

1 AN ACT Relating to transportation funding and appropriations;
2 amending RCW 47.01.071, 46.01.385, 47.01.505, 70A.205.415,
3 81.104.160, and 82.44.200; amending 2021 c 333 ss 101, 103, 105, 106,
4 107, 109, 110, 111, 113, 201, 202, 203, 204, 205, 206, 207, 208, 209,
5 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223,
6 301, 302, 303, 305, 306, 307, 308, 309, 310, 311, 313, 401, 402, 403,
7 404, 405, 406, 407, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512,
8 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 601, and 606
9 (uncodified); adding new sections to 2021 c 333 (uncodified);
10 creating a new section; repealing 2021 c 333 ss 526, 527, 528, 529,
11 530, 531, 532, and 537 (uncodified); making appropriations and
12 authorizing expenditures for capital improvements; and declaring an
13 emergency.

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

15 NEW SECTION. **Sec. 1.** Except as otherwise provided in this act,
16 it is the intent of the legislature that the funding levels specified
17 in LEAP Transportation Document 2022-B as developed February 20,
18 2022, represents a commitment to provide move ahead WA-related
19 appropriations to the agencies, programs, and activities, at the
20 amounts identified therein, through fiscal year 2038.

2021-2023 FISCAL BIENNIUM

GENERAL GOVERNMENT AGENCIES—OPERATING

Sec. 101. 2021 c 333 s 101 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

Motor Vehicle Account—State Appropriation. ((~~\$546,000~~))
\$555,000

Sec. 102. 2021 c 333 s 103 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

Motor Vehicle Account—State Appropriation. ((~~\$1,441,000~~))
\$1,034,000

Puget Sound Ferry Operations Account—State Appropriation. \$126,000

Multimodal Transportation Account—State Appropriation. \$250,000

TOTAL APPROPRIATION. ((~~\$1,817,000~~))
\$1,410,000

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

\$250,000 of the multimodal transportation account—state appropriation is provided solely for the office of financial management, in collaboration with the Washington department of transportation and the office of the chief information officer, to conduct an evaluation of short term and long term facility and information technology needs. In conducting the evaluation, the office of financial management may contract with an entity with direct expertise in this area. The office of financial management must submit a final report of their evaluation by October 1, 2022. The evaluation must be coordinated with any legislatively directed study regarding leased space. The evaluation must include, but is not limited to:

- (1) Development of a status quo scenario based on current policy and projections and two alternative scenarios of the number of people and percentage of staff in telework status on a permanent basis with

1 one alternative being the minimum feasible level of teleworking and
2 one alternative being the maximum feasible level of teleworking;

3 (2) Current and projected facility needs by location and function
4 for the scenarios in subsection (1) of this section;

5 (3) The specific number of employees and percentage of the
6 workforce expected to be teleworking by location and function and the
7 anticipated impact on facility space needs for the scenarios in
8 subsection (1) of this section;

9 (4) Analysis of opportunities to colocate with other state,
10 local, and other public agencies to reduce costs and improve cost-
11 efficiency;

12 (5) Detailed information on any increased costs, such as end-user
13 devices, software, technology infrastructure, and other types of
14 assistance needed to meet the teleworking levels in each of the
15 scenarios in subsection (1) of this section;

16 (6) Detailed information on any reduced costs, such as leases,
17 facility maintenance, and utilities, resulting from the projected
18 teleworking levels for the scenarios in subsection (1) of this
19 section; and

20 (7) Cost-benefit analysis detailing the net impact of teleworking
21 on facility and total costs for the scenarios in subsection (1) of
22 this section.

23 **Sec. 103.** 2021 c 333 s 105 (uncodified) is amended to read as
24 follows:

25 **FOR THE DEPARTMENT OF AGRICULTURE**

26 Motor Vehicle Account—State Appropriation. (~~(\$1,346,000)~~)
27 \$1,373,000

28 **Sec. 104.** 2021 c 333 s 106 (uncodified) is amended to read as
29 follows:

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

31 Motor Vehicle Account—State Appropriation. (~~(\$668,000)~~)
32 \$674,000

33 **Sec. 105.** 2021 c 333 s 107 (uncodified) is amended to read as
34 follows:

35 **FOR THE EVERGREEN STATE COLLEGE**

36 Motor Vehicle Account—State Appropriation. \$150,000

1 The appropriation in this section is subject to the following
2 conditions and limitations: The total appropriation in this section
3 is provided solely for the Washington state institute for public
4 policy to conduct a cost-benefit analysis for an exclusive or partial
5 American steel requirement for future transportation contracts and
6 subcontracts authorized in the transportation budget. This cost-
7 benefit analysis must, to the extent feasible: (1) Compare existing
8 types and uses of steel to made in America steel alternatives
9 including evaluation of quality; (2) examine benefits to Washington
10 workers and the Washington economy; (3) examine lifecycle and
11 embodied carbon greenhouse gas emissions; (4) identify requirements
12 for purchasing American steel that minimize costs and maximize
13 benefits; and (5) evaluate American steel requirements or preferences
14 in other states. The Washington state institute for public policy may
15 solicit input for the analysis from representatives of interested
16 parties to include, but not be limited to, the construction and
17 manufacturing sectors, organized labor in the construction and
18 manufacturing sectors, cities, counties, American steel manufacturing
19 companies, environmental advocacy organizations, and appropriate
20 state agencies. A final report is due to the legislature by December
21 1, (~~2021~~) 2022.

22 **Sec. 106.** 2021 c 333 s 109 (uncodified) is amended to read as
23 follows:

24 **FOR THE BOARD OF PILOTAGE COMMISSIONERS**

25 Pilotage Account—State Appropriation. (~~\$5,777,000~~)
26 \$6,269,000

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

29 (1) \$2,926,000 of the pilotage account—state appropriation is
30 provided solely for self-insurance liability premium expenditures;
31 however, this appropriation is contingent upon the board:

32 (a) Annually depositing the first \$150,000 collected through
33 Puget Sound pilotage district pilotage tariffs into the pilotage
34 account; and

35 (b) Assessing a self-insurance premium surcharge of \$16 per
36 pilotage assignment on vessels requiring pilotage in the Puget Sound
37 pilotage district.

1 (2) The board of pilotage commissioners shall file the annual
2 report to the governor and chairs of the transportation committees
3 required under RCW 88.16.035(1)(f) by September 1, 2021, and annually
4 thereafter. The report must include the continuation of policies and
5 procedures necessary to increase the diversity of pilots, trainees,
6 and applicants, including a diversity action plan. The diversity
7 action plan must articulate a comprehensive vision of the board's
8 diversity goals and the steps it will take to reach those goals.

9 **Sec. 107.** 2021 c 333 s 110 (uncodified) is amended to read as
10 follows:

11 **FOR THE HOUSE OF REPRESENTATIVES**

12 Motor Vehicle Account—State Appropriation. (~~(\$3,210,000)~~)
13 \$1,577,000

14 **Sec. 108.** 2021 c 333 s 111 (uncodified) is amended to read as
15 follows:

16 **FOR THE SENATE**

17 Motor Vehicle Account—State Appropriation. (~~(\$3,085,000)~~)
18 \$1,518,000

19 **Sec. 109.** 2021 c 333 s 113 (uncodified) is amended to read as
20 follows:

21 **FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE**

22 Puget Sound (~~Ferry~~) Capital Construction Account
23 (~~(Puget Sound Capital Construction~~
24 ~~Account~~))—State Appropriation. \$300,000
25 Multimodal Transportation Account—State
26 Appropriation. \$200,000
27 TOTAL APPROPRIATION. \$500,000

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

30 (1) \$300,000 of the Puget Sound (~~ferry~~) capital construction
31 account (~~(Puget Sound capital construction account)~~)—state is
32 provided solely for an independent review of the design-build
33 contracting process for the hybrid-electric Olympic class vessels.
34 The review must evaluate, at minimum, the department's cost
35 estimation and cost management practices relating to the design and
36 construction of the first hybrid-electric vessel. The review must

1 include recommendations to benefit the full program for the design
2 and construction of five hybrid-electric vessels. The joint
3 legislative audit and review committee must report to the legislature
4 with the findings by October 1, 2022.

5 (2) \$200,000 of the multimodal transportation account—state
6 appropriation is provided solely for the joint legislative audit and
7 review committee to conduct a review of the method used to determine
8 the rates for leasing state-owned lands and air space to a regional
9 transit authority. As part of this review, the committee must examine
10 and evaluate the accounting and valuation methodology for debits and
11 credits used in the land bank accounting program utilized by the
12 department of transportation and a regional transit authority. The
13 review must also provide an evaluation of the specific type of lease
14 agreements used for air space leasing by the department of
15 transportation with a regional transit authority and the valuation
16 methodology used to determine the lease rate for the property and the
17 cost and benefits of long-term leases based on the periodic land
18 value appraisals under the terms of the land bank agreement. The
19 committee must identify the full cost to the state transportation
20 system if the entire plan for land and air rights leases by a
21 regional transit authority is undertaken at full economic rent, and
22 the difference in costs to the regional transit authority if the
23 leases were to be issued at less than economic rent, including a
24 scenario in which the value of the land and air rights are discounted
25 by the federal share of the funds that were used to acquire or
26 improve the property originally. The committee shall complete the
27 review and provide a report to the transportation committees of the
28 legislature by December 1, 2022.

29 NEW SECTION. **Sec. 110.** A new section is added to 2021 c 333
30 (uncodified) to read as follows:

31 **FOR THE DEPARTMENT OF COMMERCE**

32 Multimodal Transportation Account—Federal

33	Appropriation.	\$1,000,000
34	Move Ahead WA Flexible Account—State Appropriation.	\$10,000
35	TOTAL APPROPRIATION.	\$1,010,000

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

1 (1) \$1,000,000 of the multimodal transportation account—federal
2 appropriation is provided solely for staff support for the
3 interagency electric vehicle coordinating council created in Senate
4 Bill No. 5974, in order to help implement the national electric
5 vehicle program funded in the federal infrastructure investment and
6 jobs act (P.L. 117-58).

7 (2) \$10,000 of the move ahead WA flexible account—state
8 appropriation is provided solely for development of a process to
9 select projects to advance the research, development, or
10 manufacturing of sustainable aviation technologies. The purpose is to
11 support adoption of zero emissions aircraft and sustainable aviation
12 fuels, reduce harmful aviation-related emissions, and reduce the
13 aviation industry's reliance on fossil fuels. Sustainable aviation
14 projects may include, but are not limited to, the development of:

- 15 (a) Batteries;
- 16 (b) Electric motors;
- 17 (c) Sustainable fuels;
- 18 (d) Hydrogen electrolyzers and storage; and
- 19 (e) Activities that support the supply chain of (a) through (d)
20 of this subsection.

21 The department may solicit advice and industry expertise to
22 identify projects, including consulting the department of
23 transportation, and may contract for assistance, as necessary. The
24 department shall submit a report to the transportation committees of
25 the legislature by December 1, 2022, identifying the selected
26 sustainable aviation projects for funding by the legislature.

(End of part)

1 **TRANSPORTATION AGENCIES—OPERATING**

2 **Sec. 201.** 2021 c 333 s 201 (uncodified) is amended to read as
3 follows:

4 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

5	Highway Safety Account—State Appropriation.	((\$4,625,000))
6		<u>\$4,987,000</u>
7	Highway Safety Account—Federal Appropriation.	((\$27,202,000))
8		<u>\$27,818,000</u>
9	Highway Safety Account—Private/Local Appropriation.	\$60,000
10	<u>Cooper Jones Active Transportation Safety Account—</u>	
11	<u>State Appropriation.</u>	<u>\$400,000</u>
12	School Zone Safety Account—State Appropriation.	\$850,000
13	TOTAL APPROPRIATION.	((\$32,737,000))
14		<u>\$34,115,000</u>

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

17 (1) The Washington traffic safety commission may oversee a
18 demonstration project in one county, coordinating with a public
19 transportation benefit area (PTBA) and the department of
20 transportation, to test the feasibility and accuracy of the use of
21 automated enforcement technology for high occupancy vehicle (HOV)
22 lane passenger compliance. All costs associated with the
23 demonstration project must be borne by the participating public
24 transportation benefit area. Any photograph, microphotograph, or
25 electronic images of a driver or passengers are for the exclusive use
26 of the PTBA in the determination of whether an HOV passenger
27 violation has occurred to test the feasibility and accuracy of
28 automated enforcement under this subsection and are not open to the
29 public and may not be used in a court in a pending action or
30 proceeding. All photographs, microphotographs, and electronic images
31 must be destroyed after determining a passenger count and no later
32 than the completion of the demonstration project. No warnings or
33 notices of infraction may be issued under the demonstration project.

34 For purposes of the demonstration project, an automated
35 enforcement technology device may record an image of a driver and
36 passenger of a motor vehicle. The county and PTBA must erect signs
37 marking the locations where the automated enforcement for HOV
38 passenger requirements is occurring.

1 The PTBA, in consultation with the Washington traffic safety
2 commission, must provide a report to the transportation committees of
3 the legislature with the number of violations detected during the
4 demonstration project, whether the technology used was accurate and
5 any recommendations for future use of automated enforcement
6 technology for HOV lane enforcement by June 30, ((2022)) 2023.

7 (2) The Washington traffic safety commission may oversee a pilot
8 program in up to three cities implementing the use of automated
9 vehicle noise enforcement cameras in zones that have been designated
10 by ordinance as "Stay Out of Areas of Racing."

11 (a) Any programs authorized by the commission must be authorized
12 by December 31, 2022.

13 (b) If a city has established an authorized automated vehicle
14 noise enforcement camera pilot program under this section, the
15 compensation paid to the manufacturer or vendor of the equipment used
16 must be based upon the value of the equipment and services provided
17 or rendered in support of the system.

18 (c) Any city administering a pilot program overseen by the
19 traffic safety commission shall use the following guidelines to
20 administer the program:

21 (i) Automated vehicle noise enforcement camera may record
22 photographs or audio of the vehicle and vehicle license plate only
23 while a violation is occurring. The picture must not reveal the face
24 of the driver or of passengers in the vehicle;

25 (ii) The law enforcement agency of the city or county government
26 shall install two signs facing opposite directions within 200 feet,
27 or otherwise consistent with the uniform manual on traffic control
28 devices, where the automated vehicle noise enforcement camera is used
29 that state "Street Racing Noise Pilot Program in Progress";

30 (iii) Cities testing the use of automated vehicle noise
31 enforcement cameras must post information on the city website and
32 notify local media outlets indicating the zones in which the
33 automated vehicle noise enforcement cameras will be used;

34 (iv) A city may only issue a warning notice with no penalty for a
35 violation detected by automated vehicle noise enforcement cameras in
36 a Stay Out of Areas of Racing zone. Warning notices must be mailed to
37 the registered owner of a vehicle within fourteen days of the
38 detected violation;

1 (v) A violation detected through the use of automated vehicle
2 noise enforcement cameras is not part of the registered owner's
3 driving record under RCW 46.52.101 and 46.52.120;

4 (vi) Notwithstanding any other provision of law, all photographs,
5 videos, microphotographs, audio recordings, or electronic images
6 prepared under this section are for the exclusive use of law
7 enforcement in the discharge of duties under this section and are not
8 open to the public and may not be used in a court in a pending action
9 or proceeding. No photograph, microphotograph, audio recording, or
10 electronic image may be used for any purpose other than the issuance
11 of warnings for violations under this section or retained longer than
12 necessary to issue a warning notice as required under this subsection
13 (2); and

14 (vii) By June 30, 2023, the participating cities shall provide a
15 report to the commission and appropriate committees of the
16 legislature regarding the use, public acceptance, outcomes, warnings
17 issued, data retention and use, and other relevant issues regarding
18 automated vehicle noise enforcement cameras demonstrated by the pilot
19 projects.

20 (3) The Washington traffic safety commission shall coordinate
21 with each city that implements a pilot program as authorized in RCW
22 46.63.170, chapter 224, Laws of 2020 to provide the transportation
23 committees of the legislature with the following information by June
24 30, 2023:

25 (a) The number of warnings and infractions issued to first-time
26 violators under the pilot program;

27 (b) The number of warnings and infractions issued to the
28 registered owners of vehicles that are not registered with an address
29 located in the city conducting the pilot program; and

30 (c) The frequency with which warnings and infractions are issued
31 on weekdays versus weekend days.

32 (4) \$400,000 of the Cooper Jones active transportation safety
33 account—state appropriation is provided solely for grant projects or
34 programs for bicycle, pedestrian, and nonmotorist safety improvement
35 administered by the commission in consultation with the Cooper Jones
36 active transportation safety council. However, the funds must be held
37 in unallotted status until the commission submits a spending plan to
38 the transportation committees of the legislature and the governor.

39 (5) \$535,000 of the highway safety account—federal appropriation
40 is provided solely for costs related to Substitute Senate Bill No.

1 5907 (roadside safety measures). If Substitute Senate Bill No. 5907
2 is not enacted by June 30, 2022, then the amount provided in this
3 subsection lapses.

4 (6) \$350,000 of the highway safety account—state appropriation is
5 provided solely for the commission to study the illegal use of
6 personal electronic devices by vehicle drivers in areas of the state
7 with high collision rates. At least one of the locations studied must
8 include an area where bicycle and pedestrian safety has been impacted
9 by motor vehicle collisions. In conducting the study, the commission
10 shall utilize methodology and technology to determine the percent of
11 drivers illegally using personal electronic devices and the most
12 common types of these violations.

13 **Sec. 202.** 2021 c 333 s 202 (uncodified) is amended to read as
14 follows:

15 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

16 Rural Arterial Trust Account—State Appropriation.	((\$1,134,000))
	<u>\$1,158,000</u>
18 Motor Vehicle Account—State Appropriation.	((\$4,760,000))
	<u>\$4,804,000</u>
20 County Arterial Preservation Account—State	
21 Appropriation.	((\$1,669,000))
	<u>\$1,696,000</u>
23 TOTAL APPROPRIATION.	((\$7,563,000))
	<u>\$7,658,000</u>

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

27 (1) \$2,000,000 of the motor vehicle account—state appropriation
28 is provided solely for deposit into the county road administration
29 board emergency loan account—state account.

30 (2) Within appropriated funds, the county road administration
31 board may opt in as provided under RCW 70A.02.030 to assume all of
32 the substantive and procedural requirements of covered agencies under
33 chapter 70A.02 RCW. The board shall include in its 2022 annual report
34 to the legislature a progress report on opting into the healthy
35 environment for all act and a status report on diversity, equity, and
36 inclusion within the board's jurisdiction.

1 of a city offering or considering a rebate program for vehicle fees
2 or taxes due at the time of application for vehicle registration, a
3 representative of vehicle owners subject to a motor vehicle excise
4 tax, a representative of vehicle owners subject to an electric car or
5 transportation electrification fee, and an advocate for multimodal
6 transportation options. Work group members are eligible for
7 reimbursement or allowance for expenses pursuant to RCW 43.03.220.

8 (c) The work group must engage with members of the public who are
9 interested in new options for payment of fees or taxes due at the
10 time of application for vehicle registration, including persons from
11 communities of color, low-income households, vulnerable populations,
12 and displaced communities. Input from members of the public must
13 inform the work group's recommendations. The work group must notify
14 members of the public of opportunities to engage through a variety of
15 communication channels including, but not limited to, the following:
16 Outreach through community organizations, print and broadcast media,
17 and social media.

18 (d) The work group's recommendations must include, but are not
19 limited to, the following:

20 (i) Options to provide or encourage rebates to vehicle owners who
21 pay taxes and fees due at the time of application for vehicle
22 registration;

23 (ii) An agreed upon service fee structure for vehicle
24 registration payment plans;

25 (iii) An agreed upon service fee revenue allocation method;

26 (iv) A process to allow agents and subagents to determine if a
27 vehicle owner has paid all taxes and fees due prior to renewal of a
28 vehicle registration;

29 (v) Options for reducing revenue loss due to missed payments,
30 transfer of the certificate of title, or registration of a vehicle
31 out of state; and

32 (vi) Options to reduce impacts to communities of color, low-
33 income households, vulnerable populations, and displaced communities.

34 (e) A report of the work group's findings and recommendations is
35 due to the transportation committees of the legislature by September
36 30, 2022.

37 (2) \$50,000 of the motor vehicle account—state appropriation is
38 for the joint transportation committee to contract for a legal
39 consultant to analyze and recommend options for the formation of a
40 bistate bridge authority for the purpose of constructing, financing,

1 operating and maintaining a new replacement bridge over the Columbia
2 River near Hood River connecting Klickitat county in Washington to
3 Hood River county in Oregon. The consultant may confer with the Hood
4 River Bistate Working Group to understand the work and analysis that
5 has been completed.

6 The Washington interlocal cooperation act, chapter 39.34 RCW,
7 authorizes public agencies to contract with other public agencies via
8 interlocal agreements that enable cooperation among the agencies to
9 perform governmental activities and deliver public services,
10 including agreements with public entities in other states. Such
11 interstate agreements are deemed interstate compacts. The legal
12 analysis must identify and recommend alternative and/or additional
13 statutory authority that would be necessary to allow for the
14 formation of a local government bistate bridge authority or
15 governance structure for the Hood River Bridge replacement that at a
16 minimum may:

- 17 (a) Issue bonds for bridge construction;
- 18 (b) Collect tolls; and
- 19 (c) Secure and administer state or federal grants and loans.

20 The legal analysis must be presented to the transportation
21 committees of the legislature by September 30, 2021.

22 (3) \$220,000 of the multimodal transportation account—state
23 appropriation is for overseeing a consultant study to provide
24 recommendations related to the Washington state department of
25 transportation's role in broadband service expansion efforts as
26 directed in chapter 258, Laws of 2021 (broadband along state
27 highways). If chapter 258, Laws of 2021 (broadband along state
28 highways) is not enacted by June 30, 2021, the amount provided in
29 this subsection lapses.

30 (4) \$215,000 of the motor vehicle account—state appropriation is
31 provided solely for the joint transportation committee, from amounts
32 set aside out of statewide fuel taxes distributed to cities according
33 to RCW 46.68.110(2), to convene a study on the impacts of current and
34 historical city transportation investments on designated populations,
35 including communities of color, low-income households, vulnerable
36 populations, and displaced communities. The study must identify and
37 measure the true costs of underinvestment of accessible
38 transportation for designated populations, including the secondary
39 impacts to public health, economic opportunity, educational access,
40 and environmental risk factors. The assessment must include specific

1 approaches to addressing existing inequities within cities, as well
2 as recommendations to develop best practices to improve, diversify,
3 and expand city transportation investments. A report must be provided
4 to the office of financial management and the transportation
5 committees of the legislature by December 20, 2022.

6 (5) \$400,000 of the motor vehicle account—state appropriation is
7 for the development of a workforce plan for the Washington state
8 ferries which addresses recruitment, retention, diversity, training
9 needs, leadership development, succession planning and other elements
10 needed to ensure sufficient and cost-effective crewing and staffing
11 of the ferry system. In developing the scope of work for the plan and
12 throughout plan development, the joint transportation committee must
13 solicit input from representatives of the Washington state ferries
14 division and the human resources division of the Washington state
15 department of transportation. Represented employee groups must also
16 be consulted as part of plan development. The plan must include a
17 roadmap for Washington state ferries to comprehensively address
18 persistent staffing challenges and strategically position itself for
19 its future workforce needs. The joint transportation committee must
20 issue an interim report identifying short-term strategies to reduce
21 reliance on overtime for staffing day-to-day ferry service. The
22 interim report is due to the transportation committees of the
23 legislature by January 1, 2022. The final report is due to the
24 transportation committees of the legislature by December 20, 2022.

25 (6) \$200,000 of the multimodal transportation account—state
26 appropriation is for the joint transportation committee to update the
27 Washington State Short Line Rail Inventory and Needs Assessment,
28 prepared in 2015, and to facilitate a stakeholder process to assess
29 the effectiveness of state support for short line rail infrastructure
30 based on current and future short line rail infrastructure needs.
31 This assessment must include consideration of current state grant and
32 loan programs, including state investment in nonstate owned short
33 lines, the state's role and investments in the Palouse River and
34 Coulee City (PCC) rail system, and any other ongoing state activities
35 related to short line rail infrastructure. The joint transportation
36 committee must solicit input from all regions of the state from
37 representatives of: Short line rail infrastructure owners, short line
38 rail operators, short line rail customers from representative
39 industries, ports served by short line rail infrastructure, the
40 Washington state department of transportation, the utilities and

1 transportation commission, and other relevant stakeholders as
2 identified by the joint transportation committee. A report with
3 recommendations to enhance the state's support for short line rail
4 infrastructure is due to the transportation committees of the
5 legislature by January 1, 2022.

6 (7) (a) \$200,000 of the motor vehicle account—state appropriation
7 is for the joint transportation committee to develop a truck parking
8 action plan with recommendations for immediate next steps for near-
9 term and lasting change in the availability of truck parking for
10 short-haul and long-distance commercial vehicle drivers who require
11 reasonable accommodations for parking commercial motor vehicles,
12 obtaining adequate services, and complying with federal rest
13 requirements. For each opportunity identified, the action plan must:

14 (i) Assess the magnitude of potential impact;

15 (ii) Assess the potential difficulty level of implementation; and

16 (iii) Explain barriers to success and specific steps required to
17 overcome them.

