the 2011-2013 fiscal biennium, the department of
22 transportation may enter into a distributor controlled fuel hedging
23 program and other methods of hedging approved by the fuel hedging
24 committee.

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

33 ~~((+13))~~ (7) \$135,248,000 of the Puget Sound ferry operations
34 account--state appropriation is provided solely for auto ferry vessel
35 operating fuel in the 2011-2013 fiscal biennium. The amount provided
36 in this appropriation represents the fuel budget for the purposes of
37 calculating any ferry fare fuel surcharge.

1 (~~(14)~~) (8) \$150,000 of the Puget Sound ferry operations account--
2 state appropriation is provided solely for the department to increase
3 recreation and tourist ridership by entering into agreements for
4 marketing and outreach strategies with local economic development
5 agencies. The department shall identify the number of tourist and
6 recreation riders on the applicable ferry routes both before and after
7 implementation of marketing and outreach strategies developed through
8 the agreements. The department shall report results of the marketing
9 and outreach strategies to the transportation committees of the
10 legislature by October 15, 2012.

11 (~~(15)~~) (9) The Washington state ferries shall participate in the
12 facilities plan included in section 604 of this act and shall include
13 an investigation and identification of less costly relocation options
14 for the Seattle headquarters office. The department shall include
15 relocation options for the Washington state ferries Seattle
16 headquarters office in the facilities plan. Until September 1, 2012,
17 the department may not enter into a lease renewal for the Seattle
18 headquarters office.

19 (~~(16)~~) (10) The department, office of financial management, and
20 transportation committees of the legislature shall make recommendations
21 regarding an appropriate budget structure for the Washington state
22 ferries. The recommendation may include a potential restructuring of
23 the Washington state ferries budget. The recommendation must
24 facilitate transparency in reporting and budgeting as well as provide
25 the opportunity to link revenue sources with expenditures. Findings
26 and recommendations must be reported to the office of financial
27 management and the joint transportation committee by September 1, 2011.

28 (~~(17)~~) (11) Two Kwa-di-tabil class ferry vessels must be placed
29 on the Port Townsend/Coupeville (Keystone) route to provide service at
30 the same levels provided when the steel electric vessels were in
31 service. After the vessels as funded under section 308(~~(7)~~) (5) of
32 this act are in service, the two most appropriate of these vessels for
33 the Port Townsend/Coupeville (Keystone) route must be placed on the
34 route. \$100,000 of the Puget Sound ferry operations account--state
35 appropriation is provided solely for the additional staffing required
36 to maintain a reservation system at this route when the second vessel
37 is in service.

1 to, credits for increased revenue due to higher ridership, and fare or
2 fare schedule adjustments, must be used to offset corresponding amounts
3 of the multimodal transportation account--state appropriation, which
4 must be placed in reserve. Upon completion of the rail platform
5 project in the city of Stanwood, the department shall continue to
6 provide daily Amtrak Cascades service to the city.

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

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

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

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

20 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
21 **OPERATING**

22	Motor Vehicle Account--State Appropriation	((\$8,853,000))
23		<u>\$8,518,000</u>
24	Motor Vehicle Account--Federal Appropriation	\$2,567,000
25	TOTAL APPROPRIATION	((\$11,420,000))
26		<u>\$11,085,000</u>

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

1 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

2	Motor Vehicle Account--State Appropriation	\$874,000
3	Rural Arterial Trust Account--State Appropriation	((\$37,417,000))
4		<u>\$62,510,000</u>
5	County Arterial Preservation Account--State	
6	Appropriation	\$29,360,000
7	TOTAL APPROPRIATION	((\$67,651,000))
8		<u>\$92,744,000</u>

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

11 (1) \$874,000 of the motor vehicle account--state appropriation may
12 be used for county ferry projects as developed pursuant to RCW
13 47.56.725(4).

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

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

28 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

29	Small City Pavement and Sidewalk Account--State	
30	Appropriation	((\$3,812,000))
31		<u>\$5,270,000</u>
32	Transportation Improvement Account--State	
33	Appropriation	((\$201,050,000))
34		<u>\$237,545,000</u>
35	TOTAL APPROPRIATION	((\$204,862,000))
36		<u>\$242,815,000</u>

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

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

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

9	Motor Vehicle Account--State Appropriation	((\$5,433,000))
10		<u>\$5,545,000</u>
11	<u>Transportation Partnership Account--State</u>	
12	<u>Appropriation</u>	<u>\$1,575,000</u>
13	<u>TOTAL APPROPRIATION</u>	<u>\$7,120,000</u>

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

16 (1) \$1,364,000 of the motor vehicle account--state appropriation is
17 provided solely for the Olympic region site acquisition debt service
18 payments and administrative costs associated with capital improvement
19 and preservation project and financial management.