18 (b) The action plan must focus on approaches that would be most
19 impactful and feasible and may include, but not be limited to:

20 (i) Specific cooperative private sector and government actions;

21 (ii) Legal and regulatory frameworks at the state level to drive
22 private and/or public-sector action;

23 (iii) Incentive-based government programs to spur private sector
24 innovation and investment; and

25 (iv) Direct government action at the state, regional, and/or
26 local level.

27 (c) The action plan must identify specific, promising projects
28 and approaches, and provide a clear roadmap to what is needed to
29 drive real, substantial improvements in truck parking.

30 (d) Outreach for action plan input, including on the feasibility
31 of each opportunity evaluated, must include outreach to
32 representatives of: The trucking industry; truck labor organizations;
33 the shipping industry; truck stop owners; commercial freight delivery
34 recipients, including warehouse and retail recipients; the
35 association of Washington cities; the Washington state association of
36 counties; the Washington state department of transportation; the
37 Washington state patrol; and an academic or research institution that
38 can provide input on technical components of the plan.

1 (e) A concise action plan with specific recommended next steps is
2 due to the transportation committees of the legislature by January 1,
3 2022.

4 (8) \$400,000 of the multimodal transportation account—state
5 appropriation is for the joint transportation committee to contract
6 with Western Washington University to conduct a study to determine
7 how many nondrivers are in Washington state and the demographics of
8 this population. Western Washington University is directed to conduct
9 a survey, conduct research, develop a dataset, and conduct analysis
10 on the nondriving population of Washington state. The analysis must
11 include, but is not limited to: (a) Reasons for not driving; (b)
12 demographics of who is not driving to include age, disability status,
13 rural or urban residence, and other available demographic
14 information; and (c) availability of transportation options for
15 nondrivers and the impact those options have on their access to
16 services, economic opportunity, recreation, education, and other
17 aspects of community life. A report must be provided to the
18 transportation committees of the legislature by February 1, 2023.

19 (9) \$250,000 of multimodal transportation account—state
20 appropriation is for a comprehensive evaluation of the Washington
21 state patrol's fleet of Cessna aircraft. The evaluation must include,
22 but is not limited to, the following: (a) An assessment of the
23 current use and performance, including outcomes measures, associated
24 with the aircraft; (b) the timing of any needed replacement of the
25 aircraft; (c) the feasibility, cost, and benefits associated with
26 replacing the aircraft with ones powered by alternative fuel; and (d)
27 a review of innovative technologies, including unmanned aerial
28 aircraft, to achieve the desired outcomes. The final report must be
29 submitted by December 1, 2022.

30 (10)(a) \$250,000 of the multimodal transportation account—state
31 appropriation is for a joint transportation committee study of
32 statewide transit service benchmarks. Elements of the study include:

33 (i) Development of definitions of frequent fixed route transit
34 and accessible frequent fixed route transit; and

35 (ii) Identification of, to the extent possible using existing
36 data, current gaps in frequent fixed route transit and accessible
37 walking routes to frequent fixed route transit stops.

38 (b) An initial report is due by December 15, 2022, that proposes
39 a definition of frequent transit and documents how many people in

1 Washington live within one half mile walk of frequent transit. A
2 final report is due by June 30, 2023, that identifies gaps in
3 accessible frequent transit, analyzed for disparities in race, age,
4 and disability, and develops funding scenarios to address the
5 identified gaps.

6 (11) \$200,000 of the waste tire removal account—state
7 appropriation is for a comprehensive evaluation of the waste tire
8 cleanup program. The evaluation must include, but is not limited to,
9 the following: (a) An inventory of all major tire piles that exist by
10 county and an identification of whether those tire piles are on
11 public or private lands; (b) an assessment of the ability to recover
12 tire cleanup and disposal costs from the responsible parties for each
13 of those sites; and (c) an inventory of major tire piles that were
14 previously placed in marine waters in an attempt to establish
15 artificial reefs, including a review of the environmental and safety
16 issues associated with those marine tire piles. Based on the
17 information gathered, the final report must include recommendations
18 for the highest and best use of approximately \$3,000,000 in time-
19 limited resources for tire pile cleanup activities and
20 recommendations to improve the department of ecology's current waste
21 tire cleanup program in the future.

22 **Sec. 205.** 2021 c 333 s 205 (uncodified) is amended to read as
23 follows:

24 **FOR THE TRANSPORTATION COMMISSION**

25	Motor Vehicle Account—State Appropriation.	((\$2,438,000))
26		<u>\$2,809,000</u>
27	Interstate 405 and State Route Number 167 Express	
28	Toll Lanes Account—State Appropriation.	((\$127,000))
29		<u>\$377,000</u>
30	State Route Number 520 Corridor Account—State	
31	Appropriation.	\$276,000
32	Tacoma Narrows Toll Bridge Account—State	
33	Appropriation.	\$180,000
34	Alaskan Way Viaduct Replacement Project Account—	
35	State Appropriation.	\$172,000
36	TOTAL APPROPRIATION.	((\$3,193,000))
37		<u>\$3,814,000</u>

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

3 (1) The commission shall reconvene the road usage charge steering
4 committee, with the same membership described in chapter 297, Laws of
5 2018, and shall periodically report to the steering committee with
6 updates on activities undertaken in accordance with the federal grant
7 awarded July 2020 ("Forward Drive"). A year-end update on the status
8 of any federally-funded project for which federal funding is secured
9 must be provided to the governor's office and the transportation
10 committees of the legislature by January 1, 2022, and by January 1,
11 2023. Any legislative vacancies on the steering committee must be
12 appointed by the speaker of the house of representatives for a house
13 of representatives member vacancy, and by the president of the senate
14 for a senate member vacancy.

15 ~~((3))~~ (2) \$127,000 of the Interstate 405 and state route number
16 167 express toll lanes account—state appropriation, \$276,000 of the
17 state route number 520 corridor account—state appropriation, \$180,000
18 of the Tacoma Narrows toll bridge account—state appropriation, and
19 \$172,000 of the Alaskan Way viaduct replacement project account—state
20 appropriation are provided solely for the transportation commission's
21 proportional share of time spent supporting tolling operations for
22 the respective tolling facilities.

23 (3) \$500,000 of the motor vehicle account—state appropriation is
24 provided solely for the commission to conduct a pilot program in one
25 or more regions of the state to support reforming electric vehicle
26 incentives to prioritize getting the largest gasoline users to switch
27 to electric vehicles first. The purpose of the pilot program is to
28 significantly advance policymakers' understanding around the dynamics
29 impacting the consumer decisions to transition from a fossil-fueled
30 vehicle to an electric vehicle, and the long-term implications and
31 effectiveness of continued incentivization of expanded adoption. The
32 commission may determine how best to cost-effectively identify pilot
33 program participants, which may include recruiting broadly from the
34 general population, especially in areas with higher concentrations of
35 low-MPG vehicles in suburban, exurban, and rural areas, and then
36 screening those who volunteer to validate their gasoline superuser
37 status with independent data sources. A preliminary report on the
38 pilot program must be submitted to the transportation committees of
39 the legislature and the governor by July 1, 2023. The legislature

1 intends the pilot program will result in the collection of data to
2 determine, at a minimum, the following:

3 (a) Which superusers of gasoline can switch to electric vehicles
4 for all their driving needs;

5 (b) How much money can superusers save by switching to electric
6 vehicles;

7 (c) How many gallons of gasoline are displaced by superusers
8 switching to electric vehicles;

9 (d) What incentive(s) do superusers need to make the switch to
10 electric vehicles;

11 (e) What are superuser attitudes and perceptions about electric
12 vehicles, both before and after driving an electric vehicle for two
13 months;

14 (f) What barriers, concerns, and cultural proclivities are held
15 by superusers in relation to electric vehicles; and

16 (g) What messages are most effective for transitioning superusers
17 to electric vehicles.

18 (4) Within the parameters established by RCW 47.56.880, the
19 commission shall review toll revenue performance on the Interstate
20 405 and state route number 167 corridor and adjust Interstate 405
21 tolls as appropriate to increase toll revenue to provide sufficient
22 funds for payments of future debt pursuant to RCW 47.10.896 and to
23 support improvements to the corridor. The commission may consider
24 adjusting maximum toll rates, minimum toll rates, time-of-day rates,
25 restricting direct access ramps to transit and HOV vehicles only, or
26 any combination thereof, in setting tolls to increase toll revenue.
27 The direction in this subsection is deemed consistent with the
28 general intent of the move ahead WA transportation funding proposal.

29 (5) \$250,000 of the Interstate 405 and state route number 167
30 express toll lanes account—state appropriation is provided solely for
31 the transportation commission to develop a design and plan for
32 carrying out a low-income driver tolling relief pilot, based upon the
33 findings and recommendations contained in the final low-income
34 tolling study report issued by the commission in August 2021.

35 (a) Under the pilot program, qualifying drivers of the Interstate
36 405 and state route number 167 express toll lanes could be eligible
37 for discounts or other relief related to their usage of express toll
38 lanes. The transportation commission may secure private sector
39 expertise to conduct all or a portion of this study. In conducting
40 this study, the transportation commission shall partner with both the

1 department of transportation and the department of social and health
2 services. The study shall include, but not be limited to, the
3 following activities:

4 (i) Developing an implementation plan and timeline for the pilot
5 program, including identifying next steps following this study, for
6 launching the pilot program that would be of limited duration, and
7 establishing approaches to evaluating the pilot program's
8 performance;

9 (ii) Convening an advisory committee comprising individuals
10 representing the interests of low-income drivers of the express toll
11 lanes, to guide the development of concepts and the implementation
12 plan for the pilot program;

13 (iii) Developing an estimate of the costs related to implementing
14 a pilot program and the expected revenue impacts of the pilot program
15 on the express toll lanes during the proposed pilot program period.

16 (b) In addition, the study may include the following activities:

17 (i) Designing a concept of operations for a low-income toll
18 discount pilot program that would offer up to three concepts for
19 increasing access and offering toll discounts and/or exemptions to
20 qualified low-income drivers using the express toll lanes;

21 (ii) Assessing applicability of discounts to other toll
22 facilities.

23 (c) The transportation commission shall provide a report of
24 findings and recommendations to the transportation committees of the
25 legislature by no later than December 31, 2023.

26 **Sec. 206.** 2021 c 333 s 206 (uncodified) is amended to read as
27 follows:

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

29 Freight Mobility Investment Account—State

30 Appropriation. ((\$831,000))
31 \$841,000

32 The appropriations in this section are subject to the following
33 conditions and limitations: Within appropriated funds, the freight
34 mobility strategic investment board may opt in as provided under RCW
35 70A.02.030 to assume all of the substantive and procedural
36 requirements of covered agencies under chapter 70A.02 RCW. The board
37 shall include in its 2022 annual report to the legislature a progress
38 report on opting into the healthy environment for all act and a

1 status report on diversity, equity, and inclusion within the board's
2 jurisdiction.

3 **Sec. 207.** 2021 c 333 s 207 (uncodified) is amended to read as
4 follows:

5 **FOR THE WASHINGTON STATE PATROL**

6	State Patrol Highway Account—State Appropriation.	((\$517,391,000))
7		<u>\$520,630,000</u>
8	State Patrol Highway Account—Federal Appropriation.	((\$15,838,000))
9		<u>\$16,145,000</u>
10	State Patrol Highway Account—Private/Local	
11	Appropriation.	((\$4,267,000))
12		<u>\$4,320,000</u>
13	Highway Safety Account—State Appropriation.	((\$1,214,000))
14		<u>\$1,287,000</u>
15	Ignition Interlock Device Revolving Account—State	
16	Appropriation.	((\$5,053,000))
17		<u>\$2,270,000</u>
18	Multimodal Transportation Account—State	
19	Appropriation.	((\$288,000))
20		<u>\$293,000</u>
21	State Route Number 520 Corridor Account—State	
22	Appropriation.	\$433,000
23	Tacoma Narrows Toll Bridge Account—State	
24	Appropriation.	\$77,000
25	I-405 and SR 167 Express Toll Lanes Account—State	
26	Appropriation.	\$1,348,000
27	TOTAL APPROPRIATION.	((\$545,909,000))
28		<u>\$546,803,000</u>

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

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

1 subject to guidelines developed by the chief of the Washington state
2 patrol.

3 (2) \$580,000 of the state patrol highway account—state
4 appropriation is provided solely for the operation of and
5 administrative support to the license investigation unit to enforce
6 vehicle registration laws in southwestern Washington. The Washington
7 state patrol, in consultation with the department of revenue, shall
8 maintain a running estimate of the additional vehicle registration
9 fees, sales and use taxes, and local vehicle fees remitted to the
10 state pursuant to activity conducted by the license investigation
11 unit. Beginning October 1, 2021, and quarterly thereafter, the
12 Washington state patrol shall submit a report detailing the
13 additional revenue amounts generated since January 1, 2021, to the
14 director of the office of financial management and the transportation
15 committees of the legislature. At the end of the calendar quarter in
16 which it is estimated that more than \$625,000 in state sales and use
17 taxes have been remitted to the state since January 1, 2021, the
18 Washington state patrol shall notify the state treasurer and the
19 state treasurer shall transfer funds pursuant to section 406 (~~of~~
20 ~~this act~~), chapter 333, Laws of 2021.

21 (3) \$4,000,000 of the state patrol highway account—state
22 appropriation is provided solely for a third arming and a third
23 trooper basic training class. The cadet class is expected to graduate
24 in June 2023.

25 (4) By December 1st of each year during the 2021-2023 biennium,
26 the Washington state patrol must report to the house and senate
27 transportation committees on the status of recruitment and retention
28 activities as follows:

29 (a) A summary of recruitment and retention strategies;

30 (b) The number of transportation funded staff vacancies by major
31 category;

32 (c) The number of applicants for each of the positions by these
33 categories;

34 (d) The composition of workforce;

35 (e) Other relevant outcome measures with comparative information
36 with recent comparable months in prior years; and

37 (f) Activities related to the implementation of the agency's
38 workforce diversity plan, including short-term and long-term,
39 specific comprehensive outreach and recruitment strategies to

1 increase populations underrepresented within both commissioned and
2 noncommissioned employee groups.

3 (5) \$493,000 of the state patrol highway account—state
4 appropriation is provided solely for aerial criminal investigation
5 tools, including software licensing and maintenance, and annual
6 certification, and is subject to the conditions, limitations, and
7 review requirements of section 701 (~~of this act~~), chapter 333, Laws
8 of 2021.

9 (6) (~~(\$7,962,000)~~) \$6,396,000 of the state patrol highway account
10 —state appropriation is provided solely for the land mobile radio
11 system replacement, upgrade, and other related activities. Beginning
12 January 1, 2022, the Washington state patrol must report semiannually
13 to the office of the state chief information officer on the progress
14 related to the projects and activities associated with the land
15 mobile radio system, including the governance structure, outcomes
16 achieved in the prior six month time period, and how the activities
17 are being managed holistically as recommended by the office of the
18 chief information officer. At the time of submittal to the office of
19 the state chief information officer, this report shall be transmitted
20 to the office of financial management and the house and senate
21 transportation committees.

22 (7) \$510,000 of the ignition interlock device revolving account—
23 state appropriation is provided solely for the ignition interlock
24 program at the Washington state patrol to provide funding for two
25 staff to work and provide support for the program in working with
26 manufacturers, service centers, technicians, and participants in the
27 program.

28 (8) \$1,348,000 of the Interstate 405 and state route number 167
29 express toll lanes account—state appropriation, \$433,000 of the state
30 route number 520 corridor account—state appropriation, and \$77,000 of
31 the Tacoma Narrows toll bridge account—state appropriation are
32 provided solely for the Washington state patrol's proportional share
33 of time spent supporting tolling operations and enforcement for the
34 respective tolling facilities.

35 (9) \$289,000 of the state patrol highway account—state
36 appropriation is provided solely for the replacement of 911
37 workstations.

1 (10) \$35,000 of the state patrol highway account—state
2 appropriation is provided solely for the replacement of bomb response
3 equipment.

4 (11) \$713,000 of the state patrol highway account—state
5 appropriation is provided solely for information technology
6 infrastructure maintenance.

7 (12) The Washington state patrol must provide a report to the
8 office of financial management and the house and senate
9 transportation committees on its plan for implementing a transition
10 to cloud computing and storage with its 2023-2025 budget submittal.

11 (13) \$945,000 of the state patrol highway account—state
12 appropriation is provided solely for implementation of chapter 329,
13 Laws of 2021 (custodial interrogations). (~~If chapter 329, Laws of~~
14 ~~2021 (custodial interrogations) is not enacted by June 30, 2021, the~~
15 ~~amount provided in this subsection lapses.~~)

16 (14) \$46,000 of the state patrol highway account—state
17 appropriation is provided solely for implementation of chapter 320,
18 Laws of 2021 (peace officer tactics). (~~If chapter 320, Laws of 2021~~
19 ~~(peace officer tactics) is not enacted by June 30, 2021, the amount~~
20 ~~provided in this subsection lapses.~~)

21 (15) \$46,000 of the state patrol highway account—state
22 appropriation is provided solely for implementation of chapter 324,
23 Laws of 2021 (use of force by officers). (~~If chapter 324, Laws of~~
24 ~~2021 (use of force by officers) is not enacted by June 30, 2021, the~~
25 ~~amount provided in this subsection lapses.~~)

26 (16) (a) The legislature finds that the water connection extension
27 constructed by the Washington state patrol from the city of Shelton's
28 water facilities to the Washington state patrol academy was necessary
29 to meet the water supply needs of the academy. The legislature also
30 finds that the water connection provides an ongoing water supply that
31 is necessary to the operation of the training facility, that the
32 state is making use of the water connection for these public
33 activities, and that any future incidental use of the municipal
34 infrastructure put in place to support these activities will not
35 impede the Washington state patrol's ongoing use of the water
36 connection extension.

37 (b) \$2,220,000 of the transfer from the waste tire removal
38 account to the motor vehicle fund, as required under RCW 70A.205.425,
39 reimburses the motor vehicle fund for the portion of the water

1 project costs assigned by the agreement to properties, other than the
2 Washington state patrol academy, that make use of the water
3 connection while the agreement remains in effect. This reimbursement
4 to the motor vehicle fund is intended to address any possibility that
5 the termination of this agreement could be determined to result in
6 the unconstitutional use of 18th amendment designated funds for
7 nonhighway purposes under the constitution of the state of
8 Washington; however, this transfer is not intended to indicate that
9 the incidental use of this infrastructure by these properties
10 necessarily requires such reimbursement under the state Constitution.
11 Immediately following the transfer of funds, Washington state patrol
12 and the city of Shelton shall meet to formally update the terms of
13 their "Agreement for Utility Connection and Reimbursement of Water
14 Extension Expenses" executed on June 12, 2017, to reflect the intent
15 of the proviso.

16 (17) The appropriations in this section provide sufficient
17 funding for state patrol staffing assuming vacancy savings which may
18 change over time. Funding for staffing will be monitored and adjusted
19 in the ((2022)) 2023 supplemental budget to restore funding as
20 authorized staffing levels are achieved.

21 (18) \$1,000,000 of the state patrol highway account—state
22 appropriation is provided solely for additional diversity, equity,
23 and inclusion efforts, including contracting for external
24 psychological examinations and additional contracted independent
25 consultant work and oversight by the state office of equity. In
26 coordination with the state office of equity, the state patrol must
27 annually update the diversity, equity, and inclusion strategic
28 recruitment and retention plan to reflect activities completed, new
29 strategies, and next steps.

30 (19) \$793,000 of the state patrol highway account—state
31 appropriation is provided solely for the tenant improvements and
32 higher than expected equipment costs for the toxicology lab in
33 Federal Way, and preparing a report on the current cost recovery
34 mechanisms and opportunities for expanding these cost recovery
35 mechanisms in the future. The report must be submitted to the
36 governor and the transportation committees of the legislature by
37 November 1, 2022.

38 (20) \$14,788,000 of the state patrol highway account—state
39 appropriation is provided solely for contingency funding to address

1 emergent issues related to mitigating negative impacts of the high
2 level of commissioned and noncommissioned staff vacancies. Potential
3 uses of the funding include, but are not limited to, the following:
4 Operating a miniacademy and training opportunities for lateral
5 transfers from other agencies; increased overtime, travel, and other
6 related costs; increased contracting to maintain adequate service
7 levels; and unanticipated facility and equipment needs. By January 1,
8 2023, the state patrol must submit a report to the governor and the
9 transportation committees of the legislature detailing the specific
10 expenditures made from the contingency funding provided in this
11 subsection.

12 (21) \$122,000 of the state patrol highway account—state
13 appropriation, \$1,000 of the highway safety account—state
14 appropriation, and \$4,000 of the ignition interlock account—state
15 appropriation are provided solely for implementation of chapter . . .
16 (Senate Bill No. 5726), Laws of 2022 (interruptive military service
17 credit for members of the state retirement systems). If chapter . . .
18 (Senate Bill No. 5726), Laws of 2022 is not enacted by June 30, 2022,
19 the amount provided in this subsection lapses.

20 **Sec. 208.** 2021 c 333 s 208 (uncodified) is amended to read as
21 follows:

22 **FOR THE DEPARTMENT OF LICENSING**

23	Marine Fuel Tax Refund Account—State Appropriation.	\$34,000
24	Motorcycle Safety Education Account—State	
25	Appropriation.	(\$4,894,000)
26		<u>\$4,968,000</u>
27	Limited Fish and Wildlife Account—State	
28	Appropriation.	(\$917,000)
29		<u>\$919,000</u>
30	Highway Safety Account—State Appropriation.	(\$241,868,000)
31		<u>\$235,743,000</u>
32	Highway Safety Account—Federal Appropriation.	\$1,294,000
33	Motor Vehicle Account—State Appropriation.	(\$73,327,000)
34		<u>\$77,905,000</u>
35	Motor Vehicle Account—Federal Appropriation.	(\$150,000)
36		<u>\$400,000</u>
37	Motor Vehicle Account—Private/Local Appropriation.	(\$6,600,000)
38		<u>\$1,336,000</u>

1	Ignition Interlock Device Revolving Account—State	
2	Appropriation.	((\$6,071,000))
3		<u>\$6,101,000</u>
4	Department of Licensing Services Account—State	
5	Appropriation.	((\$8,157,000))
6		<u>\$7,828,000</u>
7	License Plate Technology Account—State Appropriation	
8	((\$4,250,000))
9		<u>\$4,060,000</u>
10	Abandoned Recreational Vehicle Account—State	
11	Appropriation.	((\$3,066,000))
12		<u>\$3,070,000</u>
13	Limousine Carriers Account—State Appropriation.	\$110,000
14	Electric Vehicle Account—State Appropriation.	((\$405,000))
15		<u>\$414,000</u>
16	DOL Technology Improvement & Data Management	
17	Account—State Appropriation.	((\$748,000))
18		<u>\$813,000</u>
19	Agency Financial Transaction Account—State	
20	Appropriation.	((\$21,257,000))
21		<u>\$22,257,000</u>
22	((Driver Licensing Technology Support Account—	
23	 State Appropriation.	\$1,373,000))
24	<u>Move Ahead WA Flexible Account—State Appropriation.</u>	<u>\$1,691,000</u>
25	TOTAL APPROPRIATION.	((\$374,521,000))
26		<u>\$368,943,000</u>

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

29 (1) \$1,100,000 of the highway safety account—state appropriation
30 is provided solely for the department to provide an interagency
31 transfer to the department of social and health services, children's
32 administration division for the purpose of providing driver's license
33 support to a larger population of foster youth than is already served
34 within existing resources. Support services include reimbursement of
35 driver's license issuance costs, fees for driver training education,
36 and motor vehicle liability insurance costs.

37 (2) The appropriations in this section assume implementation by
38 the department of cost recovery mechanisms to recoup at least
39 \$21,257,000 during the 2021-2023 biennium in credit card and other

1 financial transaction costs as part of charges imposed for driver and
2 vehicle fee transactions. During the 2021-2023 fiscal biennium, the
3 department must report any amounts recovered to the office of
4 financial management and appropriate committees of the legislature on
5 a quarterly basis.

6 (3) (a) For the 2021-2023 biennium, the department shall charge
7 \$6,600,000 for the administration and collection of a motor vehicle
8 excise tax on behalf of a regional transit authority, as authorized
9 under RCW 82.44.135. The amount in this subsection must be deducted
10 before distributing any revenues to a regional transit authority.

11 (b) \$100,000 of the motor vehicle account—state appropriation is
12 provided solely for the department to work with the regional transit
13 authority imposing a motor vehicle excise tax pursuant to RCW
14 81.104.160 and transportation benefit districts imposing vehicle fees
15 pursuant to RCW 82.80.140, and other relevant parties, to determine
16 cost recovery options for the administration and collection of the
17 taxes and fees. The options must include:

18 (i) Full cost recovery for the direct and indirect expenses by
19 the department of licensing, subagents, and counties;

20 (ii) Marginal cost recovery for the direct and indirect expenses
21 by the department of licensing, subagents, and counties;

22 (iii) The estimated costs if the regional transit authority or
23 transportation benefit districts had to contract out the entire
24 collection and administrative activity with a nongovernmental entity.

25 (4) \$12,000 of the motorcycle safety education account—state
26 appropriation, \$2,000 of the limited fish and wildlife account—state
27 appropriation, \$728,000 of the highway safety account—state
28 appropriation, \$238,000 of the motor vehicle account—state
29 appropriation, \$10,000 of the ignition interlock device revolving
30 account—state appropriation, and \$10,000 of the department of
31 licensing services account—state appropriation are provided solely
32 for the department to redesign and improve its online services and
33 website, and are subject to the conditions, limitations, and review
34 requirements of section 701 (~~of this act~~), chapter 333, Laws of
35 2021.

36 (5) \$28,636,000 of the highway safety account—state appropriation
37 is provided solely for costs necessary to accommodate increased
38 demand for enhanced drivers' licenses and enhanced identicards. The
39 department shall report on a quarterly basis on the use of these

1 funds, associated workload, and information with comparative
2 information with recent comparable months in prior years. The report
3 must include detailed statewide and by licensing service office
4 information on staffing levels, average monthly wait times, the
5 number of enhanced drivers' licenses and enhanced identicards issued/
6 renewed, and the number of primary drivers' licenses and identicards
7 issued/renewed. Within the amounts provided in this subsection, the
8 department shall implement efficiency measures to reduce the time for
9 licensing transactions and wait times including, but not limited to,
10 the installation of additional cameras at licensing service offices
11 that reduce bottlenecks and align with the "keep your customer"
12 initiative.

13 (6) \$500,000 of the highway safety account—state appropriation is
14 provided solely for communication and outreach activities necessary
15 to inform the public of federally acceptable identification options
16 including, but not limited to, enhanced drivers' licenses and
17 enhanced identicards. The department shall continue the outreach plan
18 that includes informational material that can be effectively
19 communicated to all communities and populations in Washington. To
20 accomplish this work, the department shall contract with an external
21 vendor with demonstrated experience and expertise in outreach and
22 marketing to underrepresented communities in a culturally responsive
23 fashion.

24 (7) (~~(\$523,000)~~) \$593,000 of the highway safety account—state
25 appropriation is provided solely for the implementation of chapter
26 158, Laws of 2021 (DOL issued documents). (~~If chapter 158, Laws of~~
27 ~~2021 is not enacted by June 30, 2021, the amount provided in this~~
28 ~~subsection lapses.~~)

29 (8) (~~(\$1,373,000)~~) \$929,000 of the (~~driver licensing technology~~
30 ~~support~~) highway safety account—state appropriation is provided
31 solely for the implementation of chapter 240, Laws of 2021
32 (suspension of licenses for traffic infractions). (~~If chapter 240,~~
33 ~~Laws of 2021 is not enacted by June 30, 2021, the amount provided in~~
34 ~~this subsection lapses.~~)

35 (9) \$23,000 of the highway safety account—state appropriation is
36 provided solely for the implementation of chapter 10 (~~(Engrossed~~
37 ~~Substitute House Bill No. 1078)~~), Laws of 2021 (restoring voter
38 eligibility after felony conviction).

1 (10) \$3,074,000 of the abandoned recreational vehicle disposal
2 account—state appropriation is provided solely for providing
3 reimbursements in accordance with the department's abandoned
4 recreational vehicle disposal reimbursement program. It is the intent
5 of the legislature that the department prioritize this funding for
6 allowable and approved reimbursements and not to build a reserve of
7 funds within the account. During the 2021-2023 fiscal biennium, the
8 department must report any amounts recovered to the office of
9 financial management and appropriate committees of the legislature on
10 a quarterly basis.

11 (11)(a) \$54,000 of the motor vehicle account—state appropriation
12 is provided solely for the issuance of nonemergency medical
13 transportation vehicle decals to implement the high occupancy vehicle
14 lane access pilot program established in section 216 (~~of this act~~),
15 chapter 333, Laws of 2021. A for hire nonemergency medical
16 transportation vehicle is a vehicle that is a "for hire vehicle"
17 under RCW 46.04.190 that provides nonemergency medical
18 transportation, including for life-sustaining transportation
19 purposes, to meet the medical transportation needs of individuals
20 traveling to medical practices and clinics, cancer centers, dialysis
21 facilities, hospitals, and other care providers.

22 (b) As part of this pilot program, the owner of a for hire
23 nonemergency medical transportation vehicle may apply to the
24 department, county auditor or other agent, or subagent appointed by
25 the director, for a high occupancy vehicle exempt decal for a for
26 hire nonemergency medical transportation vehicle. The high occupancy
27 vehicle exempt decal allows the for hire nonemergency medical
28 transportation vehicle to use a high occupancy vehicle lane as
29 specified in RCW 46.61.165 and 47.52.025 during the 2021-2023 fiscal
30 biennium.

31 (c) For the exemption in this subsection to apply to a for hire
32 nonemergency medical transportation vehicle, the decal:

33 (i) Must be displayed on the vehicle so that it is clearly
34 visible from outside the vehicle;

35 (ii) Must identify that the vehicle is exempt from the high
36 occupancy vehicle requirements; and

37 (iii) Must be visible from the rear of the vehicle.

38 (d) The owner of a for hire nonemergency medical transportation
39 vehicle or the owner's representative must apply for a high occupancy

1 vehicle exempt decal on a form provided or approved by the
2 department. The application must include:

3 (i) The name and address of the person who is the owner of the
4 vehicle;

5 (ii) A full description of the vehicle, including its make,
6 model, year, and the vehicle identification number;

7 (iii) The purpose for which the vehicle is principally used;

8 (iv) An attestation signed by the vehicle's owner or the owner's
9 representative that the vehicle's owner has a minimum of one contract
10 or service agreement to provide for hire transportation services for
11 medical purposes with one or more of the following entities: A health
12 insurance company; a hospital, clinic, dialysis center, or other
13 medical institution; a day care center, retirement home, or group
14 home; a federal, state, or local agency or jurisdiction; or a broker
15 who negotiates these services on behalf of one or more of these
16 entities; and

17 (v) Other information as required by the department upon
18 application.

19 (e) The department, county auditor or other agent, or subagent
20 appointed by the director shall collect the fee required under (f) of
21 this subsection when issuing a high occupancy vehicle exempt decal.

22 (f) The department, county auditor or other agent, or subagent,
23 is required to collect a \$5 fee when issuing a decal under this
24 subsection, in addition to any other fees and taxes required by law.

25 (g) A high occupancy vehicle exempt decal expires June 30, 2023,
26 and must be marked to indicate its expiration date. The decal may be
27 renewed if the pilot program is continued past the date of a decal's
28 expiration. The status as an exempt vehicle continues until the high
29 occupancy vehicle exempt decal is suspended or revoked for misuse,
30 the vehicle is no longer used as a for hire nonemergency medical
31 transportation vehicle, or the pilot program established in section
32 216 (~~of this act~~), chapter 333, Laws of 2021 is terminated.

33 (h) The department may adopt rules to implement this subsection.

34 (12) \$434,000 of the highway safety account—state appropriation
35 is provided solely for the implementation of the Thurston county
36 superior court order in *Pierce et al. v. Department of Licensing*.

37 (13) \$5,264,000 of the motor vehicle account—state appropriation
38 is provided solely for the department to reduce the charges to a
39 regional transit authority for the administration and collection of a
40 motor vehicle excise tax as authorized under RCW 82.44.135. To be

1 eligible to receive this funding, the regional transit authority must
2 have adopted a zero-fare policy by October 1, 2022, that, at a
3 minimum, allows passengers 18 years of age and younger to ride free
4 of charge on all modes provided by the authority. If the regional
5 transit authority has not adopted a zero-fare policy that allows
6 passengers 18 years of age and younger to ride free of charge on all
7 modes provided by the authority by October 1, 2022, the amount
8 provided in this subsection lapses and the department shall charge
9 the regional transit authority a minimum of \$6,600,000 for the
10 biennium for the administration and collection of a motor vehicle
11 excise tax, which charges must be deducted before distributing any
12 revenues to the regional transit authority.

13 (14) The department shall consult with the department of
14 corrections and state board for community and technical colleges to
15 develop a pilot program that allows incarcerated individuals to
16 participate in a prerelease commercial driver training program.

17 (15) \$100,000 of the highway safety account—state appropriation
18 is provided solely for the department to lead a study on the
19 potential impacts that current licensing requirements, including
20 required training hours, and testing requirements may have on the
21 shortage of commercial drivers, and whether adjustments to these
22 requirements may be warranted to help alleviate the shortage. In
23 completing the study, the department must consult with the workforce
24 training board, state board for community and technical colleges,
25 organizations representing commercial drivers, and organizations
26 representing businesses or government entities that rely on
27 commercial drivers. The report must be submitted to the governor and
28 the transportation committees of the legislature by December 1, 2022.

29 (16) \$965,000 of the motor vehicle account—state appropriation is
30 provided solely for the increased costs associated with delays in the
31 production of license plates, and to provide a report detailing
32 license plate inventory practices and whether those practices should
33 be changed to guard against potential future plate production delays.
34 The report must be submitted to the governor and the transportation
35 committees of the legislature by December 1, 2022.

36 (17) \$550,000 of the move ahead WA flexible account—state
37 appropriation is provided solely for an interagency transfer to the
38 department of children, youth, and families to provide driver's
39 license support to a larger population of foster youth than is

1 currently being served. Support services include reimbursement of
2 driver's license issuance costs, fees for driver training education,
3 and motor vehicle liability insurance costs.

4 (18) \$1,000,000 of the move ahead WA flexible account—state
5 appropriation is provided solely for estimated implementation costs
6 associated with new revenues.

7 (19) \$141,000 of the move ahead WA flexible account—state
8 appropriation is provided solely for Substitute Senate Bill No. 5815
9 (homeless identicard). If Substitute Senate Bill No. 5815 is not
10 enacted by June 30, 2022, then the amount provided in this subsection
11 lapses.

12 (20) \$251,000 of the highway safety account—state appropriation
13 is provided solely for costs related to Substitute Senate Bill No.
14 5907 (roadside safety measures). If Substitute Senate Bill No. 5907
15 is not enacted by June 30, 2022, then the amount provided in this
16 subsection lapses.

17 (21) \$28,000 of the motor vehicle account—state appropriation is
18 provided solely for the implementation of chapter . . . (Senate Bill
19 No. 5750), Laws of 2022 (state leadership board) and making
20 improvements to the annual information submitted by special license
21 plate sponsoring organizations pursuant to RCW 46.18.120(2). The
22 improvements must include, but are not limited to, the following: An
23 annual budget for the sponsoring organization's activities in the
24 preceding year; information regarding private and other governmental
25 support for the activities of the sponsoring organization; and a
26 description of the number of people served or services delivered, as
27 appropriate, by the sponsoring organization in the preceding year. If
28 chapter . . . (Substitute Senate Bill No. 5750), Laws of 2022 is not
29 enacted by June 30, 2022, the amount provided in this subsection
30 lapses.

31 (22) \$268,000 of the highway safety account—state appropriation
32 is provided solely for the implementation of chapter . . . (Engrossed
33 Senate Bill No. 5054), Laws of 2022 (impaired driving). If
34 chapter . . . (Engrossed Senate Bill No. 5054), Laws of 2022 is not
35 enacted by June 30, 2022, the amount provided in this subsection
36 lapses.

37 (23) \$113,000 of the highway safety account—state appropriation
38 is provided solely for the implementation of chapter . . .
39 (Substitute Senate Bill No. 5631), Laws of 2022 (human trafficking

1 disqualification for a commercial driver's license). If chapter . . .
2 (Substitute Senate Bill No. 5631), Laws of 2022 is not enacted by
3 June 30, 2022, the amount provided in this subsection lapses.

4 (24) \$18,000 of the motor vehicle account—state appropriation is
5 provided solely for the implementation of chapter . . . (Substitute
6 Senate Bill No. 5741), Laws of 2022 (patches pal special license
7 plates). If chapter . . . (Substitute Senate Bill No. 5741), Laws of
8 2022 is not enacted by June 30, 2022, the amount provided in this
9 subsection lapses.

10 (25) \$33,000 of the motor vehicle account—state appropriation is
11 provided solely for the implementation of chapter . . . (Second
12 Substitute Senate Bill No. 5085), Laws of 2022 (electric
13 motorcycles). If chapter . . . (Second Substitute Senate Bill No.
14 5085), Laws of 2022 is not enacted by June 30, 2022, the amount
15 provided in this subsection lapses.

16 (26) \$150,000 of the highway safety account—state appropriation
17 is provided solely for the establishment of a dedicated coordinator
18 position to improve the accessibility to the department's facilities
19 and online services for disabled customers and staff. By January 1,
20 2023, the department shall submit an implementation plan for the
21 accessibility improvements for the ensuing biennium to the
22 legislative transportation committees and the office of financial
23 management.

24 (27) \$350,000 of the highway safety account—state appropriation
25 is provided solely to expand driver's license assistance and support
26 services in King county with an existing provider that is already
27 providing these services to low-income immigrant and refugee women.

28 (28) \$4,594,000 of the highway safety account—state
29 appropriation, \$1,457,000 of the motor vehicle account—state
30 appropriation, \$160,000 of the department of licensing services
31 account—state appropriation, and \$83,000 of the department of
32 licensing technology improvement and data management account—state
33 appropriation are provided solely for contingency funding to address
34 emergent issues related to mitigating negative impacts of the high
35 level of staff vacancies and agency operations and customer service
36 levels. Potential uses of the funding include, but are not limited
37 to, the following: Increased overtime, travel, and other related
38 costs; increased contracting to maintain adequate service levels; and
39 unanticipated facility and equipment needs. By January 1, 2023, the

1 department shall submit a report to the governor and the legislative
2 transportation committees detailing the specific expenditures made
3 from the contingency funding provided in this subsection.

4 (29) The department shall contract with a third-party consultant
5 to convene a work group to review the legal findings and holdings by
6 the Washington Supreme Court in *City of Seattle v. Long* to make
7 recommendations in amending provisions concerning the towing and
8 impound of vehicles under chapter 46.55 RCW. The work group must
9 include relevant stakeholders including, but not limited to, vehicle
10 resident advocates, nonprofit legal services organizations, tow truck
11 operators or associations, municipal court representatives, fire
12 chiefs and marshals, and representatives from cities and counties.
13 The work group must meet at least three times and evaluate the
14 following: The need to identify additional parties authorized to
15 receive notice of and redeem impounded vehicles used as residences;
16 the most effective and appropriate methods to identify vehicles used
17 as residences before and after impound; the need to modify impound
18 notice periods and forms; the need to modify impound hearing and
19 public auction procedures and timelines for vehicles used as
20 residences; the need to modify retention policies and timelines
21 concerning impounded vehicles used as residences; which factors and
22 considerations are appropriate for courts to evaluate when
23 determining if towing and storage fees are excessive; the appropriate
24 persons or entities and process to reimburse tow truck operators when
25 excessive towing and storage fees are reduced; any other necessary
26 procedural modifications or protections required, including homestead
27 act protections, concerning impounded vehicles used as residences;
28 and any other technical amendments or policy considerations discussed
29 by the work group. The third-party consultant must issue a final
30 report, including any work group findings and recommended legislative
31 changes, to the appropriate committees of the legislature and the
32 governor by December 1, 2022.

33 **Sec. 209.** 2021 c 333 s 209 (uncodified) is amended to read as
34 follows:

35 **FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE**
36 **—PROGRAM B**

37 State Route Number 520 Corridor Account—State

38 Appropriation. ((\$53,689,000))

1		<u>\$58,268,000</u>
2	State Route Number 520 Civil Penalties Account—State	
3	Appropriation.	(((\$4,122,000))
4		<u>\$4,136,000</u>
5	Tacoma Narrows Toll Bridge Account—State	
6	Appropriation.	(((\$29,809,000))
7		<u>\$34,389,000</u>
8	Alaskan Way Viaduct Replacement Project Account—	
9	State Appropriation.	(((\$20,840,000))
10		<u>\$21,699,000</u>
11	Interstate 405 and State Route Number 167 Express	
12	Toll Lanes Account—State Appropriation.	(((\$23,910,000))
13		<u>\$21,268,000</u>
14	TOTAL APPROPRIATION.	(((\$132,370,000))
15		<u>\$139,760,000</u>

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

18 (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state
19 appropriation and \$12,484,000 of the state route number 520 corridor
20 account—state appropriation are provided solely for the purposes of
21 addressing unforeseen operations and maintenance costs on the Tacoma
22 Narrows bridge and the state route number 520 bridge, respectively.
23 The office of financial management shall place the amounts provided
24 in this subsection, which represent a portion of the required minimum
25 fund balance under the policy of the state treasurer, in unallotted
26 status. The office may release the funds only when it determines that
27 all other funds designated for operations and maintenance purposes
28 have been exhausted.

29 (2) As long as the facility is tolled, the department must
30 provide annual reports to the transportation committees of the
31 legislature on the Interstate 405 express toll lane project
32 performance measures listed in RCW 47.56.880(4). These reports must
33 include:

34 (a) Information on the travel times and travel time reliability
35 (at a minimum, average and 90th percentile travel times) maintained
36 during peak and nonpeak periods in the express toll lanes and general
37 purpose lanes for both the entire corridor and commonly made trips in
38 the corridor including, but not limited to, northbound from Bellevue
39 to Rose Hill, state route number 520 at NE 148th to Interstate 405 at

1 state route number 522, Bellevue to Bothell (both NE 8th to state
2 route number 522 and NE 8th to state route number 527), and a trip
3 internal to the corridor (such as NE 85th to NE 160th) and similar
4 southbound trips;

5 (b) A month-to-month comparison of travel times and travel time
6 reliability for the entire corridor and commonly made trips in the
7 corridor as specified in (a) of this subsection since implementation
8 of the express toll lanes and, to the extent available, a comparison
9 to the travel times and travel time reliability prior to
10 implementation of the express toll lanes;

11 (c) Total express toll lane and total general purpose lane
12 traffic volumes, as well as per lane traffic volumes for each type of
13 lane (i) compared to total express toll lane and total general
14 purpose lane traffic volumes, as well as per lane traffic volumes for
15 each type of lane, on this segment of Interstate 405 prior to
16 implementation of the express toll lanes and (ii) compared to total
17 express toll lane and total general purpose lane traffic volumes, as
18 well as per lane traffic volumes for each type of lane, from month to
19 month since implementation of the express toll lanes; and

20 (d) Underlying congestion measurements, that is, speeds, that are
21 being used to generate the summary graphs provided, to be made
22 available in a digital file format.

23 (3) (a) \$708,000 of the Interstate 405 and state route number 167
24 express toll lanes account—state appropriation, \$1,651,000 of the
25 state route number 520 corridor account—state appropriation, \$709,000
26 of the Tacoma Narrows toll bridge account—state appropriation, and
27 \$932,000 of the Alaskan Way viaduct replacement project account—state
28 appropriation are provided solely for the reappropriation of unspent
29 funds on the new tolling back office system from the 2019-2021
30 biennium, and are subject to the conditions, limitations, and review
31 provided in section 701 (~~(of this act)~~), chapter 333, Laws of 2021.

32 (b) The department shall continue to work with the office of
33 financial management, office of the chief information officer, and
34 the transportation committees of the legislature on the project
35 management plan that includes a provision for independent
36 verification and validation of contract deliverables from the
37 successful bidder and a provision for quality assurance that includes
38 reporting independently to the office of the chief information
39 officer on an ongoing basis during system implementation.

1 (c) The office of financial management shall place the amounts
2 provided in this subsection in unallotted status until the department
3 submits a detailed progress report on the progress of the new tolling
4 back office system. The director of the office of financial
5 management or their designee shall consult with the chairs and
6 ranking members of the transportation committees of the legislature
7 prior to making a decision to allot these funds.

8 (4) (~~Out of funding appropriated in this section,~~) \$121,000 of
9 the Interstate 405 and state route number 167 express toll lanes
10 account—state appropriation, \$288,000 of the state route number 520
11 corridor account—state appropriation, \$128,000 of the Tacoma Narrows
12 toll bridge account—state appropriation, and \$163,000 of the Alaskan
13 Way viaduct replacement project account—state appropriation are
14 provided solely for the department (~~shall~~) to contract with the
15 state auditor's office for a performance audit of the department's
16 project to replace its electronic toll collection system. The audit
17 should include an evaluation of the department's project planning,
18 vendor procurement, contract management and project oversight. The
19 final report is to be issued by December 31, 2022. The state auditor
20 will transmit copies of the report to the jurisdictional committees
21 of the legislature and the department.

22 (5) The department shall make detailed annual reports to the
23 transportation committees of the legislature and the public on the
24 department's web site on the following:

25 (a) The use of consultants in the tolling program, including the
26 name of the contractor, the scope of work, the type of contract,
27 timelines, deliverables, any new task orders, and any extensions to
28 existing consultant contracts;

29 (b) The nonvendor costs of administering toll operations,
30 including the costs of staffing the division, consultants, and other
31 personal service contracts required for technical oversight and
32 management assistance, insurance, payments related to credit card
33 processing, transponder purchases and inventory management, facility
34 operations and maintenance, and other miscellaneous nonvendor costs;

35 (c) The vendor-related costs of operating tolled facilities,
36 including the costs of the customer service center, cash collections
37 on the Tacoma Narrows bridge, electronic payment processing, and toll
38 collection equipment maintenance, renewal, and replacement;

1 (d) The toll adjudication process, including a summary table for
2 each toll facility that includes:

3 (i) The number of notices of civil penalty issued;

4 (ii) The number of recipients who pay before the notice becomes a
5 penalty;

6 (iii) The number of recipients who request a hearing and the
7 number who do not respond;

8 (iv) Workload costs related to hearings;

9 (v) The cost and effectiveness of debt collection activities; and

10 (vi) Revenues generated from notices of civil penalty; and

11 (e) A summary of toll revenue by facility on all operating toll
12 facilities and express toll lane systems, and an itemized depiction
13 of the use of that revenue.

14 (6) During the 2021-2023 fiscal biennium, the department plans to
15 issue a request for proposals as the first stage of a competitive
16 procurement process that will replace the toll equipment and select a
17 new tolling operator for the Tacoma Narrows Bridge. The request for
18 proposals and subsequent competitive procurement must incorporate
19 elements that prioritize the overall goal of lowering costs per
20 transaction for the facility, such as incentives for innovative
21 approaches which result in lower transactional costs, requests for
22 efficiencies on the part of the bidder that lower operational costs,
23 and incorporation of technologies such as self-serve credit card
24 machines or other point-of-payment technologies that lower costs or
25 improve operational efficiencies.

26 (7) \$19,908,000 of the Alaskan Way viaduct replacement project
27 account—state appropriation is provided solely for the new state
28 route number 99 tunnel toll facility's expected share of collecting
29 toll revenues, operating customer services, and maintaining toll
30 collection systems. The legislature expects to see appropriate
31 reductions to the other toll facility accounts once tolling on the
32 new state route number 99 tunnel toll facility stabilizes and any
33 previously incurred costs for start-up of the new facility are
34 charged back to the Alaskan Way viaduct replacement project account.
35 The office of financial management shall closely monitor the
36 application of the cost allocation model and ensure that the new
37 state route number 99 tunnel toll facility is adequately sharing
38 costs and the other toll facility accounts are not being overspent or
39 subsidizing the new state route number 99 tunnel toll facility.

1 (8) The department shall submit a plan to the legislature for the
2 Interstate 405 and state route number 167 express toll lanes account
3 detailing how bond proceeds can cover the proposed construction plan
4 on the Interstate 405 and state route number 167 express toll lane
5 corridor outlined on LEAP Transportation Document 2021-1 as developed
6 April 23, 2021, by January 1, 2022.

7 (9) (~~(\$1,516,000)~~) \$4,554,000 of the state route number 520
8 corridor account—state appropriation (~~(is)~~) and \$580,000 of the
9 Tacoma Narrows toll bridge account—state appropriation are provided
10 solely for the increased costs of insurance for the state route
11 number 520 floating bridge and the Tacoma Narrows bridge. The
12 department shall conduct an evaluation of the short and long-term
13 costs and benefits including risk mitigation of self-insurance as
14 compared to the commercial insurance option for the state route
15 number 520 floating bridge, as allowed under the terms of the state
16 route number 520 master bond resolution. By December 15, 2021, the
17 department shall report to the legislature on the results of this
18 evaluation.

19 (10) As part of the department's 2023-2025 biennial budget
20 request, the department shall update the cost allocation
21 recommendations that assign appropriate costs to each of the toll
22 funds for services provided by relevant Washington state department
23 of transportation programs, the Washington state patrol, and the
24 transportation commission. The recommendations shall be based on
25 updated traffic and toll transaction patterns and other relevant
26 factors.