20 (2) (~~\$3,669,000~~) \$3,781,000 of the motor vehicle account--state
21 appropriation is provided solely for high priority safety projects that
22 are directly linked to employee safety, environmental risk, or minor
23 works that prevent facility deterioration.

24 (3) \$400,000 of the motor vehicle account--state appropriation is
25 provided solely for the department's compliance with its national
26 pollution discharge elimination system permit.

27 (4) \$1,575,000 of the transportation partnership account--state
28 appropriation is provided solely for the traffic management center
29 (100010T).

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

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

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

19 ~~((4))~~ (3) The department shall apply for surface transportation
20 program enhancement funds to be expended in lieu of or in addition to
21 state funds for eligible costs of projects in programs I and P
22 including, but not limited to, the state route number 518, state route
23 number 520, Columbia river crossing, and Alaskan Way viaduct projects.

24 ~~((5))~~ (4) The department shall apply for the competitive portion
25 of federal transit administration funds for eligible transit-related
26 costs of the state route number 520 bridge replacement and HOV project
27 and the Columbia river crossing project. The federal funds described
28 in this subsection must not include those federal transit
29 administration funds distributed by formula. The department shall
30 provide a report regarding this effort to the legislature by October 1,
31 2011.

32 ~~((7))~~ (5) The department shall work with the department of
33 archaeology and historic preservation to ensure that the cultural
34 resources investigation is properly conducted on all mega-highway
35 projects and large ferry terminal projects. These projects must be
36 conducted with active archaeological management. Additionally, the
37 department shall establish a scientific peer review of independent

1 archaeologists that are knowledgeable about the region and its cultural
2 resources.

3 ~~((+8))~~ (6) For highway construction projects where the department
4 considers agricultural lands of long-term commercial significance, as
5 defined in RCW 36.70A.030, in reviewing and selecting sites to meet
6 environmental mitigation requirements under the national environmental
7 policy act (42 U.S.C. Sec. 4321 et seq.) and the state environmental
8 policy act (chapter 43.21C RCW), the department shall, to the greatest
9 extent possible, consider using public land first. If public lands are
10 not available that meet the required environmental mitigation needs,
11 the department may use other sites while making every effort to avoid
12 any net loss of agricultural lands that have a designation of long-term
13 commercial significance.

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

26 ~~(+10))~~ (8) The transportation 2003 account (nickel account)--state
27 appropriation includes up to ~~((+\$361,005,000))~~ \$338,751,000 in proceeds
28 from the sale of bonds authorized by RCW 47.10.861.

29 ~~((+11))~~ (9) The transportation partnership account--state
30 appropriation includes up to ~~((+\$1,427,696,000))~~ \$881,158,000 in
31 proceeds from the sale of bonds authorized in RCW 47.10.873.

32 ~~((+12))~~ (10) The motor vehicle account--state appropriation
33 includes up to ~~((+\$66,373,000))~~ \$45,870,000 in proceeds from the sale of
34 bonds authorized in RCW 47.10.843.

35 ~~((+13))~~ (11) The state route number 520 corridor account--state
36 appropriation includes up to ~~((+\$987,717,000))~~ \$1,779,000,000 in
37 proceeds from the sale of bonds authorized in RCW 47.10.879.

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

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

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

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

20 (~~(18)~~ \$253,444,000) (16) \$202,863,000 of the transportation
21 partnership account--state appropriation and (~~(\$66,034,000)~~)
22 \$51,136,000 of the transportation 2003 account (nickel account)--state
23 appropriation are provided solely for the I-5/Tacoma HOV Improvements
24 (Nickel/TPA) project (300504A). The use of funds in this subsection to
25 renovate any buildings is subject to the requirements of section 604 of
26 this act. The department shall report to the legislature and the
27 office of financial management on any costs associated with building
28 renovations funded in this subsection.

29 (~~(19)~~) (17)(a) (\$8,321,000) \$9,343,000 of the transportation
30 partnership account--state appropriation and (~~(\$31,380,000)~~)
31 \$54,461,000 of the motor vehicle account--federal appropriation are
32 provided solely for the I-5/Columbia River Crossing project (400506A).
33 (~~(Of this amount,)~~) Of the amounts appropriated in this subsection,
34 \$30,000,000 of the motor vehicle account--federal appropriation must be
35 put into unallotted status and is subject to the review of the office
36 of financial management. This funding may be allotted in five million
37 dollar increments only when the state of Oregon's total share of
38 expenses on the project are within five percent of the state of

1 Washington's expenses. \$200,000 of the transportation partnership
2 account--state appropriation in this subsection is provided solely for
3 the department to work with the department of archaeology and historic
4 preservation to ensure that the cultural resources investigation is
5 properly conducted on the Columbia river crossing project. This
6 project must be conducted with active archaeological management and
7 result in one report that spans the single cultural area in Oregon and
8 Washington. Additionally, the department shall establish a scientific
9 peer review of independent archaeologists that are knowledgeable about
10 the region and its cultural resources. (~~No funding from any account~~
11 ~~may be expended until written confirmation has been received by the~~
12 ~~department that the state of Oregon is providing an equal amount of~~
13 ~~additional funding to the project.~~)

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

24 (~~(20) \$107,000~~) (18) \$309,000 of the motor vehicle account--
25 federal appropriation and (~~(\$27,000)~~) \$78,000 of the motor vehicle
26 account--state appropriation are provided solely for the SR 9/SR 204
27 Intersection Improvement project (L2000040).