27 (11) All amounts provided for operations and maintenance expenses
28 on the SR 520 facility from the state route number 520 corridor
29 account during the 2021-2023 fiscal biennium in this act, up to a
30 maximum of \$59,567,000, are derived from the receipt of federal
31 American rescue plan act of 2021 funds and not toll revenues.

32 **Sec. 210.** 2021 c 333 s 210 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM**
35 **C**
36 Transportation Partnership Account—State
37 Appropriation. (~~(\$1,377,000)~~)
38 \$1,404,000

1	Motor Vehicle Account—State Appropriation.	((\$97,026,000))
2		<u>\$99,485,000</u>
3	Puget Sound Ferry Operations Account—State	
4	Appropriation.	((\$263,000))
5		<u>\$307,000</u>
6	Multimodal Transportation Account—State	
7	Appropriation.	((\$6,986,000))
8		<u>\$6,888,000</u>
9	Transportation 2003 Account (Nickel Account)—State	
10	Appropriation.	((\$1,393,000))
11		<u>\$1,416,000</u>
12	TOTAL APPROPRIATION.	((\$107,045,000))
13		<u>\$109,500,000</u>

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

16 (1) \$4,273,000 of the multimodal transportation account—state
17 appropriation and \$4,273,000 of the motor vehicle account—state
18 appropriation are provided solely for the department's cost related
19 to the one Washington project, and is subject to the conditions,
20 limitations, and review requirements of section 701 ((~~of this act~~)),
21 chapter 333, Laws of 2021.

22 (2) \$1,299,000 of the motor vehicle account—state appropriation
23 and \$64,000 of the multimodal transportation account—state
24 appropriation are provided solely for contingency funding to address
25 emergent issues related to mitigating negative impacts of the high
26 level of staff vacancies. Potential uses of the funding include, but
27 are not limited to, the following: Increased overtime, travel, and
28 other related costs; increased contracting to maintain adequate
29 service levels; and unanticipated facility and equipment needs. By
30 January 1, 2023, the department must submit a report to the governor
31 and the transportation committees of the legislature detailing the
32 specific expenditures made from the contingency funding provided in
33 this subsection.

34 **Sec. 211.** 2021 c 333 s 211 (uncodified) is amended to read as
35 follows:

36 **FOR THE DEPARTMENT OF TRANSPORTATION—FACILITY MAINTENANCE,**
37 **OPERATIONS, AND CONSTRUCTION—PROGRAM D—OPERATING**

38 Motor Vehicle Account—State Appropriation. ((~~\$35,574,000~~))

1		<u>\$37,435,000</u>
2	State Route Number 520 Corridor Account—State	
3	Appropriation.	\$34,000
4	TOTAL APPROPRIATION.	((\$35,608,000))
5		<u>\$37,469,000</u>

6 NEW SECTION. **Sec. 212.** A new section is added to 2021 c 333
7 (uncodified) to read as follows:

8 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION EQUIPMENT FUND—**
9 **PROGRAM E**

10 Motor Vehicle Account—State Appropriation. \$9,167,000

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

13 (1) \$7,167,000 of the motor vehicle account—state appropriation
14 is provided solely for the department's costs related to replacing
15 obsolete transportation equipment. The appropriations to the
16 department in this section must be expended to maximize the amount of
17 obsolete equipment replaced in the 2021-2023 biennium. To accomplish
18 this, the department may transfer some or all of the motor vehicle
19 account—state appropriation in this section to the department's other
20 operating programs for the purpose of maximizing federal or other
21 indirect cost recovery, and the funding available for the replacement
22 of the obsolete equipment.

23 (2) \$2,000,000 of the motor vehicle account—state appropriation
24 is provided solely for the department's costs related to replacing
25 snow removal equipment. The appropriations to the department in this
26 section must be expended to maximize the amount of snow removal
27 equipment replaced in the 2021-2023 biennium. To accomplish this, the
28 department may transfer some or all of the motor vehicle account—
29 state appropriation in this section to the department's other
30 operating programs for the purpose of maximizing federal or other
31 indirect cost recovery, and the funding available for the replacement
32 of the obsolete equipment.

33 **Sec. 213.** 2021 c 333 s 212 (uncodified) is amended to read as
34 follows:

35 **FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F**

36 Aeronautics Account—State Appropriation. ((~~\$8,055,000~~))
37 \$9,112,000

1	Aeronautics Account—Federal Appropriation.	\$3,916,000
2	Aeronautics Account—Private/Local Appropriation.	\$60,000
3	<u>Move Ahead WA Flexible Account—State Appropriation.</u>	<u>\$10,000</u>
4	TOTAL APPROPRIATION.	((\$12,031,000))
5		<u>\$13,098,000</u>

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

8 (1) \$2,888,000 of the aeronautics account—state appropriation is
9 provided solely for the airport aid grant program, which provides
10 competitive grants to public use airports for pavement, safety,
11 maintenance, planning, and security.

12 (2) \$257,000 of the aeronautics account—state appropriation is
13 provided solely for supporting the commercial aviation coordinating
14 commission, pursuant to section 718 (~~of this act~~), chapter 333,
15 Laws of 2021.

16 (3) \$280,000 of the aeronautics account—state appropriation is
17 provided solely for the implementation of chapter 131, Laws of 2021
18 (unpiloted aircraft system state coordinator). If chapter 131, Laws
19 of 2021 is not enacted by June 30, 2021, the amount provided in this
20 subsection lapses.

21 (4) \$10,000 of the move ahead WA flexible account—state
22 appropriation is provided solely for the creation of a sustainable
23 aviation grant program for airports. The purpose of the grant program
24 is to support adoption of zero emissions aircraft and sustainable
25 aviation fuels, reduce harmful aviation-related emissions, and reduce
26 the aviation industry's reliance on fossil fuels. Sustainable
27 aviation projects may include, but are not limited to: (a)
28 Sustainable aviation fuel storage; (b) electrification of ground
29 support equipment; (c) electric aircraft charging infrastructure; (d)
30 airport clean power production; or (e) electric vehicle charging
31 stations whose infrastructure also supports ground support equipment
32 and electric aircraft charging. The department must select projects,
33 which may include planning, to propose to the legislature for
34 funding. The department shall submit a report to the transportation
35 committees of the legislature by December 1, 2022, identifying the
36 selected sustainable aviation projects for funding by the
37 legislature.

38 (5) \$1,000,000 of the aeronautics account—state appropriation is
39 provided solely for move ahead WA aviation grants.

1 **Sec. 214.** 2021 c 333 s 213 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND**
4 **SUPPORT—PROGRAM H**

5 Motor Vehicle Account—State Appropriation.	(\$59,138,000)
	<u>\$57,320,000</u>
7 Motor Vehicle Account—Federal Appropriation.	\$500,000
8 Multimodal Transportation Account—State	
9 Appropriation.	\$758,000
10 TOTAL APPROPRIATION.	(\$60,396,000)
	<u>\$58,578,000</u>

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

14 (1) The legislature recognizes that the trail known as the Rocky
15 Reach Trail, and its extensions, serve to separate motor vehicle
16 traffic from pedestrians and bicyclists, increasing motor vehicle
17 safety on state route number 2 and the coincident section of state
18 route number 97. Consistent with chapter 47.30 RCW and pursuant to
19 RCW 47.12.080, the legislature declares that transferring portions of
20 WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and
21 associated buffer areas to the Washington state parks and recreation
22 commission is consistent with the public interest. The legislature
23 directs the department to transfer the property to the Washington
24 state parks and recreation commission.

25 (a) The department must be paid fair market value for any
26 portions of the transferred real property that is later abandoned,
27 vacated, or ceases to be publicly maintained for trail purposes.

28 (b) Prior to completing the transfer in this subsection (1), the
29 department must ensure that provisions are made to accommodate
30 private and public utilities and any facilities that predate the
31 department's acquisition of the property, at no cost to those
32 entities. Prior to completing the transfer, the department shall also
33 ensure that provisions, by fair market assessment, are made to
34 accommodate other private and public utilities and any facilities
35 that have been legally allowed by permit or other instrument.

36 (c) The department may sell any adjoining property that is not
37 necessary to support the Rocky Reach Trail and adjacent buffer areas
38 only after the transfer of trail-related property to the Washington
39 state parks and recreation commission is complete. Adjoining property

1 owners must be given the first opportunity to acquire such property
2 that abuts their property, and applicable boundary line or other
3 adjustments must be made to the legal descriptions for recording
4 purposes.

5 (2) With respect to Parcel 12 of the real property conveyed by
6 the state of Washington to the city of Mercer Island under that
7 certain quitclaim deed, dated April 19, 2000, recorded in King county
8 under recording no. 20000425001234, the requirement in the deed that
9 the property be used for road/street purposes only will be deemed
10 satisfied by the department of transportation so long as commuter
11 parking, as part of the vertical development of the property, is one
12 of the significant uses of the property.

13 ~~(3) ((\$1,600,000 of the motor vehicle account state appropriation~~
14 ~~is provided solely for real estate services activities. Consistent~~
15 ~~with RCW 47.12.120 and during the 2021-2023 fiscal biennium, when~~
16 ~~initiating, extending, or renewing any rent or lease agreements with~~
17 ~~a regional transit authority, consideration of value must be~~
18 ~~equivalent to one hundred percent of economic or market rent.~~

19 ~~(4))~~ The department shall report to the transportation
20 committees of the legislature by December 1, 2021, on the status of
21 its efforts to consolidate franchises for broadband facilities across
22 the state, including plans for increasing the number of consolidated
23 franchises in the future.

24 ~~((5))~~ (4) During the 2021-2023 biennium, if the department
25 takes possession of the property situated in the city of Edmonds for
26 which a purchase agreement was executed between Unocal and the
27 department in 2005 (Tax Parcel Number 262703-2-003-0009), and if the
28 department confirms that the property is still no longer needed for
29 transportation purposes, the department shall provide the city of
30 Edmonds with the right of first purchase at fair market value in
31 accordance with RCW 47.12.063(3) for the city's intended use of the
32 property to rehabilitate near-shore habitat for salmon and related
33 species.

34 ~~((6) \$300,000))~~ (5) \$535,000 of the motor vehicle account—state
35 appropriation is provided solely for the implementation of chapter
36 217, Laws of 2021 (noxious weeds). ~~((If chapter 217, Laws of 2021~~
37 ~~(noxious weeds) is not enacted by June 30, 2021, the amount provided~~
38 ~~in this subsection lapses.~~

1 ~~(7) \$500,000)) (6) \$1,026,000~~ of the multimodal transportation
2 account—state appropriation is provided solely for the implementation
3 of chapter 314, Laws of 2021 (environmental justice task force). (~~If~~
4 ~~chapter 314, Laws of 2021 (environmental justice task force) is not~~
5 ~~enacted by June 30, 2021, the amount provided in this subsection~~
6 ~~lapses.))~~)

7 (7) \$1,297,000 of the motor vehicle account—state appropriation
8 is provided solely for contingency funding to address emergent issues
9 related to mitigating negative impacts of the high level of staff
10 vacancies. Potential uses of the funding include, but are not limited
11 to, the following: Increased overtime, travel, and other related
12 costs; increased contracting to maintain adequate service levels; and
13 unanticipated facility and equipment needs. By January 1, 2023, the
14 department must submit a report to the governor and the
15 transportation committees of the legislature detailing the specific
16 expenditures made from the contingency funding provided in this
17 subsection.

18 **Sec. 215.** 2021 c 333 s 214 (uncodified) is amended to read as
19 follows:

20 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—**
21 **PROGRAM K**

22 Motor Vehicle Account—State Appropriation.	(\$675,000)
	<u>\$686,000</u>
24 Electric Vehicle Account—State Appropriation.	\$9,900,000
25 Multimodal Transportation Account—State	
26 Appropriation.	\$3,290,000
27 <u>Multimodal Transportation Account—Federal</u>	
28 <u>Appropriation.</u>	<u>\$13,100,000</u>
29 TOTAL APPROPRIATION.	(\$13,865,000)
30	<u>\$26,976,000</u>

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

33 (1) The public-private partnerships program must continue to
34 explore retail partnerships at state-owned park and ride facilities,
35 as authorized in RCW 47.04.295.

36 (2) \$8,900,000 of the electric vehicle account—state
37 appropriation is provided solely for the clean alternative fuel

1 vehicle charging and refueling infrastructure program in chapter 287,
2 Laws of 2019 (advancing green transportation adoption).

3 (3) \$2,400,000 of the multimodal transportation account—state
4 appropriation is provided solely for the pilot program established
5 under chapter 287, Laws of 2019 (advancing green transportation
6 adoption) to provide clean alternative fuel vehicle use opportunities
7 to underserved communities and low to moderate income members of the
8 workforce not readily served by transit or located in transportation
9 corridors with emissions that exceed federal or state emissions
10 standards. Consistent with the geographical diversity element
11 described in RCW 47.04.355(4), the legislature strongly encourages
12 the department to consider implementing the pilot in both urban and
13 rural communities if possible, to obtain valuable information on the
14 needs of underserved communities located in different geographical
15 locations in Washington.

16 (4) \$1,000,000 of the electric vehicle account—state
17 appropriation and \$500,000 of the multimodal transportation account—
18 state appropriation are provided solely for a colocated DC fast
19 charging and hydrogen fueling station near the Wenatchee or East
20 Wenatchee area near a state route or near or on a publicly owned
21 facility to service passenger, light-duty and heavy-duty vehicles.
22 The hydrogen fueling station must include a DC fast charging station
23 colocated at the hydrogen fueling station site. Funds may be used for
24 one or more fuel cell electric vehicles that would utilize the
25 fueling stations. The department must contract with a public utility
26 district that produces hydrogen in the area to own and/or manage and
27 provide technical assistance for the design, planning, permitting,
28 construction, maintenance and operation of the hydrogen fueling
29 station. The department and public utility district are encouraged to
30 collaborate with and seek contributions from additional public and
31 private partners for the fueling station.

32 (5) \$140,000 of the multimodal transportation account—state
33 appropriation is provided solely for the purpose of conducting an
34 assessment of options for the development, including potential
35 features and costs, for a publicly available mapping and forecasting
36 tool that provides locations and essential information of charging
37 and refueling infrastructure to support forecasted levels of electric
38 vehicle adoption, travel, and usage across Washington state as

1 described in chapter 300, Laws of 2021 (preparedness for a zero
2 emissions transportation future).

3 (6) \$250,000 of the multimodal transportation account—state
4 appropriation is provided solely to fund the design of an electric
5 charging mega-site project at Mount Vernon library commons.

6 (7) \$13,101,000 of the multimodal transportation account—federal
7 appropriation is provided solely to implement the national electric
8 vehicle program, established in the federal infrastructure investment
9 and jobs act (P.L. 117-58), as directed by the interagency electric
10 vehicle coordinating council created in Engrossed Substitute Senate
11 Bill No. 5974. \$353,500 of the amount provided in this subsection is
12 for staff support for the council.

13 **Sec. 216.** 2021 c 333 s 215 (uncodified) is amended to read as
14 follows:

15 **FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M**

16	Motor Vehicle Account—State Appropriation.	((\$496,925,000))
17		<u>\$487,698,000</u>
18	Motor Vehicle Account—Federal Appropriation.	\$7,000,000
19	<u>Motor Vehicle Account—Local Appropriation.</u>	<u>\$17,000</u>
20	State Route Number 520 Corridor Account—State	
21	Appropriation.	((\$4,082,000))
22		<u>\$4,858,000</u>
23	Tacoma Narrows Toll Bridge Account—State	
24	Appropriation.	((\$1,479,000))
25		<u>\$1,514,000</u>
26	Alaskan Way Viaduct Replacement Project Account—	
27	State Appropriation.	((\$8,157,000))
28		<u>\$8,347,000</u>
29	Interstate 405 and State Route Number 167 Express	
30	Toll Lanes Account—State Appropriation.	((\$2,545,000))
31		<u>\$2,567,000</u>
32	<u>Move Ahead WA Account—State Appropriation.</u>	<u>\$47,000,000</u>
33	<u>Waste Tire Removal Account—State Appropriation.</u>	<u>\$4,000,000</u>
34	TOTAL APPROPRIATION.	((\$520,188,000))
35		<u>\$563,001,000</u>

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

1 (1) \$7,529,000 of the motor vehicle account—state appropriation
2 is provided solely for utility fees assessed by local governments as
3 authorized under RCW 90.03.525 for the mitigation of stormwater
4 runoff from state highways. Plan and reporting requirements as
5 required in chapter 435, Laws of 2019 (Local Stormwater Charges)
6 shall be consistent with the January 2012 findings of the Joint
7 Transportation Committee Report for Effective Cost Recovery Structure
8 for WSDOT, Jurisdictions, and Efficiencies in Stormwater Management.

9 (2) \$5,000,000 of the motor vehicle account—state appropriation
10 is provided solely for a contingency pool for snow and ice removal.
11 The department must notify the office of financial management and the
12 transportation committees of the legislature when they have spent the
13 base budget for snow and ice removal and will begin using the
14 contingency pool funding.

15 (3) \$1,025,000 of the motor vehicle account—state appropriation
16 is provided solely for the department to implement safety
17 improvements and debris clean up on department-owned rights-of-way in
18 the city of Seattle at levels above that being implemented as of
19 January 1, 2019, to be administered in conjunction with subsection
20 (9) of this section. The department must maintain a crew dedicated
21 solely to collecting and disposing of garbage, clearing debris or
22 hazardous material, and implementing safety improvements where
23 hazards exist to the traveling public, department employees, or
24 people encamped upon department-owned rights-of-way. The department
25 may request assistance from the Washington state patrol as necessary
26 in order for both agencies to provide enhanced safety-related
27 activities regarding the emergency hazards along state highway
28 rights-of-way in the Seattle area.

29 (4) \$1,015,000 of the motor vehicle account—state appropriation
30 is provided solely for a partnership program between the department
31 and the city of Tacoma, to be administered in conjunction with
32 subsection (9) of this section. The program shall address the safety
33 and public health problems created by homeless encampments on the
34 department's property along state highways within the city limits.
35 \$570,000 is for dedicated department maintenance staff and associated
36 clean-up costs. The department and the city of Tacoma shall enter
37 into a reimbursable agreement to cover up to \$445,000 of the city's
38 expenses for clean-up crews and landfill costs.

1 (5) The department must continue a pilot program for the
2 2021-2023 fiscal biennium at the four highest demand safety rest
3 areas to create and maintain an online calendar for volunteer groups
4 to check availability of weekends for the free coffee program. The
5 calendar must be updated at least weekly and show dates and times
6 that are, or are not, available to participate in the free coffee
7 program. The department must submit a report to the legislature on
8 the ongoing pilot by December 1, 2022, outlining the costs and
9 benefits of the online calendar pilot, and including surveys from the
10 volunteer groups and agency staff to determine its effectiveness.

11 (6) \$686,000 of the motor vehicle account—state appropriation is
12 provided solely for reimbursing the Oregon department of
13 transportation (ODOT) for the department's share of increased
14 maintenance costs of six highway bridges over the Columbia River that
15 are maintained by ODOT.

16 (7) \$8,290,000 of the motor vehicle account—state appropriation
17 is provided solely for increased costs of highway maintenance
18 materials.

19 (8) \$5,816,000 of the motor vehicle account—state appropriation
20 is provided solely for a contingency pool for repairing damages to
21 highways caused by known and unknown third parties. The department
22 must notify the office of financial management and the transportation
23 committees of the legislature when they have spent the base budget
24 for third-party damage repair and will begin using the contingency
25 pool funding.

26 (9) (a) \$3,000,000 of the motor vehicle account—state
27 appropriation (~~is~~) and \$4,000,000 of the waste tire removal account
28 —state appropriation are provided solely for the department to
29 address the risks to safety and public health associated with
30 homeless encampments on department owned rights-of-way and for
31 implementation of Engrossed Second Substitute Senate Bill No. 5662
32 (right-of-way camping/housing). The department must coordinate and
33 work with local government officials and social service organizations
34 who provide services and direct people to housing alternatives that
35 are not in highway rights-of-way to help prevent future encampments
36 from forming on highway rights-of-way, and may reimburse the
37 organizations doing this outreach assistance who transition people
38 into treatment or housing that is not on the rights-of-way or for
39 debris clean up on highway rights-of-way. The department may hire

1 crews specializing in collecting and disposing of garbage, clearing
2 debris or hazardous material, and implementing safety improvements
3 where hazards exist to the traveling public and department employees.
4 The department may use these funds to either reimburse local law
5 enforcement costs or the Washington state patrol if they are
6 (~~participating as part of a state or local government agreement to~~
7 ~~provide~~) providing enhanced safety (~~related activities along~~
8 ~~state~~) to department staff during debris cleanup or during efforts
9 to prevent future encampments from forming on highway rights-of-way.

10 (b) Beginning (~~October 1, 2021~~) January 1, 2023, and
11 semiannually thereafter, the office of intergovernmental coordination
12 on public right-of-way homeless encampments, assisted by the
13 Washington state patrol and the department of transportation, must
14 jointly submit a report to the governor and the house and senate
15 transportation committees of the legislature on the status of these
16 efforts, including:

17 (i) A detailed breakout of the size, location, risk level
18 categorization, and number of encampments on or near department-owned
19 rights-of-way, compared to the levels during the quarter being
20 reported;

21 (ii) A summary of the activities in that quarter related to
22 addressing these encampments, including information on arrangements
23 with local governments or other entities related to these activities;

24 (iii) A description of the planned activities in the ensuing
25 quarter to further address the emergency hazards and risks along
26 state highway rights-of-way; and

27 (iv) Recommendations for executive branch or legislative action
28 to achieve the desired outcome of reduced emergency hazards and risks
29 along state highway rights-of-way.

30 (c) If Engrossed Second Substitute Senate Bill No. 5662 (right-
31 of-way camping/housing) is not enacted by June 30, 2022, then the
32 waste tire removal account appropriation in this subsection (9)
33 lapses.

34 (10) \$6,538,000 of the motor vehicle account—state appropriation
35 is provided solely for contingency funding to address emergent issues
36 related to mitigating negative impacts of the high level of staff
37 vacancies. Potential uses of the funding include, but are not limited
38 to, the following: Increased overtime, travel and other related
39 costs; increased contracting to maintain adequate service levels; and
40 unanticipated facility and equipment needs. By January 1, 2023, the

1 department must submit a report to the governor and the
2 transportation committees of the legislature detailing the specific
3 expenditures made from the contingency funding provided in this
4 subsection.

5 (11) \$300,000 of the motor vehicle account—state appropriation is
6 provided solely for costs related to Substitute Senate Bill No. 5907
7 (roadside safety measures). If Substitute Senate Bill No. 5907 is not
8 enacted by June 30, 2022, then the amount provided in this subsection
9 lapses.

10 (12) \$5,400,000 of the motor vehicle account—state appropriation
11 is provided solely for replacement of traffic signs and to increase
12 the visibility of road pavement markings. Investments must replace
13 traffic signs that do not meet the department's standards or that are
14 faded, lacking in reflectivity, cracked, illegible, or damaged.
15 Investments must also increase the visibility of road pavement
16 markings during periods of low light conditions and during
17 precipitation with pavement marking products that contain all-weather
18 optical reflectivity capability. The request for proposals and
19 subsequent competitive procurement for the signs shall be performed
20 following state specifications and standards.

21 (13) 17,000 of the motor vehicle account—local appropriation is
22 provided solely to update existing signs along Interstate 5 in the
23 vicinity of Seattle center. The department must install new Seattle
24 center logos with a redesigned logo that recognizes climate pledge
25 arena.

26 **Sec. 217.** 2021 c 333 s 216 (uncodified) is amended to read as
27 follows:

28 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
29 **OPERATING**

30	Motor Vehicle Account—State Appropriation.	((\$74,406,000))
31		\$71,931,000
32	Motor Vehicle Account—Federal Appropriation.	\$2,050,000
33	Motor Vehicle Account—Private/Local Appropriation.	((\$250,000))
34		<u>\$295,000</u>
35	State Route Number 520 Corridor Account—State	
36	Appropriation.	\$225,000
37	Tacoma Narrows Toll Bridge Account—State	
38	Appropriation.	\$40,000

1	Alaskan Way Viaduct Replacement Project Account—	
2	State Appropriation.	\$1,112,000
3	Interstate 405 and State Route Number 167 Express	
4	Toll Lanes Account—State Appropriation.	\$20,000
5	TOTAL APPROPRIATION.	(\$78,103,000)
6		<u>\$75,673,000</u>

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

9 (1) \$6,000,000 of the motor vehicle account—state appropriation
10 is provided solely for low-cost enhancements. The department shall
11 give priority to low-cost enhancement projects that improve safety or
12 provide congestion relief. By December 15th of each odd-numbered
13 year, the department shall provide a report to the legislature
14 listing all low-cost enhancement projects completed in the prior
15 fiscal biennium.

16 (2) (a) During the 2021-2023 fiscal biennium, the department shall
17 continue a pilot program that expands private transportation
18 providers' access to high occupancy vehicle lanes. Under the pilot
19 program, when the department reserves a portion of a highway based on
20 the number of passengers in a vehicle, the following vehicles must be
21 authorized to use the reserved portion of the highway if the vehicle
22 has the capacity to carry eight or more passengers, regardless of the
23 number of passengers in the vehicle: (i) Auto transportation company
24 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter
25 carrier vehicles regulated under chapter 81.70 RCW, except marked or
26 unmarked stretch limousines and stretch sport utility vehicles as
27 defined under department of licensing rules; (iii) private nonprofit
28 transportation provider vehicles regulated under chapter 81.66 RCW;
29 and (iv) private employer transportation service vehicles. For
30 purposes of this subsection, "private employer transportation
31 service" means regularly scheduled, fixed-route transportation
32 service that is offered by an employer for the benefit of its
33 employees. Nothing in this subsection is intended to authorize the
34 conversion of public infrastructure to private, for-profit purposes
35 or to otherwise create an entitlement or other claim by private users
36 to public infrastructure.

37 (b) The department shall expand the high occupancy vehicle lane
38 access pilot program to vehicles that deliver or collect blood,
39 tissue, or blood components for a blood-collecting or distributing

1 establishment regulated under chapter 70.335 RCW. Under the pilot
2 program, when the department reserves a portion of a highway based on
3 the number of passengers in a vehicle, blood-collecting or
4 distributing establishment vehicles that are clearly and identifiably
5 marked as such on all sides of the vehicle are considered emergency
6 vehicles and must be authorized to use the reserved portion of the
7 highway.

8 (c) The department shall expand the high occupancy vehicle lane
9 access pilot program to organ transport vehicles transporting a time
10 urgent organ for an organ procurement organization as defined in RCW
11 68.64.010. Under the pilot program, when the department reserves a
12 portion of a highway based on the number of passengers in a vehicle,
13 organ transport vehicles that are clearly and identifiably marked as
14 such on all sides of the vehicle are considered emergency vehicles
15 and must be authorized to use the reserved portion of the highway.

16 (d) The department shall expand the high occupancy vehicle lane
17 access pilot program to private, for hire vehicles regulated under
18 chapter 81.72 RCW that have been specially manufactured, designed, or
19 modified for the transportation of a person who has a mobility
20 disability and uses a wheelchair or other assistive device. Under the
21 pilot program, when the department reserves a portion of a highway
22 based on the number of passengers in a vehicle, wheelchair-accessible
23 taxicabs that are clearly and identifiably marked as such on all
24 sides of the vehicle are considered public transportation vehicles
25 and must be authorized to use the reserved portion of the highway.

26 (e) The department shall expand the high occupancy vehicle lane
27 access pilot program to for hire nonemergency medical transportation
28 vehicles, when in use for medical purposes, as described in section
29 208 (~~of this act~~), chapter 333, Laws of 2021. Under the pilot
30 program, when the department reserves a portion of a highway based on
31 the number of passengers in a vehicle, nonemergency medical
32 transportation vehicles that meet the requirements identified in
33 section 208 (~~of this act~~), chapter 333, Laws of 2021 must be
34 authorized to use the reserved portion of the highway.

35 (f) Nothing in this subsection (2) is intended to exempt these
36 vehicles from paying tolls when they do not meet the occupancy
37 requirements established by the department for express toll lanes.

38 (3) \$1,391,000 of the motor vehicle account—state appropriation
39 is provided solely for contingency funding to address emergent issues
40 related to mitigating negative impacts of the high level of staff

1 vacancies. Potential uses of the funding include, but are not limited
2 to, the following: Increased overtime, travel, and other related
3 costs; increased contracting to maintain adequate service levels; and
4 unanticipated facility and equipment needs. By January 1, 2023, the
5 department must submit a report to the governor and the
6 transportation committees of the legislature detailing the specific
7 expenditures made from the contingency funding provided in this
8 subsection.

9 (4) The appropriations in this section assume implementation of
10 additional cost recovery mechanisms to recoup at least \$100,000 in
11 credit card and other financial transaction costs related to the
12 collection of fees imposed under RCW 46.44.0941 for driver and
13 vehicle fee transactions beginning January 1, 2023. The department
14 may recover transaction fees incurred through credit card
15 transactions. At the direction of the office of financial management,
16 the department shall develop a method of tracking the additional
17 amount of credit card and other financial cost-recovery revenues. In
18 consultation with the office of financial management, the department
19 shall notify the office of the state treasurer of these amounts and
20 the state treasurer must deposit these revenues in the agency
21 financial transaction account created in RCW 46.01.385 on a quarterly
22 basis. The department shall also submit, as part of its 2023-2025
23 budget submittal, an overview of the credit card cost recovery
24 approach, including fee rates and the amount of revenue expected to
25 be generated in the 2021-2023 and 2023-2025 biennia.

26 **Sec. 218.** 2021 c 333 s 217 (uncodified) is amended to read as
27 follows:

28 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND**
29 **SUPPORT—PROGRAM S**

30 Motor Vehicle Account—State Appropriation.	(((\$37,361,000))
31	\$36,693,000
32 Motor Vehicle Account—Federal Appropriation.	\$780,000
33 Motor Vehicle Account—Private/Local Appropriation.	\$500,000
34 <u>Puget Sound Ferry Operations Account—State</u>	
35 <u>Appropriation.</u>	<u>\$266,000</u>
36 Multimodal Transportation Account—State	
37 <u>Appropriation.</u>	<u>\$5,129,000</u>
38 State Route Number 520 Corridor Account—State	

1	Appropriation.	\$186,000
2	Tacoma Narrows Toll Bridge Account—State	
3	Appropriation.	\$150,000
4	Alaskan Way Viaduct Replacement Project Account—	
5	State Appropriation.	\$121,000
6	Interstate 405 and State Route Number 167 Express	
7	Toll Lanes Account—State Appropriation.	\$77,000
8	<u>Move Ahead WA Flexible Account—State Appropriation.</u>	<u>\$2,000,000</u>
9	TOTAL APPROPRIATION.	((\$44,304,000))
10		<u>\$45,902,000</u>

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

13 (1) \$4,000,000 of the multimodal transportation account—state
14 appropriation ((is)) and \$2,000,000 of the move ahead WA flexible
15 account—state appropriation are provided solely for efforts to
16 increase diversity in the transportation construction and maritime
17 workforce. ((through: (1)))

18 (a) \$4,500,000 of the total appropriation in this subsection is
19 provided solely for: (i) The preapprenticeship support services
20 (PASS) program, which aims to increase diversity in the highway
21 construction workforce and prepare individuals interested in entering
22 the highway construction workforce. In addition to the services
23 allowed by RCW 47.01.435, the PASS program may provide housing
24 assistance for youth aging out of the foster care and juvenile
25 rehabilitation systems in order to support the participation of these
26 youth in a transportation-related preapprenticeship program; ((+2))
27 and (ii) assisting minority and women-owned businesses to perform
28 work in the highway construction industry. This assistance shall
29 include technical assistance, business training, counseling,
30 guidance, prime to subcontractor relationship building, and a
31 capacity building mentorship program. At a minimum, \$1,000,000 of the
32 total appropriation in this subsection shall be directed toward the
33 efforts outlined in (a)(ii) of this subsection ((-2) of this
34 section)).

35 (b) \$1,500,000 of the total appropriation in this subsection is
36 provided solely for expansion of the PASS program to support
37 apprenticeships and workforce development in the maritime industry
38 through preapprenticeship training for inland waterways trades and
39 support services to obtain necessary coast guard certification.

1 (c) The provider(s) chosen to complete the work in this
2 subsection shall be selected through a competitive bidding process.
3 The program shall be administered by the Washington state department
4 of transportation's office of equal opportunity.

5 (2) \$782,000 of the motor vehicle account—state appropriation is
6 provided solely for contingency funding to address emergent issues
7 related to mitigating negative impacts of the high level of staff
8 vacancies. Potential uses of the funding include, but are not limited
9 to, the following: Increased overtime, travel, and other related
10 costs; increased contracting to maintain adequate service levels; and
11 unanticipated facility and equipment needs. By January 1, 2023, the
12 department must submit a report to the governor and the
13 transportation committees of the legislature detailing the specific
14 expenditures made from the contingency funding provided in this
15 subsection.

16 (3) \$774,000 of the motor vehicle account—state appropriation and
17 \$266,000 of the Puget Sound ferry operations account—state
18 appropriation are provided solely for the department to hire a
19 workforce development consultant to develop, track, and monitor the
20 progress of community workforce agreements, and to hire staff to
21 assist with the development and implementation of internal diversity,
22 equity, and inclusion efforts and serve as subject matter experts on
23 federal and state civil rights provisions. The department shall
24 provide a progress report on the implementation of efforts under this
25 subsection to the transportation committees of the legislature and
26 the governor by December 1, 2022.

27 **Sec. 219.** 2021 c 333 s 218 (uncodified) is amended to read as
28 follows:

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

31 Motor Vehicle Account—State Appropriation.	((\$27,057,000))
	<u>\$25,741,000</u>
33 Motor Vehicle Account—Federal Appropriation.	\$34,865,000
34 Motor Vehicle Account—Private/Local Appropriation.	\$400,000
35 Multimodal Transportation Account—State	
36 Appropriation.	((\$919,000))
	<u>\$2,145,000</u>
38 Multimodal Transportation Account—Federal	

1	Appropriation.	\$2,809,000
2	Multimodal Transportation Account—Private/Local	
3	Appropriation.	\$100,000
4	State Route Number 520 Corridor Account—State	
5	Appropriation.	(\$406,000)
6		<u>\$451,000</u>
7	Interstate 405 and State Route Number 167 Express	
8	Toll Lanes Account—State Appropriation.	\$2,879,000
9	<u>Move Ahead WA Flexible Account—State Appropriation.</u>	<u>\$1,500,000</u>
10	<u>Move Ahead WA Flexible Account—Federal Appropriation.</u>	<u>\$1,000,000</u>
11	TOTAL APPROPRIATION.	(\$69,435,000)
12		<u>\$71,890,000</u>

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

15 (1) \$4,080,000 of the motor vehicle account—federal appropriation
16 is provided solely for the Forward Drive road usage charge research
17 project overseen by the transportation commission using a portion of
18 the amount of the federal grant award. The purpose of the Forward
19 Drive road usage charge research project is to advance research in
20 key policy areas related to road usage charge including assessing
21 impacts of future mobility shifts on road usage charge revenues,
22 conducting an equity analysis, updating and assessing emerging
23 mileage reporting methods, determining opportunities to reduce cost
24 of collection, conducting small-scale pilot tests, and identifying a
25 long-term, detailed phase-in plan.

26 (2) \$2,879,000 of the Interstate 405 and state route number 167
27 express toll lanes account—state appropriation is provided solely for
28 completion of updating the state route number 167 master plan.

29 (3) ~~(\$250,000)~~ \$500,000 of the multimodal transportation
30 account—state appropriation is provided solely for the department to
31 partner with the department of commerce in developing vehicle miles
32 traveled targets for the counties in Washington state with (a) a
33 population density of at least 100 people per square mile and a
34 population of at least 200,000; or (b) a population density of at
35 least 75 people per square mile and an annual growth rate of at least
36 1.75 percent as determined by the office of financial management.
37 Given land use patterns are key factors in travel demand and should
38 be taken into consideration when developing the targets, the
39 department and the department of commerce shall partner with local

1 jurisdictions, regional transportation planning organizations and
2 other stakeholders to inventory existing laws and rules that promote
3 transportation and land use, identify gaps and make recommendations
4 for changes in laws, rules and agency guidance, and establish a
5 framework for considering underserved and rural communities in the
6 evaluation. The department and the department of commerce shall
7 provide an initial technical report by December 31, 2021, an interim
8 report by June 22, 2022, and a final report to the governor and
9 appropriate committees of the legislature by June 30, 2023, that
10 includes a process for establishing vehicle miles traveled reduction
11 targets, a recommended suite of options for local jurisdictions to
12 achieve the targets, and funding requirements for state and local
13 jurisdictions.

14 (4) (~~(\$406,000)~~) \$451,000 of the state route number 520 corridor
15 account—state appropriation is provided solely for the department to
16 contract with the University of Washington department of mechanical
17 engineering, to study measures to reduce noise impacts from the state
18 route number 520 bridge expansion joints. The field testing shall be
19 scheduled during existing construction, maintenance, or other
20 scheduled closures to minimize impacts. The testing must also ensure
21 safety of the traveling public. The study shall examine testing
22 methodologies and project timelines and costs. A (~~final~~) draft
23 report must be submitted to the transportation committees of the
24 legislature and the governor by March 1, 2022. A final report must be
25 submitted to the transportation committees of the legislature and the
26 governor by June 30, 2022.

27 (5) \$5,900,000 of the motor vehicle account—federal appropriation
28 and \$400,000 of the motor vehicle account—private/local appropriation
29 are provided solely for delivery of the department's state planning
30 and research work program and pooled fund research projects(~~(7~~
31 ~~provided that the department may not expend any amounts provided in~~
32 ~~this section on a long-range plan or corridor scenario analysis for~~
33 ~~I-5 from Tumwater to Marysville. This is not intended to reference or~~
34 ~~impact: The existing I-5 corridor from Mounts road to Tumwater design~~
35 ~~and operations alternatives analysis; design studies related to HOV~~
36 ~~lanes or operations; or where it is necessary to continue design and~~
37 ~~operations analysis related to projects already under development)).~~

38 (6) \$800,000 of the motor vehicle account—state appropriation is
39 provided solely for WSDOT to do a corridor study of SR 302 (Victor

1 Area) to recommend safety and infrastructure improvements to address
2 current damage and prevent future roadway collapse and landslides
3 that have caused road closures.

4 (7) \$1,000,000 of the motor vehicle account—state appropriation
5 is provided solely for a study on the need for additional
6 connectivity in the area between SR 161, SR 7, SR 507, and I-5 in
7 South Pierce County.

8 (8) \$894,000 of the motor vehicle account—state appropriation and
9 \$58,000 of the multimodal transportation account—state appropriation
10 are provided solely for contingency funding to address emergent
11 issues related to mitigating negative impacts of the high level of
12 staff vacancies. Potential uses of the funding include, but are not
13 limited to, the following: Increased overtime, travel, and other
14 related costs; increased contracting to maintain adequate service
15 levels; and unanticipated facility and equipment needs. By January 1,
16 2023, the department must submit a report to the governor and the
17 transportation committees of the legislature detailing the specific
18 expenditures made from the contingency funding provided in this
19 subsection.

20 (9) \$1,500,000 of the move ahead WA flexible account—state
21 appropriation and \$1,000,000 of the move ahead WA flexible account—
22 federal appropriation are provided solely for an Interstate 5
23 planning and environmental linkage study, and to advance a central
24 Seattle Interstate 5 lid. This study will serve as a next step toward
25 a statewide Interstate 5 master plan, building upon existing work
26 underway in the corridor. It is the intent of the legislature to
27 direct \$40,000,000 to complete the planning and environmental linkage
28 study and to advance a central Seattle Interstate 5 lid over the
29 course of the 16-year move ahead WA funding package.

30 (a) The study must meet planning and environmental linkages
31 requirements to assess strategies and actions to address preservation
32 and safety needs; climate change; improve corridor efficiency and
33 person-throughput; and operate managed lanes effectively in the long-
34 term. The study must include a robust public engagement program; and
35 must assess multimodal transportation system impacts as well as
36 economic, revenue and equity considerations. The outcome of this work
37 will provide a basis for preliminary project planning, design and
38 environmental work.

1 (b) The department shall submit a final report on the Interstate
2 5 planning and environmental linkage study to the joint
3 transportation committee by June 30, 2023.

4 (c) As an initial element of the study, the department must
5 identify and prepare an implementation plan for near-term actions to
6 improve HOV lane system-wide performance until a long-term solution
7 is in place, including steps required to convert HOV lanes to a
8 different managed lane operating concept such as express toll lanes.
9 The implementation plan must include the planning, design,
10 environmental review, equity considerations, community engagement,
11 traffic and revenue analysis, rate setting, and related engineering
12 considerations necessary for a full I-5 HOV system conversion. The
13 department shall submit an interim report on a recommended near-term
14 implementation plan to the legislative transportation committees by
15 December 31, 2022.

16 (d) The department of transportation, in collaboration with city
17 of Seattle, must perform the next phase of work to advance a central
18 Seattle Interstate 5 lid. The next phase of the project must include:

19 (i) A downtown Seattle transportation and traffic impact study,
20 including evaluation of potential changes to the configurations of
21 I-5 lanes and ramps;

22 (ii) Geotechnical explorations and assessment of site conditions;
23 equitable community engagement; and

24 (iii) Refinement of scenarios and cost estimating to help support
25 future department and city decisions on lid design and land use
26 planning.

27 (10) \$450,000 of the move ahead WA account—state appropriation is
28 provided solely for the department to continue to develop a
29 performance-based project evaluation model based on the initial work
30 done for section 218(7), chapter 219, Laws of 2020, in a way that
31 operationalizes the six transportation policy goals in RCW 47.04.280.
32 This work should first include clarification of the transportation
33 policy goals through development of objectives and criteria that
34 reflect system priorities based on outcomes of community engagement.
35 After a framework is established by which goals can be more directly
36 related to outcomes, the project evaluation model should leverage the
37 department's existing experts and best practices used for
38 prioritizing programmatic funds to develop procedures by which
39 evaluators could consistently score and rank all types of projects.
40 The department must issue a report by June 30, 2023, summarizing the

1 new project evaluation model, and provide recommendations for how
2 this process could be implemented in coordination with the
3 legislative work cycle.

4 (11)(a) \$500,000 of the multimodal transportation account—state
5 appropriation is provided solely for Thurston regional planning
6 council (TRPC) to conduct a study examining:

7 (i) Options for multimodal high capacity transportation (HCT) to
8 serve travelers on the I-5 corridor between central Thurston county
9 (Olympia area) and Pierce county; and

10 (ii) The feasibility, need, and potential governance and funding
11 structures for passenger-only ferry service between the cities of
12 Olympia and Seattle.

13 (b) The study will include an assessment of travelsheds and
14 ridership potential and identify and provide an evaluation of options
15 to enhance connectivity and accessibility for the greater south Puget
16 Sound region with an emphasis on linking to planned or existing
17 commuter or regional light rail. The study shall include
18 consideration of a direct fast passenger-only ferry service and a
19 slower service with additional limited stops. The study must account
20 for previous and ongoing efforts by transit agencies and the
21 department. The study will emphasize collaboration with a diverse
22 community of interests, including but not limited to transit,
23 business, public agencies, tribes, and providers and users of
24 transportation who because of age, income, or ability may face
25 barriers and challenges. TRPC will provide to the transportation
26 committees of the legislature a study outline and recommendations of
27 deliverables by December 1, 2022.

28 (12) \$600,000 of the multimodal transportation account—state
29 appropriation is provided solely for the city of Seattle's office of
30 planning and community development to support an equitable
31 development initiative to reconnect the South Park neighborhood,
32 currently divided by State Route 99.

33 (a) The support work must include:

34 (i) A public engagement and visioning process led by a
35 neighborhood-based, community organization; and

36 (ii) A feasibility study of decommissioning SR 99 in the South
37 Park neighborhood to include, but not be limited to, traffic studies,
38 environmental impact analysis, and development of alternatives,
39 including the transfer of the land to a neighborhood-led community
40 land trust.

1 (b) The support work must be conducted in coordination and
2 partnership with neighborhood residents, neighborhood industrial and
3 commercial representatives, the state department of transportation,
4 and other entities and neighborhoods potentially impacted by changes
5 to the operation of SR 99.

6 (c) The city must provide a report on the plan that includes
7 recommendations to the Seattle city council, state department of
8 transportation, and the transportation committees of the legislature
9 by January 1, 2025.

10 **Sec. 220.** 2021 c 333 s 219 (uncodified) is amended to read as
11 follows:

12 **FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—**
13 **PROGRAM U**

14	Aeronautics Account—State Appropriation.	\$1,000
15	Transportation Partnership Account—State	
16	Appropriation.	(((\$23,000))
17		<u>\$25,000</u>
18	Motor Vehicle Account—State Appropriation.	(((\$99,515,000))
19		<u>\$99,711,000</u>
20	Puget Sound Ferry Operations Account—State	
21	Appropriation.	(((\$220,000))
22		<u>\$244,000</u>
23	State Route Number 520 Corridor Account—State	
24	Appropriation.	\$26,000
25	Connecting Washington Account—State Appropriation.	(((\$184,000))
26		<u>\$203,000</u>
27	Multimodal Transportation Account—State	
28	Appropriation.	(((\$4,795,000))
29		<u>\$4,810,000</u>
30	Tacoma Narrows Toll Bridge Account—State	
31	Appropriation.	\$19,000
32	Alaskan Way Viaduct Replacement Project Account—	
33	State Appropriation.	\$14,000
34	Interstate 405 and State Route Number 167 Express	
35	Toll Lanes Account—State Appropriation.	\$15,000
36	<u>Move Ahead WA Flexible Account—State Appropriation.</u>	<u>\$2,000,000</u>
37	TOTAL APPROPRIATION.	(((\$104,812,000))
38		<u>\$107,068,000</u>

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

3 (1) Consistent with existing protocol and practices, for any
4 negotiated settlement of a claim against the state for the department
5 that exceeds five million dollars, the department, in conjunction
6 with the attorney general and the department of enterprise services,
7 shall notify the director of the office of financial management and
8 the transportation committees of the legislature.

9 (2) Beginning October 1, 2021, and semiannually thereafter, the
10 department, in conjunction with the attorney general and the
11 department of enterprise services, shall provide a report with
12 judgments and settlements dealing with the Washington state ferry
13 system to the director of the office of financial management and the
14 transportation committees of the legislature. The report must include
15 information on: (a) The number of claims and settlements by type; (b)
16 the average claim and settlement by type; (c) defense costs
17 associated with those claims and settlements; and (d) information on
18 the impacts of moving legal costs associated with the Washington
19 state ferry system into the statewide self-insurance pool.

20 (3) Beginning October 1, 2021, and semiannually thereafter, the
21 department, in conjunction with the attorney general and the
22 department of enterprise services, shall provide a report with
23 judgments and settlements dealing with the nonferry operations of the
24 department to the director of the office of financial management and
25 the transportation committees of the legislature. The report must
26 include information on: (a) The number of claims and settlements by
27 type; (b) the average claim and settlement by type; and (c) defense
28 costs associated with those claims and settlements.

29 (4) When the department identifies significant legal issues that
30 have potential transportation budget implications, the department
31 must initiate a briefing for appropriate legislative members or staff
32 through the office of the attorney general and its legislative
33 briefing protocol.

34 (5) \$2,000,000 of the move ahead WA flexible account—state
35 appropriation is provided solely for enhanced funding to the office
36 of minority and women's business enterprises to increase the number
37 of certified women and minority-owned contractors in the
38 transportation sector.

1 deviated service in calendar year 2019 as reported in the "Summary of
2 Public Transportation - 2019" published by the department of
3 transportation. No transit agency may receive more than thirty
4 percent of these distributions.

5 (2) (~~(\$33,168,000)~~) \$33,283,000 of the rural mobility grant
6 program account—state appropriation is provided solely for grants to
7 aid small cities in rural areas as prescribed in RCW 47.66.100.

8 (3) \$2,000,000 of the multimodal transportation account—state
9 appropriation is provided solely for a (~~vanpool~~) public transit
10 rideshare grant program for: (a) Public transit agencies to add
11 (~~vanpools~~) or replace (~~vans~~) rideshare vehicles; and (b)
12 incentives (~~for employers~~) and outreach to increase (~~employee~~
13 ~~vanpool~~) rideshare use. The grant program for public transit
14 agencies may cover capital costs only; operating costs for public
15 transit agencies are not eligible for funding under this grant
16 program. Additional employees may not be hired from the funds
17 provided in this section for the vanpool grant program, and
18 supplanting of transit funds currently funding vanpools is not
19 allowed. The department shall encourage grant applicants and
20 recipients to leverage funds other than state funds.

21 (4) (~~(\$26,800,000)~~) \$37,809,000 of the regional mobility grant
22 program account—state appropriation is reappropriated and provided
23 solely for the regional mobility grant projects identified in LEAP
24 Transportation Document (~~(2021-2)~~) 2022-2 ALL PROJECTS as developed
25 (~~(April 23, 2021)~~) February 20, 2022, Program - Public Transportation
26 Program (V).