28 (~~(21) \$2,134,000~~) (19) \$3,385,000 of the motor vehicle account--
29 federal appropriation and (~~(\$47,000)~~) \$50,000 of the motor vehicle
30 account--state appropriation are provided solely for the US 12/Nine
31 Mile Hill to Woodward Canyon Vic - Build New Highway project (501210T).

32 (~~(22) \$294,000~~) (20) \$5,791,000 of the Tacoma Narrows toll bridge
33 account--state appropriation is provided solely for deferred sales tax
34 expenses on the construction of the new Tacoma Narrows bridge.
35 However, if chapter . . . (Senate Bill No. 6073), Laws of 2012 (sales
36 tax exemption on SR 16 projects) is enacted by June 30, 2012, the
37 amount provided in this subsection lapses.

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

4 (22) \$391,000 of the motor vehicle account--federal appropriation
5 and ~~((\$13,000))~~ \$16,000 of the motor vehicle account--state
6 appropriation are provided solely for the SR 16/Rosedale Street NW
7 Vicinity - Frontage Road project (301639C). The frontage road must be
8 built for driving speeds of no more than thirty-five miles per hour.

9 ~~((\$1,000,000))~~ \$621,000 of the motor vehicle account--federal
10 appropriation is provided solely for the SR 20/Race Road to Jacob's
11 Road safety project (L2200042).

12 ~~((\$24,002,000))~~ \$32,162,000 of the transportation partnership
13 account--state appropriation is provided solely for the SR 28/ US 2 and
14 US 97 Eastmont Avenue Extension project (202800D).

15 ~~((\$569,000))~~ \$1,227,000 of the motor vehicle account--federal
16 appropriation and ~~((\$9,000))~~ \$38,000 of the motor vehicle account--
17 state appropriation are provided solely for design and right-of-way
18 work on the I-82/Red Mountain Vicinity project (508208M). The
19 department shall continue to work with the local partners in developing
20 transportation solutions necessary for the economic growth in the Red
21 Mountain American viticulture area of Benton county.

22 \$1,500,000 of the motor vehicle account--federal appropriation
23 is provided solely for the I-90 Comprehensive Tolling Study project
24 (100067T).

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

29 (28) Up to \$8,000,000 in savings realized on the I-90/Snoqualmie
30 Pass East - Hyak to Keechelus Dam - Corridor project (509009B) may be
31 used for design work on the next two-mile segment of the corridor. Any
32 additional savings on this project must remain on the corridor.
33 ~~((\$590,000 of the funds appropriated for this project may be used to~~
34 ~~purchase land currently owned by the state parks department.))~~ Project
35 funds may not be used to build or improve buildings until the plan
36 described in section 604 of this act is complete.

37 ~~((\$932,000))~~ \$657,000 of the motor vehicle account--federal

1 appropriation is provided solely for the US 97A/North of Wenatchee -
2 Wildlife Fence project (209790B).

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

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

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

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

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

37 (33)(a) (~~(\$131,303,000)~~) \$137,022,000 of the transportation
38 partnership account--state appropriation(~~(,---\$51,410,000)~~) and

1 \$50,623,000 of the transportation 2003 account (nickel account)--state
2 appropriation(~~(, and \$10,000,000 of the motor vehicle account--federal~~
3 ~~appropriation))~~ are provided solely for the I-405/Kirkland Vicinity
4 Stage 2 - Widening project (8BI1002). This project must be completed
5 as soon as practicable as a design-build project and must be
6 constructed with a footprint that would accommodate potential future
7 express toll lanes.

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

18 (c) Of the amount appropriated in (a) of this subsection,
19 \$15,000,000 of the transportation partnership account--state
20 appropriation is provided solely for the preliminary design and
21 purchase of rights-of-way on the state route number 167 direct
22 connector. It is the intent of the legislature to fund an additional
23 \$25,000,000 of the transportation partnership account--state
24 appropriation for the preliminary design and purchase of rights-of-way
25 on the state route number 167 direct connector during the 2013-2015
26 biennium.

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

30 (35) (~~(\$226,809,000)~~) \$224,592,000 of the transportation
31 partnership account--state appropriation and (~~(\$1,019,460,000)~~)
32 \$898,286,000 of the state route number 520 corridor account--state
33 appropriation are provided solely for the state route number 520 bridge
34 replacement and HOV program (8BI1003). When developing the financial
35 plan for the program, the department shall assume that all maintenance
36 and operation costs for the new facility are to be covered by tolls
37 collected on the toll facility, and not by the motor vehicle account.