27 (5) (a) \$77,679,000 of the regional mobility grant program account
28 —state appropriation is provided solely for the regional mobility
29 grant projects identified in LEAP Transportation Document (~~(2021-2)~~)
30 2022-2 ALL PROJECTS as developed (~~(April 23, 2021)~~) February 20,
31 2022, Program - Public Transportation Program (V). The department
32 shall review all projects receiving grant awards under this program
33 at least semiannually to determine whether the projects are making
34 satisfactory progress. Any project that has been awarded funds, but
35 does not report activity on the project within one year of the grant
36 award, must be reviewed by the department to determine whether the
37 grant should be terminated. The department shall promptly close out
38 grants when projects have been completed, and any remaining funds
39 must be used only to fund projects identified in the LEAP

1 transportation document referenced in this subsection. The department
2 shall provide annual status reports on December 15, 2021, and
3 December 15, 2022, to the office of financial management and the
4 transportation committees of the legislature regarding the projects
5 receiving the grants. It is the intent of the legislature to
6 appropriate funds through the regional mobility grant program only
7 for projects that will be completed on schedule. A grantee may not
8 receive more than twenty-five percent of the amount appropriated in
9 this subsection. Additionally, when allocating funding for the
10 2023-2025 biennium, no more than thirty percent of the total grant
11 program may directly benefit or support one grantee unless all other
12 funding is awarded. The department shall not approve any increases or
13 changes to the scope of a project for the purpose of a grantee
14 expending remaining funds on an awarded grant.

15 (b) In order to be eligible to receive a grant under (a) of this
16 subsection during the 2021-2023 fiscal biennium, a transit agency
17 must establish a process for private transportation providers to
18 apply for the use of park and ride facilities. For purposes of this
19 subsection, (i) "private transportation provider" means: An auto
20 transportation company regulated under chapter 81.68 RCW; a passenger
21 charter carrier regulated under chapter 81.70 RCW, except marked or
22 unmarked stretch limousines and stretch sport utility vehicles as
23 defined under department of licensing rules; a private nonprofit
24 transportation provider regulated under chapter 81.66 RCW; or a
25 private employer transportation service provider; and (ii) "private
26 employer transportation service" means regularly scheduled, fixed-
27 route transportation service that is offered by an employer for the
28 benefit of its employees.

29 (6) Funds provided for the commute trip reduction (CTR) program
30 may also be used for the growth and transportation efficiency center
31 program.

32 (7) \$6,500,000 of the multimodal transportation account—state
33 appropriation and \$784,000 of the state vehicle parking account—state
34 appropriation are provided solely for CTR grants and activities. Of
35 this amount:

36 (a) \$30,000 of the state vehicle parking account—state
37 appropriation is provided solely for the STAR pass program for state
38 employees residing in Mason and Grays Harbor Counties. Use of the
39 pass is for public transportation between Mason County and Thurston

1 County, and Grays Harbor and Thurston County. The pass may also be
2 used within Grays Harbor County. The STAR pass commute trip reduction
3 program is open to any state employee who expresses intent to commute
4 to his or her assigned state worksite using a public transit system
5 currently participating in the STAR pass program.

6 (b) \$800,000 of the multimodal transportation account—state
7 appropriation is provided solely for continuation of the first mile/
8 last mile connections grant program. Eligible grant recipients
9 include cities, businesses, nonprofits, and transportation network
10 companies with first mile/last mile solution proposals. Transit
11 agencies are not eligible. The commute trip reduction board shall
12 develop grant parameters, evaluation criteria, and evaluate grant
13 proposals. The commute trip reduction board shall provide the
14 transportation committees of the legislature a report on the
15 effectiveness of this grant program and best practices for continuing
16 the program.

17 (8) (a) Except as provided otherwise in this subsection,
18 (~~(\$28,263,000)~~) \$29,030,000 of the multimodal transportation account—
19 state appropriation is provided solely for connecting Washington
20 transit projects identified in LEAP Transportation Document
21 (~~(2021-2)~~) 2022-2 ALL PROJECTS as developed (~~(April 23, 2021)~~)
22 February 20, 2022. It is the intent of the legislature that entities
23 identified to receive funding in the LEAP document referenced in this
24 subsection receive the amounts specified in the time frame specified
25 in that LEAP document. If an entity has already completed a project
26 in the LEAP document referenced in this subsection before the time
27 frame identified, the entity may substitute another transit project
28 or projects that cost a similar or lesser amount.

29 (b) Within the amount provided in this subsection, \$900,000 of
30 the multimodal transportation account—state appropriation is provided
31 solely to complete work on Martin Luther King Way, Rainier Ave
32 improvements (G2000040).

33 (9) The department shall not require more than a ten percent
34 match from nonprofit transportation providers for state grants.

35 (10) (~~(\$21,858,000)~~) \$23,349,000 of the multimodal transportation
36 account—state appropriation is provided solely for the green
37 transportation capital grant program established in chapter 287, Laws
38 of 2019 (advancing green transportation adoption).

1 (11) \$555,000 of the multimodal transportation account—state
2 appropriation is provided solely for an interagency transfer to the
3 Washington State University extension energy program to establish and
4 administer a technical assistance and education program for public
5 agencies on the use of alternative fuel vehicles. The Washington
6 State University extension energy program shall prepare a report
7 regarding the utilization of the program and provide this report to
8 the transportation committees of the legislature by November 15,
9 2021.

10 (12) The department must provide telework assistance to employers
11 as part of its CTR activities. The objectives of telework assistance
12 include improving transportation system performance, supporting
13 economic vitality, and increasing equity and access to opportunity.

14 (13) \$150,000 of the multimodal transportation account—state
15 appropriation is provided solely for Intercity Transit for the Dash
16 shuttle program.

17 **Sec. 222.** 2021 c 333 s 221 (uncodified) is amended to read as
18 follows:

19 **FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X**

20	Puget Sound Ferry Operations Account—State	
21	Appropriation.	((\$416,614,000))
22		<u>\$430,964,000</u>
23	Puget Sound Ferry Operations Account—Federal	
24	Appropriation.	((\$124,000,000))
25		<u>\$156,073,000</u>
26	Puget Sound Ferry Operations Account—Private/Local	
27	Appropriation.	\$121,000
28	TOTAL APPROPRIATION.	((\$540,735,000))
29		<u>\$587,158,000</u>

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

32 (1) The office of financial management budget instructions
33 require agencies to recast enacted budgets into activities. The
34 Washington state ferries shall include a greater level of detail in
35 its 2021-2023 supplemental and 2023-2025 omnibus transportation
36 appropriations act requests, as determined jointly by the office of
37 financial management, the Washington state ferries, and the
38 transportation committees of the legislature. This level of detail

1 must include the administrative functions in the operating as well as
2 capital programs. The data in the tables in the report must be
3 supplied in a digital file format.

4 (2) For the 2021-2023 fiscal biennium, the department may enter
5 into a distributor controlled fuel hedging program and other methods
6 of hedging approved by the fuel hedging committee, which must include
7 a representative of the department of enterprise services.

8 (3) (~~(\$17,000,000)~~) \$32,905,000 of the Puget Sound ferry
9 operations account—federal appropriation and \$53,794,000 of the Puget
10 Sound ferry operations account—state appropriation are provided
11 solely for auto ferry vessel operating fuel in the 2021-2023 fiscal
12 biennium, which reflect cost savings from a reduced biodiesel fuel
13 requirement and, therefore, is contingent upon the enactment of
14 section 703 of this act. The amount provided in this subsection
15 represents the fuel budget for the purposes of calculating any ferry
16 fare fuel surcharge. The department shall review future use of
17 alternative fuels and dual fuel configurations, including hydrogen.

18 (4) \$500,000 of the Puget Sound ferry operations account—state
19 appropriation is provided solely for operating costs related to
20 moving vessels for emergency capital repairs. Funds may only be spent
21 after approval by the office of financial management.

22 (5) \$2,400,000 of the Puget Sound ferry operations account—state
23 appropriation (~~(is)~~) and \$2,000,000 of the Puget Sound ferry
24 operations account—federal appropriation are provided solely for
25 staffing and overtime expenses incurred by engine and deck
26 crewmembers. The department must provide updated staffing cost
27 estimates for fiscal years 2022 and 2023 with its annual budget
28 submittal and updated estimates by January 1, 2022.

29 (6) \$688,000 of the Puget Sound ferry operations account—state
30 appropriation (~~(is)~~) and \$697,000 of the Puget Sound ferry operations
31 account—federal appropriation are provided solely for new employee
32 training. The department must work to increase its outreach and
33 recruitment of populations underrepresented in maritime careers and
34 continue working to expand apprenticeship and internship programs,
35 with an emphasis on programs that are shown to improve recruitment
36 for positions with the state ferry system.

37 (7) The department must request reimbursement from the federal
38 transit administration for the maximum amount of ferry operating
39 expenses eligible for reimbursement under federal law.

1 (8) (~~(\$1,978,000 of the Puget Sound ferry operations account—~~
2 ~~state appropriation is provided solely for restoration of service to~~
3 ~~reflect increased ridership, availability of crewing and available~~
4 ~~revenues. Expenditures may be made to resume service to Sidney,~~
5 ~~British Columbia, including any service to the San Juans; to provide~~
6 ~~Saturday service on the Fauntleroy-Vashon-Southworth route; and to~~
7 ~~resume late night service on other routes in the system.~~

8 ~~(9) Within amounts provided in this section,~~) \$484,000 of the
9 Puget Sound ferry operations account—federal is provided solely for
10 the department ((shall)) to contract with uniformed officers for
11 additional traffic control assistance at the Kingston ferry terminal
12 during peak ferry travel times, with a particular focus on Sundays
13 and holiday weekends. Traffic control methods should include, but not
14 be limited to, holding traffic on the shoulder at Lindvog Road until
15 space opens for cars at the tollbooths and dock, and management of
16 traffic on Highway 104 in order to ensure Kingston residents and
17 business owners have access to businesses, roads, and driveways.

18 ~~((+10))~~ (9) \$336,000 of the Puget Sound ferry operations account
19 —state appropriation is provided solely for evacuation slide
20 training.

21 ~~((+11))~~ (10) \$336,000 of the Puget Sound ferry operations
22 account—state appropriation is provided solely for fall restraint
23 labor and industries inspections.

24 ~~((+12))~~ (11) \$735,000 of the Puget Sound ferry operations
25 account—state appropriation ~~((is))~~ and \$410,000 of the Puget Sound
26 ferry operations account—federal appropriation are provided solely
27 for familiarization for new assignments of engine crew and terminal
28 staff.

29 ~~((+13))~~ (12) \$160,000 of the Puget Sound ferry operations
30 account—state appropriation is provided solely for electronic
31 navigation training.

32 (13) \$250,000 of the Puget Sound ferry operations account—federal
33 appropriation is provided solely for Washington State Ferries to
34 conduct a study of passenger demographics. The study must include:

35 (a) Information on age, race, gender, income level of passengers
36 by route in summer and winter seasons;

37 (b) Composition of passengers by travel purpose, such as commute,
38 tourism, or commerce; and

1 (c) Frequency of passenger trips by mode and fare products
2 utilized.

3 The study may be included as part of a larger origin and
4 destination study. The department shall report study results to the
5 transportation committees of the legislature by December 1, 2023.

6 (14) \$8,766,000 of the Puget Sound ferry operations account—
7 federal appropriation is provided solely for Washington state ferries
8 to:

9 (a) Continuously recruit and hire deck, engine, and terminal
10 staff;

11 (b) Contract with an external recruitment firm to increase
12 recruitment efforts both locally and nationally with an emphasis on
13 attracting maritime workers from communities underrepresented in the
14 ferry system;

15 (c) Enhance employee retention by standardizing on-call worker
16 schedules;

17 (d) Increase training and development opportunities for
18 employees; and

19 (e) Make improvements to hiring processes by establishing
20 additional positions to support timely hiring of employees.

21 It is the intent of the legislature to continue funding for the
22 activities outlined in this section as part of the move ahead WA
23 package.

24 (15) \$248,000 of the Puget Sound ferry operations account—federal
25 appropriation is provided solely for labor at the Vashon terminal.

26 (16) \$194,000 of the Puget Sound ferry operations account—federal
27 appropriation is provided solely for operating costs at the Mukilteo
28 terminal.

29 (17) \$294,000 of the Puget Sound ferry operations account—federal
30 appropriation is provided solely for deck and engine internships.

31 **Sec. 223.** 2021 c 333 s 222 (uncodified) is amended to read as
32 follows:

33 **FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING**

34 Multimodal Transportation Account—State

35 Appropriation. ((\$80,704,000))
36 \$68,344,000

37 Multimodal Transportation Account—Private/Local

38 Appropriation. \$46,000

1	Multimodal Transportation Account—Federal	
2	Appropriation.	\$500,000
3	TOTAL APPROPRIATION.	(\$81,250,000)
4		<u>\$68,890,000</u>

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

7 (1) The department is directed to continue to pursue efforts to
8 reduce costs, increase ridership, and review Amtrak Cascades fares
9 and fare schedules. Within thirty days of each annual cost/revenue
10 reconciliation under the Amtrak service contract, the department
11 shall report annual credits to the office of financial management and
12 the legislative transportation committees. Annual credits from Amtrak
13 to the department including, but not limited to, credits due to
14 higher ridership, reduced level of service, and fare or fare schedule
15 adjustments, must be used to offset corresponding amounts of the
16 multimodal transportation account—state appropriation, which must be
17 placed in reserve.

18 (2) Consistent with the ongoing planning and service improvement
19 for the intercity passenger rail program, \$500,000 of the multimodal
20 transportation account—state is provided solely for the Cascades
21 service development plan. This funding is to be used to analyze
22 current and future market conditions and to develop a structured
23 assessment of service options and goals based on anticipated demand
24 and the results of the state and federally required 2019 state rail
25 plan, including identifying implementation alternatives to meet the
26 future service goals for the Amtrak Cascades route. The work must be
27 consistent with federal railroad administration guidance and
28 direction on developing service development plans. It must also
29 leverage the \$500,000 in federal funding appropriated for development
30 of a service development plan and comply with the planning and grant
31 award obligations of the consolidated rail infrastructure and safety
32 improvements (CRISI) program. A status report must be provided to the
33 transportation committees of the legislature by June 30, 2022.

34 (3) \$4,000,000 of the multimodal transportation account—state
35 appropriation is provided solely for the continued coordination,
36 engagement, and planning for a new ultra high-speed ground
37 transportation corridor with participation from Washington, Oregon,
38 and British Columbia. "Ultra high-speed" means a maximum testing
39 speed of at least 250 miles per hour. These efforts are to support

1 and advance activities and must abide by the memorandum of
2 understanding signed by the governors of Washington and Oregon, and
3 the premier of the province of British Columbia in November 2021. The
4 department shall establish a policy committee with participation from
5 Washington, Oregon, and British Columbia and coordinate the
6 activities of the policy committee to include:

7 (a) Develop an organizational framework that facilitates input in
8 decision-making from all parties;

9 (b) Develop a public engagement approach with a focus on equity,
10 inclusion, and meaningful engagement with communities, businesses,
11 federal, state, provincial, and local governments including
12 indigenous communities;

13 (c) Develop and lead a collaborative approach to prepare and
14 apply for potential future federal, state, and provincial funding
15 opportunities, including development of strategies for incorporating
16 private sector participation;

17 (d) Begin work on scenario analysis addressing advanced
18 transportation technologies, land use and growth assumptions, and an
19 agreed to and defined corridor vision statement; and

20 (e) Develop a recommendation on the structure and membership of a
21 formal coordinating entity that will be responsible for advancing the
22 project through the project initiation stage to project development
23 and pursue establishment of the coordinating entity.

24 By June 30, 2023, the department shall provide to the governor
25 and the transportation committees of the legislature a report
26 detailing the work conducted by the policy committee and progress on
27 establishing a coordinating entity. The report must also include an
28 assessment of current activities and results relating to stakeholder
29 engagement, planning, and any federal funding application, as well as
30 recommended next steps and funding needs for project advancement. As
31 applicable, the assessment should also be sent to the executive and
32 legislative branches of government in Oregon and appropriate
33 government bodies in the province of British Columbia.

34 **Sec. 224.** 2021 c 333 s 223 (uncodified) is amended to read as
35 follows:

36 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**
37 **OPERATING**

38 Motor Vehicle Account—State Appropriation. ((\$11,954,000))
39 \$12,593,000

1	Motor Vehicle Account—Federal Appropriation.	\$2,567,000
2	Multiuse Roadway Safety Account—State Appropriation.	\$900,000
3	<u>Multimodal Transportation Account—State</u>	
4	<u>Appropriation.</u>	<u>\$250,000</u>
5	TOTAL APPROPRIATION.	((\$15,421,000))
6		<u>\$16,310,000</u>

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

9 (1) The entire multiuse roadway safety account—state
10 appropriation is provided solely for grants under RCW 46.09.540,
11 subject to the following limitations:

12 (a) Twenty-five percent of the amounts provided are reserved for
13 counties that each have a population of fifteen thousand persons or
14 less; and

15 (b) (i) Seventy-five percent of the amounts provided are reserved
16 for counties that each have a population exceeding fifteen thousand
17 persons; and

18 (ii) No county that receives a grant or grants under (a) of this
19 subsection may receive more than sixty thousand dollars in total
20 grants.

21 (2) \$1,023,000 of the motor vehicle account—state appropriation
22 is provided solely for the department, from amounts set aside out of
23 statewide fuel taxes distributed to counties according to RCW
24 46.68.120(3), to contract with the Washington state association of
25 counties to:

26 (a) In coordination with stakeholders, identify county-owned fish
27 passage barriers, and assess which barriers share the same stream
28 system as state-owned fish passage barriers;

29 (b) Streamline and update the county road administration board's
30 data dashboard, county reporting systems, and program management
31 software to provide a more detailed, more transparent, and user-
32 friendly platform for data management, reporting, and research by the
33 public and other interested parties; and

34 (c) Conduct a study of the use of county road right-of-way as a
35 potential source of revenue for county road operating and maintenance
36 needs with recommendations on their feasibility statewide.

37 (3) (a) ~~((By October 1, 2021, the department must report))~~
38 \$200,000 of the motor vehicle account—state appropriation is provided
39 solely for the department to complete and submit a report to the

1 office of financial management by October 21, 2022, and the
2 transportation committees with recommendations regarding:

3 (i) Modifications to the agreement with Wahkiakum county
4 regarding future state reimbursement for the Wahkiakum ferry
5 operating and maintenance deficit; and

6 (ii) Cost-sharing models for operating and maintenance costs,
7 which recognize the benefit of the ferry route to both Washington and
8 Oregon.

9 (b) The reimbursement recommendations must reflect a mutual
10 agreement with Wahkiakum county, which considers future county ferry
11 operating loss projections. The report may address the importance of
12 the ferry route to the state highway system and whether there is a
13 need for an increased role for the state department of transportation
14 in the finance or operation of the ferry route.

(End of part)

1 **TRANSPORTATION AGENCIES—CAPITAL**

2 **Sec. 301.** 2021 c 333 s 301 (uncodified) is amended to read as
3 follows:

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

5 Freight Mobility Investment Account—State

6 Appropriation.	((\$16,577,000))
	<u>\$17,769,000</u>

7

8 Freight Mobility Multimodal Account—State

9 Appropriation.	((\$15,195,000))
	<u>\$14,004,000</u>

10

11 TOTAL APPROPRIATION.	((\$31,772,000))
	<u>\$31,773,000</u>

12

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

15 (1) Except as otherwise provided in this section, the entire
16 appropriations in this section are provided solely for the projects
17 by amount, as listed in the LEAP Transportation Document ((~~2021-2~~)
18 2022-2 ALL PROJECTS as developed ((~~April 23, 2021~~)) February 20,
19 2022, Freight Mobility Strategic Investment Board (FMSIB).

20 (2) Until directed by the legislature, the board may not initiate
21 a new call for projects.

22 (3) It is the intent of the legislature to continue to make
23 strategic investments in a statewide freight mobility transportation
24 system with the help of the freight mobility strategic investment
25 board, including projects that mitigate the impact of freight
26 movement on local communities. To that end, and in coordination with
27 WSDOT as it updates its federally-compliant freight plan, the board
28 is directed to identify the highest priority freight investments for
29 the state, across freight modes, state and local jurisdictions, and
30 regions of the state. By December 1, 2021, the board must submit a
31 preliminary report providing a status update on the process and
32 methodology for identifying and prioritizing investments. By December
33 1, 2022, the board must submit a prioritized list of freight
34 investments that are geographically balanced across the state and can
35 proceed to construction in a timely manner. The prioritized freight
36 project list for the state portion of national highway freight
37 program funds must first address shortfalls in funding for connecting
38 Washington act projects.

1 (4) (a) For the 2021-2023 project appropriations, unless otherwise
2 provided in this act, the director of the office of financial
3 management may authorize a transfer of appropriation authority
4 between projects managed by the freight mobility strategic investment
5 board in order for the board to manage project spending and support
6 the efficient and timely delivery of all projects in the program. The
7 office of financial management may authorize a transfer of
8 appropriation authority between projects under the following
9 conditions and limitations:

10 (i) Transfers from a project may not be made as a result of the
11 reduction of the scope of a project or be made to support increases
12 in the scope of a project;

13 (ii) Each transfer between projects may only occur if the
14 director of the office of financial management finds that any
15 resulting change will not hinder the completion of the projects on
16 ((the)) LEAP Transportation Document ((2021-2)) 2022-2 ALL ((PROJECT
17 list)) PROJECTS as developed February 20, 2022;

18 (iii) Transfers between projects may be made by the board without
19 the formal written approval provided under this subsection (3) (a),
20 provided that the transfer amount does not exceed \$250,000 or 10
21 percent of the total project, whichever is less. These transfers must
22 be reported to the director of the office of financial management and
23 the chairs of the house of representatives and senate transportation
24 committees; and

25 (iv) Except for transfers made under (a) (iii) of this subsection,
26 transfers may only be made in fiscal year 2023.

27 (b) At the time the board submits a request to transfer funds
28 under this section, a copy of the request must be submitted to the
29 chairs and ranking members of the transportation committees of the
30 legislature.

31 (c) Before approval, the office of financial management shall
32 work with legislative staff of the house of representatives and
33 senate transportation committees to review the requested transfers in
34 a timely manner and consider any concerns raised by the chairs and
35 ranking members of the transportation committees.

36 (d) No fewer than 10 days after the receipt of a project transfer
37 request, the director of the office of financial management must
38 provide written notification to the board of any decision regarding
39 project transfers, with copies submitted to the transportation
40 committees of the legislature.

1 **Sec. 304.** 2021 c 333 s 305 (uncodified) is amended to read as
2 follows:

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

5 Motor Vehicle Account—State Appropriation.	(((\$10,852,000))
	<u>\$16,076,000</u>
6 Connecting Washington Account—State Appropriation. . .	(((\$3,289,000))
	<u>\$3,667,000</u>
7	
8	
9 TOTAL APPROPRIATION.	(((\$14,141,000))
	<u>\$19,743,000</u>

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

13 (1) \$3,289,000 of the connecting Washington account—state
14 appropriation is provided solely for a new Olympic region maintenance
15 and administration facility to be located on the department-owned
16 site at the intersection of Marvin Road and 32nd Avenue in Lacey,
17 Washington.

18 (2) (a) \$4,325,000 of the motor vehicle account—state
19 appropriation is provided solely for payments of a financing contract
20 issued pursuant to chapter 39.94 RCW for the department facility
21 located at 15700 Dayton Ave N in Shoreline.

22 (b) Payments from the department of ecology pursuant to the
23 agreement with the department to pay a share of the financing
24 contract in (a) of this subsection must be deposited into the motor
25 vehicle account.

26 **Sec. 305.** 2021 c 333 s 306 (uncodified) is amended to read as
27 follows:

28 **FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I**

29 Transportation 2003 Account (Nickel Account)—State	
30 Appropriation.	(((\$149,000))
	<u>\$482,000</u>
31	
32 Transportation Partnership Account—State	
33 Appropriation.	(((\$119,053,000))
	<u>\$232,566,000</u>
34	
35 Motor Vehicle Account—State Appropriation.	(((\$89,717,000))
	<u>\$103,525,000</u>
36	
37 Motor Vehicle Account—Federal Appropriation.	(((\$388,903,000))
	<u>\$394,758,000</u>

1	Coronavirus State Fiscal Recovery Fund—Federal	
2	Appropriation.	\$400,000,000
3	Motor Vehicle Account—Private/Local Appropriation.	((\$48,628,000))
4		<u>\$56,192,000</u>
5	Connecting Washington Account—State Appropriation. ((\$2,881,033,000))	
6		<u>\$2,062,283,000</u>
7	Special Category C Account—State Appropriation.	((\$105,363,000))
8		<u>\$86,198,000</u>
9	Multimodal Transportation Account—State	
10	Appropriation.	((\$10,784,000))
11		<u>\$10,792,000</u>
12	<u>Puget Sound Gateway Facility Account—State</u>	
13	<u>Appropriation.</u>	<u>\$8,400,000</u>
14	State Route Number 520 Corridor Account—State	
15	Appropriation.	((\$15,940,000))
16		<u>\$70,786,000</u>
17	Interstate 405 and State Route Number 167 Express	
18	Toll Lanes Account—State Appropriation.	((\$30,308,000))
19		<u>\$217,282,000</u>
20	<u>Move Ahead WA Account—State Appropriation.</u>	<u>\$44,371,000</u>
21	<u>Move Ahead WA Account—Federal Appropriation.</u>	<u>\$7,200,000</u>
22	<u>Move Ahead WA Account—Local Appropriation.</u>	<u>\$13,500,000</u>
23	TOTAL APPROPRIATION.	((\$4,089,878,000))
24		<u>\$3,708,335,000</u>

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

27 (1) Except as provided otherwise in this section, the entire
28 connecting Washington account—state appropriation and the entire
29 transportation partnership account—state appropriation are provided
30 solely for the projects and activities as listed by fund, project,
31 and amount in LEAP Transportation Document ((~~2021-1~~)) 2022-1 as
32 developed ((~~April 23, 2021~~)) February 20, 2022, Program - Highway
33 Improvements Program (I). However, limited transfers of specific
34 line-item project appropriations may occur between projects for those
35 amounts listed subject to the conditions and limitations in section
36 601 ((~~of this act~~)), chapter 333, Laws of 2021.