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

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

7 (37) \$300,000 of the motor vehicle account--federal appropriation
8 is provided solely for the SR 523 Corridor study (L1000059).

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

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

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

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

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

22	Transportation Partnership Account--State	
23	Appropriation	(((\$34,182,000))
24		<u>\$44,463,000</u>
25	Motor Vehicle Account--State Appropriation	(((\$67,790,000))
26		<u>\$85,241,000</u>
27	Motor Vehicle Account--Federal Appropriation	(((\$632,489,000))
28		<u>\$548,306,000</u>
29	Motor Vehicle Account--Private/Local Appropriation	(((\$19,253,000))
30		<u>\$21,585,000</u>
31	<u>Transportation 2003 Account (Nickel Account)--State</u>	
32	<u>Appropriation</u>	<u>\$23,000</u>
33	TOTAL APPROPRIATION	(((\$753,714,000))
34		<u>\$699,618,000</u>

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

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

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

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

31 ((+5)) (3) Within the motor vehicle account--state appropriation
32 and motor vehicle account--federal appropriation, the department may
33 transfer funds between programs I and P, except for funds that are
34 otherwise restricted in this act.

35 ((+6)) (4) The department shall apply for surface transportation
36 program enhancement funds to be expended in lieu of or in addition to
37 state funds for eligible costs of projects in programs I and P.

1 \$38,254,000
 2 TOTAL APPROPRIATION (((\$283,341,000))
 3 \$283,184,000

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

6 ~~(1) ((\$68,013,000 of the Puget Sound capital construction~~
 7 ~~account state appropriation, \$41,500,000 of the Puget Sound capital~~
 8 ~~construction account federal appropriation, \$12,536,000 of the~~
 9 ~~transportation partnership account state appropriation, \$118,027,000~~
 10 ~~of the transportation 2003 account (nickel account) state~~
 11 ~~appropriation, and \$43,265,000 of the multimodal transportation~~
 12 ~~account state appropriation are provided solely for ferry projects,))~~
 13 Except as provided otherwise in this section, the entire appropriations
 14 in this section are provided solely for the projects and activities as
 15 listed in LEAP Transportation Document ((2011-2)) 2012-1 ALL PROJECTS
 16 as developed ((April 19, 2011)) February 21, 2012, Program - Washington
 17 State Ferries Capital Program (W).

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

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

26 ~~(4) ((The transportation 2003 account (nickel account) state~~
 27 ~~appropriation includes up to \$82,143,000 in proceeds from the sale of~~
 28 ~~bonds authorized in RCW 47.10.861.~~

29 ~~(5))~~ The Puget Sound capital construction account--state
 30 appropriation includes up to (((\$52,516,000)) \$45,000,000 in proceeds
 31 from the sale of bonds authorized in RCW 47.10.843.

32 ~~((7) \$20,906,000))~~ (5) \$17,970,000 of the transportation 2003
 33 account (nickel account)--state appropriation(~~(, \$9,711,000 of the~~
 34 ~~multimodal transportation account state appropriation, and \$1,537,000~~
 35 ~~of the Puget Sound capital construction account state appropriation~~
 36 ~~are)) is provided solely for the acquisition of new Kwa-di-tabil class
 37 ferry vessels (project 944470A) subject to the conditions of RCW
 38 47.56.780.~~

1 ~~((8))~~ (6) \$33,404,000 of the multimodal transportation account--
2 state appropriation, ~~((2,000,000))~~ \$1,000,000 of the Puget Sound
3 capital construction account--~~(state))~~ federal appropriation,
4 \$11,500,000 of the transportation partnership account--state
5 appropriation, and ~~((81,085,000))~~ \$76,924,000 of the transportation
6 2003 account (nickel account)--state appropriation are provided solely
7 for the acquisition of ~~((two))~~ one 144-car vessel~~((s contingent upon~~
8 ~~new and sufficient resources. Of these amounts, \$123,828,000 is~~
9 ~~provided solely for the first 144-car vessel))~~ (project L2200038). The
10 department shall use as much already procured equipment as practicable
11 on the 144-car vessel. The vendor must present to the joint
12 transportation committee and the office of financial management, by
13 August 15, 2011, a list of options that will result in significant cost
14 savings changes in terms of construction or the long-term maintenance
15 and operations of the vessel. The vendor must allow for exercising the
16 options without a penalty. If neither chapter ... (Engrossed
17 Substitute Senate Bill No. 5742), Laws of 2011 nor chapter ... (House
18 Bill No. 2083), Laws of 2011 is enacted by June 30, 2011, \$75,000,000
19 of the transportation 2003 account (nickel account)--state
20 appropriation in this subsection lapses.