37 (2) Except as provided otherwise in this section, the entire
38 motor vehicle account—state appropriation and motor vehicle account—
39 federal appropriation are provided solely for the projects and

1 activities listed in LEAP Transportation Document (~~(2021-2)~~) 2022-2
2 ALL PROJECTS as developed (~~(April 23, 2021)~~) February 20, 2022,
3 Program - Highway Improvements Program (I). Any federal funds gained
4 through efficiencies, adjustments to the federal funds forecast, or
5 the federal funds redistribution process must then be applied to
6 highway and bridge preservation activities or fish passage barrier
7 corrections (OBI4001), as long as the application of the funds is not
8 inconsistent with subsection (26) of this section.

9 (3) Within the motor vehicle account—state appropriation and
10 motor vehicle account—federal appropriation, the department may
11 transfer funds between programs I and P, except for funds that are
12 otherwise restricted in this act. Ten days prior to any transfer, the
13 department must submit its request to the office of financial
14 management and the transportation committees of the legislature and
15 consider any concerns raised. The department shall submit a report on
16 fiscal year funds transferred in the prior fiscal year using this
17 subsection as part of the department's annual budget submittal.

18 (4) The connecting Washington account—state appropriation
19 includes up to (~~(\$2,230,636,000)~~) \$318,333,000 in proceeds from the
20 sale of bonds authorized in RCW 47.10.889.

21 (5) The special category C account—state appropriation includes
22 up to (~~(\$82,475,000)~~) \$51,460,000 in proceeds from the sale of bonds
23 authorized in RCW 47.10.812.

24 (6) The transportation partnership account—state appropriation
25 includes up to (~~(\$28,411,000)~~) \$124,632,000 in proceeds from the sale
26 of bonds authorized in RCW 47.10.873.

27 (7) (~~(\$60,450,000)~~) \$161,792,000 of the transportation
28 partnership account—state appropriation, (~~(\$2,258,000)~~) \$3,882,000 of
29 the motor vehicle account—private/local appropriation, \$9,000,000 of
30 the motor vehicle account—state appropriation, \$1,000 of the
31 transportation 2003 account (nickel account)—state appropriation, and
32 (~~(\$984,000)~~) \$985,000 of the multimodal transportation account—state
33 appropriation are provided solely for the SR 99/Alaskan Way Viaduct
34 Replacement project (809936Z). It is the intent of the legislature
35 that any legal damages paid to the state as a result of a lawsuit
36 related to contractual provisions for construction and delivery of
37 the Alaskan Way viaduct replacement project be used to repay project
38 cost increases paid from the transportation partnership account—state
39 funds and motor vehicle account—state funds.

1 (8) (~~(\$193,699,000)~~) \$186,820,000 of the connecting Washington
2 account—state appropriation (~~(is)~~) and \$488,000 of the motor vehicle
3 account—local appropriation are provided solely for the US 395 North
4 Spokane Corridor project (M00800R). If the department expects the
5 original scope of this project to be completed under budget when a
6 final design is approved for the interchange with I-90 and nearby on
7 ramp access, then the scope of work for this project must also
8 include constructing a land bridge in the vicinity of Liberty Park in
9 Spokane, if appropriations are sufficient. It is the intent of the
10 legislature, consistent with the move ahead WA proposal, to advance
11 future funding for this project in order to accelerate delivery by up
12 to two years.

13 (9) (a) (~~(\$14,827,000)~~) \$177,982,000 of the Interstate 405 and
14 state route number 167 express toll lanes account—state appropriation
15 is provided solely for the I-405/SR 522 to I-5 Capacity Improvements
16 project (L2000234) for activities related to adding capacity on
17 Interstate 405 between state route number 522 and Interstate 5, with
18 the goals of increasing vehicle throughput and aligning project
19 completion with the implementation of bus rapid transit in the
20 vicinity of the project.

21 (b) The department may advance the I-405/SR 522 to I-5 Capacity
22 Improvements project (L2000234) and construct the project earlier
23 than is scheduled in the LEAP transportation document referenced in
24 subsection (2) of this section if additional funding is identified
25 and submitted through the existing unanticipated receipts process by
26 September 1, 2021. The department and the state treasurer shall
27 pursue alternatives to toll revenue funding including but not limited
28 to federal loan and grant programs. The department shall explore
29 phasing and modifying the project to attempt to align project
30 completion with the anticipated deployment of bus rapid transit on
31 the corridor in the 2023-2025 biennium. The department shall report
32 back to the transportation committees of the legislature on this work
33 by September 15, 2021.

34 (10) (a) (~~(\$492,349,000)~~) \$329,681,000 of the connecting
35 Washington account—state appropriation, \$70,786,000 of the state
36 route number 520 corridor account—state appropriation, \$100,000 of
37 the move ahead WA—state appropriation, and (~~(\$355,000)~~) \$1,021,000 of
38 the motor vehicle account—private/local appropriation are provided

1 solely for the SR 520 Seattle Corridor Improvements - West End
2 project (M00400R).

3 (b) Upon completion of the Montlake Phase of the West End project
4 (current anticipated contract completion of 2023), the department
5 shall sell that portion of the property not used for permanent
6 transportation improvements and initiate a process to convey that
7 surplus property to a subsequent owner.

8 (c) \$100,000 of the move ahead WA—state appropriation is provided
9 solely for noise mitigation activities. It is the intent of the
10 legislature, over the 16-year move ahead WA investment program, to
11 provide \$2,000,000 for noise mitigation in the vicinity of the SR 520
12 Seattle Corridor Improvements - West End project.

13 (11) (~~(\$382,880,000)~~) \$361,296,000 of the connecting Washington
14 account—state appropriation, \$4,800,000 of the multimodal
15 transportation account—state appropriation, (~~(\$17,869,000)~~)
16 \$13,725,000 of the motor vehicle account—private/local appropriation,
17 \$7,200,000 of the move ahead WA account—federal appropriation,
18 \$8,400,000 of the Puget Sound Gateway facility account—state
19 appropriation, and (~~(\$82,165,000)~~) \$85,015,000 of the motor vehicle
20 account—federal appropriation are provided solely for the SR 167/SR
21 509 Puget Sound Gateway project (M00600R).

22 (a) Any savings on the project must stay on the Puget Sound
23 Gateway corridor until the project is complete.

24 (b) In making budget allocations to the Puget Sound Gateway
25 project, the department shall implement the project's construction as
26 a single corridor investment. The department shall continue to
27 collaborate with the affected stakeholders as it implements the
28 corridor construction and implementation plan for state route number
29 167 and state route number 509. Specific funding allocations must be
30 based on where and when specific project segments are ready for
31 construction to move forward and investments can be best optimized
32 for timely project completion. Emphasis must be placed on avoiding
33 gaps in fund expenditures for either project.

34 (c) It is the legislature's intent that the department shall
35 construct a full (~~(single-point urban)~~) interchange at the junction
36 of state route number 161 (Meridian avenue) and state route number
37 167 and a full directional interchange at the junction of state route
38 number 509 and 188th Street. (~~(If the department receives additional~~
39 ~~funds from an outside source for this project after the base project~~

1 is fully funded, the funds must first be applied toward the
2 completion of these two interchanges.)

3 (d) Of the amounts provided in this subsection, \$2,300,000 of the
4 multimodal transportation account—state appropriation is provided
5 solely for the design phase of the Puyallup to Tacoma multiuse trail
6 along the SR 167 right-of-way acquired for the project to connect a
7 network of new and existing trails from Mount Rainier to Point
8 Defiance Park.

9 (e) Of the amounts provided in this subsection, \$2,500,000 of the
10 multimodal transportation account—state appropriation is provided
11 solely for segment 2 of the state route number 167 completion project
12 shared-use path to provide connections to the interchange of state
13 route number 167 at 54th to the intersection of state route number
14 509 and Taylor Way in Tacoma.

15 (12) (a) (~~(\$26,928,000)~~) \$25,378,000 of the motor vehicle account—
16 state appropriation and (~~(\$1,671,000)~~) \$413,000 of the motor vehicle
17 account—private/local appropriation are provided solely to support a
18 project office and the continued work toward the I-5 Interstate
19 Bridge Replacement project (L2000370).

20 (b) The project office must also study the possible different
21 governance structures for a bridge authority that would provide for
22 the joint administration of the bridges over the Columbia river
23 between Oregon and Washington. As part of this study, the project
24 office must examine the feasibility and necessity of an interstate
25 compact in conjunction with the national center for interstate
26 compacts.

27 (c) During the 2021-2023 biennium, the department shall have as a
28 goal to:

29 (i) Conduct all work necessary to prepare and publish a draft
30 SEIS;

31 (ii) Coordinate with regulatory agencies to begin the process of
32 obtaining environmental approvals and permits;

33 (iii) Identify a locally preferred alternative; and

34 (iv) Begin preparing a final SEIS.

35 The department shall aim to provide progress reports on these
36 activities to the governor and the transportation committees of the
37 legislature by December 1, 2021, June 1, 2022, and December 1, 2022.

38 (13) (a) \$400,000,000 of the coronavirus state fiscal recovery
39 fund—federal appropriation, (~~(\$529,577,000)~~) \$25,327,000 of the

1 connecting Washington account—state appropriation, (~~(\$194,959,000)~~)
2 \$178,186,000 of the motor vehicle account—federal appropriation,
3 \$5,618,000 of the motor vehicle account—local appropriation,
4 \$9,016,000 of the transportation partnership account—state
5 appropriation, and (~~(\$1,849,000)~~) \$6,853,000 of the motor vehicle
6 account—state appropriation are provided solely for the Fish Passage
7 Barrier Removal project (OBI4001) with the intent of fully complying
8 with the federal *U.S. v. Washington* court injunction by 2030. (~~Of~~
9 ~~the amounts provided in this subsection, \$400,000,000 of the~~
10 ~~connecting Washington account—state appropriation must be initially~~
11 ~~placed in unallotted status during the 2021-2023 fiscal biennium, and~~
12 ~~may only be released by the office of financial management for~~
13 ~~allotment by the department if it is determined that the Fish Passage~~
14 ~~Barrier Removal project (OBI4001) is not an eligible use of amounts~~
15 ~~received by the state pursuant to the federal American rescue plan~~
16 ~~act of 2021.))~~

17 (b) The department shall coordinate with the Brian Abbott fish
18 passage barrier removal board to use a watershed approach by
19 replacing both state and local culverts guided by the principle of
20 providing the greatest fish habitat gain at the earliest time. The
21 department shall deliver high habitat value fish passage barrier
22 corrections that it has identified, guided by the following factors:
23 Opportunity to bundle projects, tribal priorities, ability to
24 leverage investments by others, presence of other barriers, project
25 readiness, culvert conditions, other transportation projects in the
26 area, and transportation impacts. The department and Brian Abbott
27 fish barrier removal board must provide updates on the implementation
28 of the statewide culvert remediation plan to the legislature by
29 November 1, 2021, and June 1, 2022.

30 (c) The department must keep track of, for each barrier removed:
31 (i) The location; (ii) the amount of fish habitat gain; and (iii) the
32 amount spent to comply with the injunction.

33 (d) Of the amount provided in this subsection, \$142,923,000 of
34 the motor vehicle account—federal appropriation reflects the
35 department's portion of the unrestricted funds from the coronavirus
36 response and relief supplemental appropriations act of 2021. If the
37 final amount from this act changes while the legislature is not in
38 session, the department shall follow the existing unanticipated
39 receipt process and adjust the list referenced in subsection (1) of

1 this section accordingly, supplanting state funds with federal funds
2 if possible as directed in section 601 (~~(of this act)~~), chapter 333,
3 Laws of 2021.

4 (14) (~~(\$14,669,000)~~) \$14,367,000 of the connecting Washington
5 account—state appropriation, \$311,000 of the motor vehicle account—
6 state appropriation, and (~~(\$3,037,000)~~) \$3,149,000 of the motor
7 vehicle account—private/local appropriation are provided solely for
8 the I-90/Barker to Harvard - Improve Interchanges & Local Roads
9 project (L2000122). The connecting Washington account appropriation
10 for the improvements that fall within the city of Liberty Lake may
11 only be expended if the city of Liberty Lake agrees to cover any
12 project costs within the city of Liberty Lake above the \$20,900,000
13 of state appropriation provided for the total project on the list
14 referenced in subsection (1) of this section.

15 (15) (~~(\$15,189,000)~~) \$16,984,000 of the motor vehicle account—
16 federal appropriation, (~~(\$259,000)~~) \$269,000 of the motor vehicle
17 account—state appropriation, and (~~(\$15,481,000)~~) \$17,900,000 of the
18 Interstate 405 and state route number 167 express toll lanes account—
19 state appropriation are provided solely for the SR 167/SR 410 to SR
20 18 - Congestion Management project (316706C).

21 (16) (~~(\$18,914,000)~~) \$18,915,000 of the Special Category C
22 account—state appropriation is provided solely for the SR 18 Widening
23 - Issaquah/Hobart Rd to Raging River project (L1000199) for improving
24 and widening state route number 18 to four lanes from Issaquah-Hobart
25 Road to Raging River.

26 (17) \$1,000,000 of the connecting Washington account—state
27 appropriation is provided solely for the North Lewis County
28 transportation study. The study shall examine new, alternate routes
29 for vehicular and truck traffic at the Harrison interchange (Exit 82)
30 in North Centralia and shall allow for a site and configuration to be
31 selected and feasibility to be conducted for final design,
32 permitting, and construction of the I-5/North Lewis county
33 Interchange project (L2000204).

34 (18) (~~(\$1,090,000)~~) \$1,237,000 of the motor vehicle account—state
35 appropriation is provided solely for the US 101/East Sequim Corridor
36 Improvements project (L2000343).

37 (19) (~~(\$12,139,000)~~) \$2,197,000 of the motor vehicle account—
38 state appropriation and (~~(\$9,104,000)~~) \$749,000 of the connecting
39 Washington account—state appropriation are provided solely for the SR

1 522/Paradise Lk Rd Interchange & Widening on SR 522 (Design/
2 Engineering) project (NPARADI).

3 (20) (~~(\$1,378,000)~~) \$1,455,000 of the motor vehicle account—
4 federal appropriation is provided solely for the US 101/Morse Creek
5 Safety Barrier project (L1000247).

6 (21) (~~(\$915,000)~~) \$1,000,000 of the motor vehicle account—state
7 appropriation is provided solely for the SR 162/410 Interchange
8 Design and Right of Way project (L1000276).

9 (22) (~~(\$6,581,000)~~) \$7,185,000 of the connecting Washington
10 account—state appropriation is provided solely for the US Hwy 2
11 Safety project (N00200R).

12 (23) The department shall itemize all future requests for the
13 construction of buildings on a project list and submit them through
14 the transportation executive information system as part of the
15 department's annual budget submittal. It is the intent of the
16 legislature that new facility construction must be transparent and
17 not appropriated within larger highway construction projects.

18 (24) Any advisory group that the department convenes during the
19 2021-2023 fiscal biennium must consider the interests of the entire
20 state of Washington.

21 (25) The legislature continues to prioritize the replacement of
22 the state's aging infrastructure and recognizes the importance of
23 reusing and recycling construction aggregate and recycled concrete
24 materials in our transportation system. To accomplish Washington
25 state's sustainability goals in transportation and in accordance with
26 RCW 70.95.805, the legislature reaffirms its determination that
27 recycled concrete aggregate and other transportation building
28 materials are natural resource construction materials that are too
29 valuable to be wasted and landfilled, and are a commodity as defined
30 in WAC 173-350-100.

31 Further, the legislature determines construction aggregate and
32 recycled concrete materials substantially meet widely recognized
33 international, national, and local standards and specifications
34 referenced in American society for testing and materials, American
35 concrete institute, Washington state department of transportation,
36 Seattle department of transportation, American public works
37 association, federal aviation administration, and federal highway
38 administration specifications, and are described as necessary and

1 desirable products for recycling and reuse by state and federal
2 agencies.

3 As these recyclable materials have well established markets, are
4 substantially a primary or secondary product of necessary
5 construction processes and production, and are managed as an item of
6 commercial value, construction aggregate and recycled concrete
7 materials are exempt from chapter 173-350 WAC.

8 (26) Except as otherwise provided in this section, the entire
9 move ahead WA account—state appropriation and move ahead WA account—
10 federal appropriation are provided solely for the state highway
11 projects and activities as listed by project and amount in LEAP
12 Transportation Document 2022 NL-1 as developed February 20, 2022.

13 (27) (a) \$10,000,000 of the move ahead WA state—appropriation is
14 provided solely for the stormwater retrofits and improvements project
15 (L4000040). It is the intent of the legislature, over the 16-year
16 move ahead WA investment program, to provide \$500,000,000 for this
17 project.

18 (b) The department shall ensure that \$6,000,000 is provided to
19 the Urban Stormwater Partnership - I-5 Ship-Canal Bridge Pilot
20 (Seattle) project from the \$500,000,000 provided from stormwater
21 retrofits and improvements over the 16-year move ahead WA investment
22 program.

23 (c) The funding provided for stormwater retrofits and
24 improvements must enhance stormwater runoff treatment from existing
25 roads and infrastructure with an emphasis on green infrastructure
26 retrofits. Projects must be prioritized based on benefits to salmon
27 recovery and ecosystem health, reducing toxic pollution, addressing
28 health disparities, and cost-effectiveness. The department of
29 transportation must submit progress reports on its efforts to reduce
30 the toxicity of stormwater runoff from existing infrastructure,
31 recommendations for addressing barriers to innovative solutions, and
32 anticipated demand for funding each biennium.

33 (28) \$2,738,000 of the motor vehicle account—state appropriation
34 is provided solely for the US 97 Wildlife Crossing Improvements
35 project (L2021117). It is the intent of the legislature that, to the
36 extent possible, the department use this funding as match for
37 competitive federal funding to make additional wildlife crossing
38 improvements on the corridor. The department must report to the
39 transportation committees of the legislature with additional

1 corridors that could benefit from wildlife crossing improvements and
2 that are likely to successfully compete for federal funding.

3 (29) \$12,635,000 of the connecting Washington account—state
4 appropriation is provided solely for the SR 3 Freight Corridor
5 (T30400R) project. The legislature intends to provide a total of
6 \$78,910,000 for this project, including an increase of \$12,000,000 in
7 future biennia to safeguard against inflation and supply/labor
8 interruptions and ensure that:

9 (a) The northern terminus remains at Lake Flora Road and the
10 southern terminus at the intersection of SR 3/SR 302;

11 (b) Multimodal safety improvements at the southern terminus
12 remain in the project to provide connections to North Mason school
13 district and provide safe routes to schools; and

14 (c) Intersections on the freight corridor are constructed at
15 Romance Hill and Log Yard road.

16 (30) \$1,000,000 of the move ahead WA account—state appropriation
17 is provided solely for the SR 522 Widening project (L4000031). The
18 department must consider reserving portions of state route 522,
19 including designated lanes or ramps, for the exclusive or
20 preferential use of public transportation vehicles, privately owned
21 buses, motorcycles, private motor vehicles carrying not less than a
22 specified number of passengers, or private transportation provider
23 vehicles pursuant to RCW 47.52.025. The legislature intends to
24 provide full construction funding for this project in the future.

25 (31) \$1,000,000 of the move ahead WA—state appropriation is
26 provided solely for the US 2 Trestle Capacity Improvements &
27 Westbound Trestle Replacement project (L4000056). It is the intent of
28 the legislature, over the 16-year move ahead WA investment program,
29 to provide \$210,541,000 for planning, design, right-of-way
30 acquisition, interim improvements, and initial construction. The
31 legislature intends to provide full construction funding for this
32 project in the future. It is the further intent of the legislature
33 that this project enhance multimodal mobility options on the US 2
34 Trestle. The planning, design and engineering work must consider
35 options to enhance transit and multimodal mobility, including bus
36 rapid transit. The department must report to the legislature with its
37 preliminary analysis of these options by June 30, 2023.

38 (32) It is the intent of the legislature, over the 16-year move
39 ahead WA investment program, to provide \$74,298,000 for the SR 3/

1 Gorst Area - Widening project (L4000017). Tribal consultation with
2 the Suquamish Tribe must begin at the earliest stage of planning,
3 including without limitation on all funding decisions and funding
4 programs, to provide a government-to-government mechanism for the
5 tribe to evaluate, identify, and expressly notify governmental
6 entities of any potential impacts to tribal cultural resources,
7 archaeological sites, sacred sites, fisheries, or other rights and
8 interests in tribal lands and lands within which the tribe possesses
9 rights reserved or protected by federal treaty, statute, or executive
10 order. The consultation is independent of, and in addition to, any
11 public participation process required by state law, or by a state
12 agency, including the requirements of Executive Order 21-02 related
13 to archaeological and cultural resources, and regardless of whether
14 the agency receives a request for consultation from the Suquamish
15 Tribe. Regularly scheduled tribal consultation meetings with the
16 Suquamish Tribe must continue throughout the duration of any funding
17 program and proposed project approval. The legislature intends to
18 provide full construction funding for this project in the future.

19 (33) \$450,000 of the motor vehicle account—state appropriation is
20 provided solely for the SR 900 Safety Improvements project
21 (L2021118). The department must work in collaboration with King
22 county and Skyway coalition to align community assets, transportation
23 infrastructure needs, and initial design for safety improvements
24 along SR 900, including the use of \$200,000 for right of way, and up
25 to \$100,000 to contract with the Skyway coalition to lead community
26 planning engagement and active transportation activities.

27 (34) It is the intent of the legislature, over the 16-year move
28 ahead WA investment program, to provide \$2,435,000,000 for fish
29 passage barrier removal.

30 **Sec. 306.** 2021 c 333 s 307 (uncodified) is amended to read as
31 follows:

32 **FOR THE DEPARTMENT OF TRANSPORTATION—PRESERVATION—PROGRAM P**

33 Recreational Vehicle Account—State Appropriation.	\$1,520,000
34 Transportation 2003 Account (Nickel Account)—State	
35 Appropriation.	((\$49,105,000))
36	\$53,911,000
37 Transportation Partnership Account—State	
38 Appropriation.	((\$15,183,000))

1		<u>\$21,441,000</u>
2	Motor Vehicle Account—State Appropriation.	((\$85,444,000))
3		<u>\$111,174,000</u>
4	Motor Vehicle Account—Federal Appropriation.	((\$489,602,000))
5		<u>\$545,560,000</u>
6	Motor Vehicle Account—Private/Local Appropriation.	((\$10,792,000))
7		<u>\$13,735,000</u>
8	Connecting Washington Account—State Appropriation.	((\$159,043,000))
9		<u>\$224,342,000</u>
10	State Route Number 520 Corridor Account—State	
11	Appropriation.	((\$1,891,000))
12		<u>\$2,143,000</u>
13	Tacoma Narrows Toll Bridge Account—State	
14	Appropriation.	((\$9,730,000))
15		<u>\$5,676,000</u>
16	Alaskan Way Viaduct Replacement Project Account—	
17	State Appropriation.	((\$314,000))
18		<u>\$391,000</u>
19	Interstate 405 and State Route Number 167 Express	
20	Toll Lanes Account—State Appropriation.	((\$26,039,000))
21		<u>\$12,830,000</u>
22	<u>Move Ahead WA Account—Federal Appropriation.</u>	<u>\$140,000,000</u>
23	TOTAL APPROPRIATION.	((\$848,663,000))
24		<u>\$1,132,723,000</u>

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

27 (1) Except as provided otherwise in this section, the entire
28 connecting Washington account—state appropriation and the entire
29 transportation partnership account—state appropriation are provided
30 solely for the projects and activities as listed by fund, project,
31 and amount in LEAP Transportation Document ((2021-1)) 2022-1 as
32 developed ((April 23, 2021)) February 20, 2022, Program - Highway
33 Preservation Program (P). However, limited transfers of specific
34 line-item project appropriations may occur between projects for those
35 amounts listed subject to the conditions and limitations in section
36 601 ((of this act)), chapter 333, Laws of 2021.

37 (2) Except as provided otherwise in this section, the entire
38 motor vehicle account—state appropriation and motor vehicle account—
39 federal appropriation are provided solely for the projects and

1 activities listed in LEAP Transportation Document ((2021-2)) 2022-2
2 ALL PROJECTS as developed ((April 23, 2021)) February 20, 2022,
3 Program - Highway Preservation Program (P). Any federal funds gained
4 through efficiencies, adjustments to the federal funds forecast, or
5 the federal funds redistribution process must then be applied to
6 highway and bridge preservation activities or fish passage barrier
7 corrections (OBI4001), as long as the application of the funds is not
8 inconsistent with subsection (10) of this section.