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

33 ~~((11) \$3,932,000))~~ (7) \$5,749,000 of the total appropriation is
34 provided solely for continued permitting work on the Mukilteo ferry
35 terminal (project 952515P). The department shall seek additional
36 federal funding for this project. Prior to beginning terminal
37 improvements, the department shall report to the legislature on the
38 final environmental impact statement by December 31, 2012. The report

1 must include an overview of the costs and benefits of each of the
2 alternatives considered, as well as an identification of costs and a
3 funding plan for the preferred alternative.

4 ~~((13))~~ (8) The department shall review all terminal project cost
5 estimates to identify projects where similar design requirements could
6 result in reduced preliminary engineering or miscellaneous items costs.
7 The department shall report to the legislature by September 1, 2011.
8 The report must use programmatic design and include estimated cost
9 savings by reducing repetitive design costs or miscellaneous costs, or
10 both, applied to projects.

11 ~~((14) \$2,000,000)~~ (9) \$3,000,000 of the Puget Sound capital
12 construction account--state appropriation is provided solely for
13 emergency capital repair costs (project 999910K). Funds may be spent
14 only after approval from the office of financial management.

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

18 (11) \$641,000 of the Puget Sound capital construction account--
19 state appropriation is provided solely for the department to work with
20 the United States coast guard and other relevant agencies to conduct
21 security and operational planning, and public outreach, in order to
22 provide additional information for decision-making regarding the use of
23 liquid natural gas powered vessels in the Washington state ferry fleet.
24 Of this amount, \$150,000 is provided solely for public outreach work.
25 The department shall invite representatives of Alaska and Canada to
26 participate in this process.

27 (12) \$500,000 of the Puget Sound capital construction account--
28 state appropriation is provided solely for the ADA visual paging
29 project (L2200083). If any new federal grants are received by the
30 department that may supplant the state funds in this appropriation, the
31 state funds in this appropriation must be placed in unallotted status.

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

34	FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--CAPITAL	
35	Essential Rail Assistance Account--State	
36	Appropriation	((1,000,000))
37		<u>\$1,565,000</u>

1 (2)(a) (~~If any funds remain in the program reserves (F01001A &~~
2 ~~F01000A) for the program and projects listed in subsection (1)(b) and~~
3 ~~(c) of this section,~~) The department shall issue a call for projects
4 for the freight rail investment bank (FRIB) loan program and the
5 emergent freight rail assistance program (FRAP) grants, and shall
6 evaluate the applications according to the cost-benefit methodology
7 developed during the 2008 interim using the legislative priorities
8 specified in (c) of this subsection. Unsuccessful FRAP grant
9 applicants should be encouraged to apply to the FRIB loan program, if
10 eligible. By November 1, (~~2011~~) 2012, the department shall submit a
11 prioritized list of recommended projects to the office of financial
12 management and the transportation committees of the legislature.

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

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

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

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

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

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

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

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

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

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

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

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

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

21 ~~(8) \$1,087,000 of the multimodal transportation account state
22 appropriation is provided solely as state matching funds for successful
23 grant applications to either the federal rail line relocation and
24 improvement program (project 798999D) or new federal high speed rail
25 grants.~~

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

33 ~~((10) \$339,139,000))~~ (6) \$218,341,000 of the multimodal
34 transportation account--federal appropriation and ~~(((\$5,099,000))~~
35 \$3,639,000 of the multimodal transportation account--state
36 appropriation are provided solely for expenditures related to passenger
37 high-speed rail grants. At one and one-half percent of the total
38 project funds, the multimodal transportation account--state funds are

1 provided solely for expenditures that are not federally reimbursable.
2 Funding in this subsection is the initial portion of multiyear
3 high-speed rail program grants awarded to Washington state for
4 high-speed intercity passenger rail investments. Funding will allow
5 for two additional round trips between Seattle and Portland and other
6 rail improvements.

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

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

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

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

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

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

1 subsection on a quarterly basis via the transportation executive
2 information system.

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

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

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

22 ~~((5))~~ (4) The city of Winthrop may utilize a design-build process
23 for the Winthrop bike path project.

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

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

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

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

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

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

37 ~~((+11))~~ (9) If funding is specifically designated in this act for

1 main street projects, the department shall prepare a list of projects
2 that is consistent with chapter 257, Laws of 2011, for approval in the
3 2013-2015 fiscal biennium.

4 (10) \$267,000 of the motor vehicle account--state appropriation and
5 \$2,859,000 of the motor vehicle account--federal appropriation are
6 provided solely for completion of the US 101 northeast peninsula safety
7 rest area and associated roadway improvements east of Port Angeles at
8 the Deer Park scenic view point (3LP187A). The department must surplus
9 any right-of-way previously purchased for this project near Sequim.
10 Approval to proceed with construction is contingent on surplus of
11 previously purchased right-of-way.

12 ~~((+12))~~ (11) Up to ~~(((\$3,650,000))~~ \$3,702,000 of the motor vehicle
13 account--federal appropriation and ~~(((\$23,000))~~ \$75,000 of the motor
14 vehicle account--state appropriation are provided solely to reimburse
15 the cities of Kirkland and Redmond for pavement and bridge deck
16 rehabilitation on state route number 908 (1LP611A). These funds may
17 not be expended unless the cities sign an agreement stating that the
18 cities agree to take ownership of state route number 908 in its
19 entirety and agree that the payment of these funds represents the
20 entire state commitment to the cities for state route number 908
21 expenditures.

22 ~~((+13))~~ (12) \$225,000 of the multimodal transportation account--
23 state appropriation is provided solely for the Shell Valley emergency
24 road and bicycle/pedestrian path (L1000036).

25 ~~((+14) \$150,000)~~ (13) \$188,000 of the motor vehicle account--state
26 appropriation is provided solely for flood reduction solutions on state
27 route number 522 caused by the lower McAleer and Lyon creek basins
28 (L1000041).

29 ~~((+15))~~ (14) \$896,000 of the multimodal transportation account--
30 state appropriation is provided solely for realignment of Parker Road
31 and construction of secondary access off of state route number 20
32 (L2200040).

33 ~~((+16))~~ (15) An additional \$2,500,000 of the motor vehicle
34 account--federal appropriation is provided solely for the Strander
35 Blvd/SW 27th St Connection project (1LP902F), which amount is reflected
36 in the LEAP transportation document identified in subsection ~~((+7))~~
37 (6) of this section. These funds may only be committed if needed, may

1 not be used to supplant any other committed project partnership
2 funding, and must be the last funds expended.

3 ~~((+17))~~ (16) \$500,000 of the motor vehicle account--federal
4 appropriation is provided solely for safety improvements at the
5 intersection of South Wapato and McDonald Road (L1000052).

6 ~~((+18))~~ (17) \$2,000,000 of the multimodal transportation account--
7 state appropriation is provided solely for the state route number 432
8 rail realignment and highway improvements project (L1000056).

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

13 ~~(+20))~~ (18) \$100,000 of the motor vehicle account--federal
14 appropriation is provided solely for state route number 164 and Auburn
15 Way South pedestrian improvements (L1000057).

16 ~~((+21))~~ (19) \$115,000 of the motor vehicle account--federal
17 appropriation is provided solely for median street lighting on state
18 route number 410 (L1000058).

19 ~~((+22))~~ (20) \$60,000 of the multimodal transportation account--
20 state appropriation is provided solely for a cross docking study for
21 the port of Douglas county (L1000060).

22 ~~((+23))~~ (21) \$100,000 of the motor vehicle account--federal
23 appropriation is provided solely for city of Auburn - 8th and R Street
24 NE intersection improvements (L2200043).

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

1 results of their work and recommendations to the joint transportation
2 committee by December 2011, with a final report to the transportation
3 committees of the legislature by January 31, 2012.

4 (23) \$650,000 of the motor vehicle account--federal appropriation
5 is provided solely for the SR 522 Improvements/61st Avenue NE and NE
6 181st Street project (L1000055).

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

9 **REPORTING REQUIREMENTS FOR CAPITAL PROGRAM**

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

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

15 (a) A TEIS version containing actual capital expenditures for all
16 projects consistent with the structure of the most recently enacted
17 budget;

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

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

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

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

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

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

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

- 1 (2) For completed projects, the report must:
- 2 (a) Compare the original project cost estimates and schedule
- 3 approved in the transportation 2003 and 2005 transportation partnership
- 4 project lists to the completed cost of the project;
- 5 (b) Compare the costs and operationally complete date for projects
- 6 on the transportation 2003 and 2005 transportation partnership project
- 7 lists to the last legislatively adopted project list prior to the
- 8 completion of a project; and
- 9 (c) Compare the costs and operationally complete date for projects
- 10 with budgets of twenty million dollars that are funded with preexisting
- 11 funds to the original project cost estimates and schedule.
- 12 (3) For prospective projects, the report must:
- 13 (a) Identify the estimated advertisement date for all projects
- 14 consistent with the structure of the most recently enacted budget that
- 15 are going to advertisement during the current biennium;
- 16 (b) Identify the anticipated operationally complete date for all
- 17 projects consistent with the structure of the most recently enacted
- 18 budget that are going to advertisement during the current biennium; and
- 19 (c) Identify the estimated cost of completion for all projects
- 20 consistent with the structure of the most recently enacted budget that
- 21 are going to advertisement during the current biennium.

22 **TRANSFERS AND DISTRIBUTIONS**

23 **Sec. 401.** 2011 c 367 s 401 (uncodified) is amended to read as

24 follows:

25 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**

26 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND**

27 **DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND**

28 **REVENUE**

29 Highway Bond Retirement Account--State

30 Appropriation (~~(\$920,560,000)~~)

31 \$796,020,000

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

33 State Route Number 520 Corridor Account--State

34 Appropriation \$1,075,000

35 Transportation Improvement Board Bond Retirement

1	Account--State Appropriation	((\$16,544,000))
2		<u>\$16,504,000</u>
3	Nondebt-Limit Reimbursable Account Appropriation	((\$25,200,000))
4		<u>\$20,892,000</u>
5	Transportation Partnership Account--State	
6	Appropriation	((\$3,142,000))
7		<u>\$2,846,000</u>
8	Motor Vehicle Account--State Appropriation	((\$333,000))
9		<u>\$298,000</u>
10	Transportation 2003 Account (Nickel Account)--State	
11	Appropriation	((\$1,140,000))
12		<u>\$1,110,000</u>
13	Transportation Improvement Account--State	
14	Appropriation	\$29,000
15	Multimodal Transportation Account--State	
16	Appropriation	((\$138,000))
17		<u>\$125,000</u>
18	Toll Facility Bond Retirement Account--State	
19	Appropriation	((\$33,792,000))
20		<u>\$48,807,000</u>
21	Toll Facility Bond Retirement Account--Federal	
22	Appropriation	((\$14,649,000))
23		<u>\$7,500,000</u>
24	TOTAL APPROPRIATION	((\$1,048,403,000))
25		<u>\$927,007,000</u>

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

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

35 (2) ~~\$165,000 of the transportation 2003 account (nickel account)--~~
36 ~~state appropriation is provided solely for discounts on bonds sold to~~
37 ~~construct a ferry boat vessel with a carrying capacity of one hundred~~
38 ~~forty four cars. If neither chapter ... (House Bill No. 2083), Laws of~~

1 ~~2011 nor chapter ... (Engrossed Substitute Senate Bill No. 5742) is~~
2 ~~enacted by June 30, 2011, the amount provided in this subsection~~
3 ~~lapses.)~~)

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

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

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

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

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

35 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**

1 **BOND REGISTRATION AND TRANSFER CHARGES: FOR MVFT BONDS AND TRANSFERS**

2 Motor Vehicle Account--State Appropriation: For
3 transfer to the Puget Sound Capital Construction
4 Account ((~~\$52,516,000~~))
5 \$45,000,000

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

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

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

15 Motor Vehicle Account--State Appropriation for motor
16 vehicle fuel tax distributions to cities and
17 counties ((~~\$478,155,000~~))
18 \$470,701,000

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

21 **FOR THE STATE TREASURER--TRANSFERS**

22 Motor Vehicle Account--State Appropriation: For
23 motor vehicle fuel tax refunds and statutory
24 transfers ((~~\$1,246,357,000~~))
25 \$1,227,005,000

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

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

29 Motor Vehicle Account--State Appropriation: For
30 motor vehicle fuel tax refunds and transfers . . . ((~~\$127,984,000~~))
31 \$151,870,000

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

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

2 (1) (~~Tacoma Narrows Toll Bridge Account--State~~

3 ~~Appropriation: For transfer to the Motor Vehicle~~

4 ~~Account--State~~ \$543,000

5 (+2)) Motor Vehicle Account--State Appropriation:

6 For transfer to the Puget Sound Ferry Operations

7 Account--State ((~~\$46,500,000~~))

8 \$45,500,000

9 ((+3)) (2) Recreational Vehicle Account--State

10 Appropriation: For transfer to the Motor Vehicle

11 Account--State ((~~\$1,450,000~~))

12 \$1,150,000

13 ((+4)) (3) License Plate Technology Account--State

14 Appropriation: For transfer to the Highway Safety

15 Account--State ((~~\$3,200,000~~))

16 \$3,000,000

17 ((+5)) (4) Multimodal Transportation Account--State

18 Appropriation: For transfer to the Puget Sound

19 Ferry Operations Account--State ((~~\$43,000,000~~))

20 \$42,000,000

21 ((+6)) (5) Highway Safety Account--State Appropriation:

22 For transfer to the Motor Vehicle Account--State \$23,000,000

23 ((+7) ~~Department of Licensing Services Account~~

24 ~~--State Appropriation: For transfer to the Motor Vehicle~~

25 ~~Account--State~~ \$400,000

26 (+8)) (6) Advanced Right-of-Way Revolving Fund: For

27 transfer to the Motor Vehicle Account--State \$5,000,000

28 ((+9) ~~State Route Number 520 Civil Penalties~~

29 ~~Account--State Appropriation: For transfer to the~~

30 ~~State Route Number 520 Corridor Account--State~~ \$754,000

31 (+10)) (7) Rural Mobility Grant Program Account--State

32 Appropriation: For transfer to the Multimodal

33 Transportation Account--State \$3,000,000

34 ((+11)) (8) Motor Vehicle Account--State

35 Appropriation: For transfer to the State Patrol

36 Highway Account--State ((~~\$14,000,000~~))

37 \$16,000,000

38 ((+12)) (9) State Route Number 520 Corridor

1 Account--State Appropriation: For transfer to the
2 Motor Vehicle Account--State(~~(, in an amount equal to~~
3 ~~funds dispersed during the 2009-2011 fiscal biennium~~
4 ~~authorized under section 805(7) of this act.)) \$58,000~~

5 ((~~13~~)) (10) Motor Vehicle Account--State
6 Appropriation: For transfer to the Special Category C
7 Account--State ((~~\$1,500,000~~))
8 \$2,500,000

9 ((~~14~~)) (11) Regional Mobility Grant Program
10 Account--State Appropriation: For transfer to the
11 Multimodal Transportation Account--State \$1,000,000

12 ((~~15~~)) (12) State Patrol Highway Account--State
13 Appropriation: For transfer to the Vehicle
14 Licensing Fraud Account \$100,000

15 ((~~16~~)) ~~State Route Number 520 Corridor Account--State~~
16 ~~Appropriation: For transfer to the Motor Vehicle~~
17 ~~Account \$2,435,000))~~

18 (13) Capital Vessel Replacement Account--State
19 Appropriation: For transfer to the Transportation 2003
20 Account (Nickel Account)--State \$6,367,000

21 ((~~17~~)) (14) The transfers identified in this section are subject
22 to the following conditions and limitations:

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

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

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

35 **COMPENSATION**

1 47.64 RCW for the 2011-2013 fiscal biennium. Appropriations in this
2 act reflect funding to maintain the provisions or terms and conditions
3 of the 2009-2011 agreements for fiscal year 2012. Fiscal year 2013
4 appropriations are reduced to reflect a 6.0 percent temporary salary
5 reduction effective July 1, 2012, through June 29, 2013, a reduction to
6 overtime calculation, reduced vacation accruals, and other management
7 priorities in collective bargaining. Effective June 30, 2013, the
8 salary schedules effective July 1, 2009, through June 30, 2011, will be
9 reinstated.

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

12 **EMPLOYEE HEALTH INSURANCE**

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

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

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

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

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

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

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

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

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

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

1 **IMPLEMENTING PROVISIONS**

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

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

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

12 **STAFFING LEVELS**

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

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

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

1 legislature on its progress and plans to reduce highway construction
2 workforce levels to two thousand FTEs by June 2015. This report must
3 also be posted on the department's web site.))

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

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

13 **FUND TRANSFERS**

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

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

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

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

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

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

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

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

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

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

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

1 (2) \$300,000 of the highway safety account--state appropriation is
2 provided solely for the small city pavement program to help cities meet
3 urgent preservation and storm water needs.

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

6 **FOR THE DEPARTMENT OF TRANSPORTATION--IMPROVEMENTS--PROGRAM I**
7 Motor Vehicle Account--State Appropriation \$8,000,000

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

25 NEW SECTION. **Sec. 705.** A new section is added to 2011 c 367
26 (uncodified) to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

23 (3) For the purposes of this section:

24 (a) "Transit authorities" has the same meaning as in RCW
25 9.91.025(2)(c).

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

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

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

34 The appropriation in this section is subject to the following

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

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

5 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
6 **CONSTRUCTION--PROGRAM W**

7 Transportation 2003 Account
8 (Nickel Account)--State Appropriation \$130,000,000

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

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

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

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

18 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
19 **CAPITAL**

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

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

23 (1) \$1,000,000 of the highway safety account--state appropriation
24 is provided solely to the freight mobility strategic investment board
25 for grants to meet urgent freight corridor improvement and preservation
26 needs.

27 (2) \$2,000,000 of the highway safety account--state appropriation
28 is provided solely for safe routes to schools program projects, in rank
29 order, and identified as contingency projects in the LEAP
30 Transportation Document 2011-A, pedestrian and bicycle safety program
31 projects and safe routes to school program projects, referenced in
32 chapter 367, Laws of 2011 (the omnibus transportation appropriations
33 act).

34 NEW SECTION. **Sec. 711.** A new section is added to 2011 c 367
35 (uncodified) to read as 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 Appropriation \$6,500,000

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

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

11 Transportation 2003 Account
12 (Nickel Account)--State Appropriation \$58,000

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

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

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

21 NEW SECTION. **Sec. 716.** If chapter . . . (Engrossed Substitute
22 Senate Bill No. 6455), Laws of 2012 is not enacted by June 30, 2012,
23 the appropriations in sections 701, 704, 707, 709, 710(2), 711, and 712
24 of this act are null and void.

25 **MISCELLANEOUS**

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

1 NEW SECTION. **Sec. 802.** Except for sections 701 through 712 of
2 this act, this act is necessary for the immediate preservation of the
3 public peace, health, or safety, or support of the state government and
4 its existing public institutions, and takes effect immediately.

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