9 (3) Within the motor vehicle account—state appropriation and
10 motor vehicle account—federal appropriation, the department may
11 transfer funds between programs I and P, except for funds that are
12 otherwise restricted in this act. Ten days prior to any transfer, the
13 department must submit its request to the office of financial
14 management and the transportation committees of the legislature and
15 consider any concerns raised. The department shall submit a report on
16 fiscal year funds transferred in the prior fiscal year using this
17 subsection as part of the department's annual budget submittal.

18 (4) ((~~\$5,166,000~~)) \$8,531,000 of the connecting Washington
19 account—state appropriation is provided solely for the land mobile
20 radio upgrade (G2000055) and is subject to the conditions,
21 limitations, and review provided in section 701 ((~~of this act~~)),
22 chapter 333, Laws of 2021. The land mobile radio project is subject
23 to technical oversight by the office of the chief information
24 officer. The department, in collaboration with the office of the
25 chief information officer, shall identify where existing or proposed
26 mobile radio technology investments should be consolidated, identify
27 when existing or proposed mobile radio technology investments can be
28 reused or leveraged to meet multiagency needs, increase mobile radio
29 interoperability between agencies, and identify how redundant
30 investments can be reduced over time. The department shall also
31 provide quarterly reports to the technology services board on project
32 progress.

33 (5) \$5,000,000 of the motor vehicle account—state appropriation
34 is provided solely for extraordinary costs incurred from litigation
35 awards, settlements, or dispute mitigation activities not eligible
36 for funding from the self-insurance fund (L2000290). The amount
37 provided in this subsection must be held in unallotted status until
38 the department submits a request to the office of financial
39 management that includes documentation detailing litigation-related

1 expenses. The office of financial management may release the funds
2 only when it determines that all other funds designated for
3 litigation awards, settlements, and dispute mitigation activities
4 have been exhausted. No funds provided in this subsection may be
5 expended on any legal fees related to the SR 99/Alaskan Way viaduct
6 replacement project (809936Z).

7 (6) \$11,679,000 of the motor vehicle account—federal
8 appropriation is provided solely for preservation projects within
9 project L1100071 that ensure the reliable movement of freight on the
10 national highway freight system. The department shall give priority
11 to those projects that can be advertised by September 30, 2021.

12 (7) The appropriation in this section includes funding for
13 starting planning, engineering, and construction of the Elwha River
14 bridge replacement. To the greatest extent practicable, the
15 department shall maintain public access on the existing route.

16 (8) Within the connecting Washington account—state appropriation,
17 the department may transfer funds from Highway System Preservation
18 (L1100071) to other preservation projects listed in the LEAP
19 transportation document identified in subsection (1) of this section,
20 if it is determined necessary for completion of these high priority
21 preservation projects. The department's next budget submittal after
22 using this subsection must appropriately reflect the transfer.

23 (9) \$1,700,000 of the motor vehicle account—state appropriation
24 is provided solely for the SR 109/88 Corner Roadway project
25 (G2000106).

26 (10) Except as otherwise provided in this section, the entire
27 move ahead WA account—federal appropriation is provided solely for
28 the state highway preservation projects and activities as listed by
29 project and amount in LEAP Transportation Document 2022 NL-1 as
30 developed February 20, 2022.

31 (11) \$140,000,000 of the move ahead WA account—federal
32 appropriation is provided solely for highway preservation (L4000057).
33 The department must use funding provided in this subsection, along
34 with other funds at its discretion, for the following preservation
35 projects:

36 (a) I5/SB Denny Way-Lakeview Viaduct;

37 (b) I5/SB&NB Concrete and Joint Replacement;

38 (c) SR 529/NB Snohomish River - Bridge Rehabilitation, and
39 Painting;

1 (d) I5/SB Snohomish River Bridge Painting.

2 (12) It is the intent of the legislature, over the 16-year move
3 ahead WA investment program, to provide \$80,000,000 for the Main
4 Streets Preservation project (L2021113) for preservation work on
5 state highways that are also main streets.

6 **Sec. 307.** 2021 c 333 s 308 (uncodified) is amended to read as
7 follows:

8 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
9 **CAPITAL**

10	Motor Vehicle Account—State Appropriation.	((\$8,273,000))
11		<u>\$9,618,000</u>
12	Motor Vehicle Account—Federal Appropriation.	((\$5,289,000))
13		<u>\$11,215,000</u>
14	Motor Vehicle Account—Private/Local Appropriation.	\$500,000
15	Interstate 405 and State Route Number 167 Express	
16	Toll Lanes Account—State Appropriation.	\$900,000
17	<u>Move Ahead WA Account—State Appropriation.</u>	<u>\$3,100,000</u>
18	TOTAL APPROPRIATION.	((\$14,962,000))
19		<u>\$25,333,000</u>

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

22 (1) \$579,000 of the motor vehicle account—state appropriation is
23 provided solely for the SR 99 Aurora Bridge ITS project (L2000338).

24 (2) ((~~\$1,000,000~~)) \$1,001,000 of the motor vehicle account—state
25 appropriation ((~~is~~)) and \$2,060,000 of the motor vehicle account—
26 federal appropriation are provided solely for the Challenge Seattle
27 project (000009Q). The department shall provide a progress report on
28 this project to the transportation committees of the legislature by
29 January 15, 2022.

30 (3) \$3,100,000 of the move ahead WA—state appropriation is
31 provided solely for traffic operations enhancements (L2021115).

32 **Sec. 308.** 2021 c 333 s 309 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES**
35 **CONSTRUCTION—PROGRAM W**

36	Puget Sound Capital Construction Account—State	
37	Appropriation.	((\$128,759,000))

1		<u>\$185,263,000</u>
2	Puget Sound Capital Construction Account—Federal	
3	Appropriation.	((\$139,188,000))
4		<u>\$193,032,000</u>
5	Puget Sound Capital Construction Account—	
6	Private/Local Appropriation.	((\$312,000))
7		<u>\$2,181,000</u>
8	Transportation Partnership Account—State	
9	Appropriation.	((\$8,410,000))
10		<u>\$9,432,000</u>
11	Connecting Washington Account—State Appropriation.	((\$75,640,000))
12		<u>\$99,141,000</u>
13	Capital Vessel Replacement Account—State	
14	Appropriation.	((\$152,453,000))
15		<u>\$45,468,000</u>
16	<u>Motor Vehicle Account—State Appropriation.</u>	<u>\$1,000</u>
17	<u>Transportation 2003 Account (Nickel Account)—State</u>	
18	<u>Appropriation.</u>	<u>\$987,000</u>
19	TOTAL APPROPRIATION.	((\$504,762,000))
20		<u>\$535,505,000</u>

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

23 (1) Except as provided otherwise in this section, the entire
24 appropriations in this section are provided solely for the projects
25 and activities as listed in LEAP Transportation Document ((~~2021-2~~)
26 2022-2 ALL PROJECTS as developed ((~~April 23, 2021~~)) February 20,
27 2022, Program - Washington State Ferries Capital Program (W).

28 (2) For the 2021-2023 biennium, the marine division shall provide
29 to the office of financial management and the legislative
30 transportation committees the following reports on ferry capital
31 projects:

32 (a) On a semiannual basis the report must include a status update
33 on projects with funding provided in subsections (4), (5), (6), and
34 (8) of this section including, but not limited to, the following:

- 35 (i) Anticipated cost increases and cost savings;
- 36 (ii) Anticipated cash flow and schedule changes; and
- 37 (iii) Explanations for the changes.

1 (b) On an annual basis the report must include a status update on
2 vessel and terminal preservation and improvement plans including, but
3 not limited to, the following:

4 (i) What work has been done;

5 (ii) How have schedules shifted; and

6 (iii) Associated changes in funding among projects, accompanied
7 by explanations for the changes.

8 (c) On an annual basis the report must include an update on the
9 implementation of the maintenance management system with
10 recommendations for using the system to improve the efficiency of
11 project reporting under this subsection.

12 (3) (~~(\$5,000,000)~~) \$12,785,000 of the Puget Sound capital
13 construction account—state appropriation is provided solely for
14 emergency capital repair costs (999910K). Funds may only be spent
15 after approval by the office of financial management.

16 (4) (~~(\$1,277,000)~~) \$2,385,000 of the Puget Sound capital
17 construction account—state appropriation is provided solely for the
18 ORCA card next generation project (L2000300). The ferry system shall
19 work with Washington technology solutions and the tolling division on
20 the development of a new, interoperable ticketing system.

21 (5) (~~(\$24,750,000)~~) \$28,134,000 of the Puget Sound capital
22 construction account—state appropriation is provided solely for the
23 conversion of up to two Jumbo Mark II vessels to electric hybrid
24 propulsion (G2000084). The department shall seek additional funds for
25 the purposes of this subsection. The department may spend from the
26 Puget Sound capital construction account—state appropriation in this
27 section only as much as the department receives in Volkswagen
28 settlement funds for the purposes of this subsection.

29 (6) (~~(\$152,453,000)~~) \$45,468,000 of the capital vessel
30 replacement account—state appropriation is provided solely for the
31 acquisition of a 144-car hybrid-electric vessel (L2000329). In 2019
32 the legislature amended RCW 47.60.810 to direct the department to
33 modify an existing vessel construction contract to provide for an
34 additional five ferries. As such, it is the intent of the legislature
35 that the department award the contract for the hybrid electric
36 Olympic class vessel #5(L2000329) in a timely manner. In addition,
37 the legislature intends to minimize costs and maximize construction
38 efficiency by providing sufficient funding for construction of all
39 five vessels, including funding for long lead time materials procured

1 at the lowest possible prices. The commencement of construction of
2 new vessels for the ferry system is important not only for safety
3 reasons, but also to keep skilled marine construction jobs in the
4 Puget Sound region and to sustain the capacity of the region to meet
5 the ongoing construction and preservation needs of the ferry system
6 fleet of vessels. The legislature has determined that the current
7 vessel procurement process must move forward with all due speed,
8 balancing the interests of both the taxpayers and shipyards. To
9 accomplish construction of vessels in accordance with RCW 47.60.810,
10 the prevailing shipbuilder, for vessels initially funded after July
11 1, 2020, is encouraged to follow the historical practice of
12 subcontracting the construction of ferry superstructures to a
13 separate nonaffiliated contractor located within the Puget Sound
14 region, that is qualified in accordance with RCW 47.60.690.

15 (7) The capital vessel replacement account—state appropriation
16 includes up to (~~(\$152,453,000)~~) \$45,468,000 in proceeds from the sale
17 of bonds authorized in RCW 47.10.873.

18 (8) \$4,200,000 of the connecting Washington account—state
19 appropriation (~~(and \$2,200,000 of the Puget Sound operating account~~
20 ~~[Puget Sound capital construction account] federal appropriation~~
21 ~~are))~~ is provided solely for ferry vessel and terminal preservation
22 (L2000110). The funds provided in this subsection must be used for
23 unplanned preservation needs before shifting funding from other
24 preservation projects.

25 (9) \$3,500,000 of the Puget Sound capital construction account—
26 state appropriation is provided solely for the department to initiate
27 a vessel design-build process to replace the next class of hybrid
28 electric propulsion vessels. Predesign studies may include a
29 comparison of design build processes internationally as well as
30 electrification studies of the associated route and terminals at
31 Southworth, Vashon, and Fauntleroy (G2000104).

32 (10) \$10,000,000 of Puget Sound capital construction account—
33 state appropriation is provided solely for vessel and terminal
34 preservation projects as part of the move ahead WA investment program
35 (L2021072).

36 (11) \$14,623,000 of the Puget Sound capital construction account—
37 state appropriation is provided solely for the construction of new
38 hybrid electric vessels as part of the move ahead WA investment
39 program (L2021073).

1 in this appropriation that has not been provided for the projects
2 listed in 2021-2 ALL PROJECTS, as referenced in subsection (1) of
3 this section. The department shall submit a prioritized list for any
4 loans recommended to the office of financial management and the
5 transportation committees of the legislature by November 15, 2021.

6 (3) (~~(\$6,817,000)~~) \$8,360,000 of the multimodal transportation
7 account—state appropriation is provided solely for new statewide
8 emergent freight rail assistance projects identified in the LEAP
9 transportation document referenced in subsection (1) of this section.

10 (4) \$367,000 of the transportation infrastructure account—state
11 appropriation and \$1,100,000 of the multimodal transportation account
12 —state appropriation are provided solely to reimburse Highline Grain,
13 LLC for approved work completed on Palouse River and Coulee City
14 (PCC) railroad track in Spokane county between the BNSF Railway
15 Interchange at Cheney and Geiger Junction and must be administered in
16 a manner consistent with freight rail assistance program projects.
17 The value of the public benefit of this project is expected to meet
18 or exceed the cost of this project in: Shipper savings on
19 transportation costs; jobs saved in rail-dependent industries; and/or
20 reduced future costs to repair wear and tear on state and local
21 highways due to fewer annual truck trips (reduced vehicle miles
22 traveled). The amounts provided in this subsection are not a
23 commitment for future legislatures, but it is the legislature's
24 intent that future legislatures will work to approve biennial
25 appropriations until the full \$7,337,000 cost of this project is
26 reimbursed.

27 (5) (a) (~~(\$550,000)~~) \$408,000 of the essential rail assistance
28 account—state appropriation is provided solely for the purpose of the
29 rehabilitation and maintenance of the Palouse river and Coulee City
30 railroad line (F01111B).

31 (b) Expenditures from the essential rail assistance account—state
32 in this subsection may not exceed the combined total of:

33 (i) Revenues and transfers deposited into the essential rail
34 assistance account from leases and sale of property relating to the
35 Palouse river and Coulee City railroad;

36 (ii) Revenues from trackage rights agreement fees paid by
37 shippers; and

38 (iii) Revenues and transfers transferred from the miscellaneous
39 program account to the essential rail assistance account, pursuant to

1 RCW 47.76.360, for the purpose of sustaining the grain train program
2 by maintaining the Palouse river and Coulee City railroad.

3 (6) The department shall issue a call for projects for the
4 freight rail assistance program, and shall evaluate the applications
5 in a manner consistent with past practices as specified in section
6 309, chapter 367, Laws of 2011. By November 15, 2022, the department
7 shall submit a prioritized list of recommended projects to the office
8 of financial management and the transportation committees of the
9 legislature.

10 (7) (~~(\$33,964,000)~~) \$32,996,000 of the multimodal transportation
11 account—state appropriation (~~(and \$37,500,000 of the multimodal~~
12 ~~transportation account—federal appropriation are)~~) is provided solely
13 for Passenger Rail Equipment Replacement (project 700010C.) The
14 appropriations in this subsection include insurance proceeds received
15 by the state. The department must use these funds only to purchase
16 replacement equipment that has been competitively procured and for
17 service recovery needs and corrective actions related to the December
18 2017 derailment.

19 (~~(8) (\$223,000 of the multimodal transportation account—state~~
20 ~~appropriation is provided solely for contingency funding for emergent~~
21 ~~freight rail assistance projects funded in subsection (3) of this~~
22 ~~section. Project sponsors may apply to the department for contingency~~
23 ~~funds needed due to unforeseeable cost increases. The department~~
24 ~~shall submit a report of any contingency funds provided under this~~
25 ~~subsection as part of the department's annual budget submittal.~~

26 ~~(9))~~) It is the intent of the legislature to encourage the
27 department to pursue federal grant opportunities leveraging up to
28 \$6,696,000 in connecting Washington programmed funds to be used as a
29 state match to improve the state-owned Palouse river and Coulee City
30 system. The amount listed in this subsection is not a commitment for
31 future legislatures, but is the legislature's intent that future
32 legislatures will work to approve biennial appropriations up to a
33 state match share not to exceed \$6,696,000 of a grant award.

34 (9) Except as otherwise provided in this section, the entire move
35 ahead WA flexible account—state appropriation in this section is
36 provided solely for the rail projects and activities as listed by
37 project and amount in LEAP Transportation Document 2022 NL-1 as
38 developed February 20, 2022.

1 **Sec. 310.** 2021 c 333 s 311 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**
4 **CAPITAL**

5 Highway Infrastructure Account—State Appropriation. ((~~\$793,000~~))
6 \$1,744,000

7 Highway Infrastructure Account—Federal Appropriation
8 ((~~\$1,600,000~~))
9 \$2,935,000

10 Transportation Partnership Account—State
11 Appropriation. ((~~\$750,000~~))
12 \$1,000,000

13 Motor Vehicle Account—State Appropriation. ((~~\$11,064,000~~))
14 \$23,738,000

15 Motor Vehicle Account—Federal Appropriation. ((~~\$55,751,000~~))
16 \$79,306,000

17 Motor Vehicle Account—Private/Local Appropriation. \$6,600,000

18 Connecting Washington Account—State Appropriation. ((~~\$123,292,000~~))
19 \$171,755,000

20 Multimodal Transportation Account—State
21 Appropriation. ((~~\$71,615,000~~))
22 \$96,225,000

23 Move Ahead WA Account—State Appropriation. \$129,900,000

24 TOTAL APPROPRIATION. ((~~\$271,465,000~~))
25 \$513,203,000

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

28 (1) Except as provided otherwise in this section, the entire
29 appropriations in this section are provided solely for the projects
30 and activities as listed by project and amount in LEAP Transportation
31 Document ((~~2021-2~~)) 2022-2 ALL PROJECTS as developed ((~~April 23,~~
32 ~~2021~~)) February 20, 2022, Program - Local Programs Program (Z).

33 (2) The amounts identified in the LEAP transportation document
34 referenced under subsection (1) of this section for pedestrian
35 safety/safe routes to school are as follows:

36 (a) ((~~\$32,613,000~~)) (i) \$46,163,000 of the multimodal
37 transportation account—state appropriation is provided solely for
38 pedestrian and bicycle safety program projects (L2000188).

1 (ii) The state route 99/Aurora Avenue North Planning Study funded
2 in this subsection (2)(a) must prioritize designs that ensure slow
3 vehicle speeds and systematic improvement to the quality of
4 multimodal access, and must be fully completed by October 31, 2022,
5 in order to ensure construction of improvements begin no later than
6 June 1, 2023.

7 (b) (~~(\$19,344,000)~~) \$26,086,000 of the motor vehicle account—
8 federal appropriation and (~~(\$17,397,000)~~) \$21,656,000 of the
9 multimodal transportation account—state appropriation are provided
10 solely for safe routes to school projects (L2000189). The department
11 may consider the special situations facing high-need areas, as
12 defined by schools or project areas in which the percentage of the
13 children eligible to receive free and reduced-price meals under the
14 national school lunch program is equal to, or greater than, the state
15 average as determined by the department, when evaluating project
16 proposals against established funding criteria while ensuring
17 continued compliance with federal eligibility requirements.

18 (3) The department shall submit a report to the transportation
19 committees of the legislature by December 1, 2021, and December 1,
20 2022, on the status of projects funded as part of the pedestrian
21 safety/safe routes to school grant program. The report must include,
22 but is not limited to, a list of projects selected and a brief
23 description of each project's status. In its December 1, 2021, report
24 the department must also include recommended changes to the
25 pedestrian safety/safe routes to school grant program application and
26 selection processes to increase utilization by a greater diversity of
27 jurisdictions.

28 (4) (~~(\$6,561,000)~~) \$11,987,000 of the multimodal transportation
29 account—state appropriation is provided solely for bicycle and
30 pedestrian projects listed in the LEAP transportation document
31 referenced in subsection (1) of this section.

32 (5) It is the expectation of the legislature that the department
33 will be administering a local railroad crossing safety grant program
34 for \$7,000,000 in federal funds during the 2021-2023 fiscal biennium.

35 (6) (~~(\$12,500,000)~~) \$17,438,000 of the motor vehicle account—
36 federal appropriation is provided solely for national highway freight
37 network projects identified on the project list submitted in
38 accordance with section 218(4)(b), chapter 14, Laws of 2016 on
39 October 31, 2016 (L1000169).

1 (7) When the department updates its federally-compliant freight
2 plan, it shall consult the freight mobility strategic investment
3 board on the freight plan update and on the investment plan component
4 that describes how the estimated funding allocation for the national
5 highway freight program for federal fiscal years 2022-2025 will be
6 invested and matched. The investment plan component for the state
7 portion of national highway freight program funds must first address
8 shortfalls in funding for connecting Washington act projects. The
9 department shall complete the freight plan update in compliance with
10 federal requirements and deadlines and shall provide an update on the
11 development of the freight plan, including the investment plan
12 component, when submitting its 2022 supplemental appropriations
13 request.

14 (8) (~~(\$11,679,000)~~) \$35,411,000 of the motor vehicle account—
15 federal appropriation is provided solely for acceleration of local
16 preservation projects that ensure the reliable movement of freight on
17 the national highway freight system (G2000100). The department will
18 identify projects through its current national highway system asset
19 management call for projects with applications due in February 2021.
20 The department shall give priority to those projects that can be
21 obligated by September 30, 2021.

22 (9) (a) The department may transfer funds between projects on the
23 LEAP transportation document referenced in subsection (1) of this
24 section, but transfers must be submitted to the office of financial
25 management and the transportation committees of the legislature for
26 review and comment and must include an explanation of variances from
27 prior approved lists. Transfers are subject to the following
28 conditions and limitations:

29 (i) Transfers from a project may not be made as a result of the
30 reduction of the scope of a project or be made to support increases
31 in the scope of a project;

32 (ii) Transfers from a project may be made if the funds
33 appropriated to the project are in excess of the amount needed in the
34 current fiscal biennium;

35 (iii) Transfers may not occur for projects not identified on the
36 applicable project list;

37 (iv) Transfers may not be made while the legislature is in
38 session;

39 (v) Each transfer between projects may only occur if the director
40 of the office of financial management finds that any resulting change

1 will not hinder the completion of the projects as approved by the
2 legislature.

3 (b) Any project list revisions must be reviewed by the office of
4 financial management and transportation committees of the legislature
5 within 10 business days of submission and revised project funds may
6 not be expended until approved by the office of financial management.

7 (10) Except as otherwise provided in this section, the entire
8 move ahead WA account—state appropriation is provided solely for the
9 local road projects and activities as listed by project and amount in
10 LEAP Transportation Document 2022 NL-1 as developed February 20,
11 2022.

12 (11) It is the intent of the legislature that \$25,000,000 will be
13 provided as part of the move ahead WA investment package in a future
14 biennia, as indicated on the list identified in subsection (10) of
15 this section, for the Ballard and Magnolia bridge project (L4000123).
16 As part of the project, the Seattle department of transportation must
17 consult with an independent engineering firm to verify that the costs
18 for the type, size, and location preliminary design report (TS&L),
19 environmental impact statement (EIS), and 60 percent design work are
20 within industry cost range standards in advance of moving forward
21 with construction. The Seattle department of transportation (SDOT)
22 must ensure that funds are maximized by limiting the percentage for
23 TS&L, EIS, and 60 percent design work to 10 percent of the total cost
24 of the project. Of the \$25,000,000, \$12,500,000 must remain in
25 unallotted status, and may be distributed to SDOT only upon
26 determination by the office of financial management that SDOT's cost
27 estimates have been verified by an independent engineering firm as
28 within industry cost range standards, and SDOT has secured the
29 additional matching funding needed to complete the TS&L, EIS, and 60
30 percent design work.

31 (12) \$400,000 of the multimodal transportation account—state
32 appropriation is provided solely for a grant to the Northwest Seaport
33 Alliance (NWSA) to lead the creation and coordination of a
34 multistakeholder zero emissions truck collaborative that will: (a)
35 Facilitate the development and implementation of one or more zero-
36 emissions drayage truck demonstration projects in Washington state;
37 and (b) develop a roadmap for transitioning the entire fleet of
38 approximately 4,500 drayage trucks that serve the NWSA cargo gateway
39 to zero-emissions vehicles by 2050 or sooner.

1 **Sec. 311.** 2021 c 333 s 313 (uncodified) is amended to read as
2 follows:

3 **QUARTERLY REPORTING REQUIREMENTS FOR CAPITAL PROGRAM**

4 On a quarterly basis, the department of transportation shall
5 provide to the office of financial management and the legislative
6 transportation committees a report for all capital projects, except
7 for ferry projects subject to the reporting requirements established
8 in section 309 (~~(of this act)~~), chapter 333, Laws of 2021, that must
9 include:

10 (1) A TEIS version containing actual capital expenditures for all
11 projects consistent with the structure of the most recently enacted
12 budget;

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

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

19 (4) Risk reserves and contingency amounts for all projects
20 consistent with the structure of the most recently enacted budget.

21 NEW SECTION. **Sec. 312.** A new section is added to 2021 c 333
22 (uncodified) to read as follows:

23 **FOR THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION—FUNDS**
24 **MANAGEMENT**

25 (1) As part of the department of transportation's 2023-2025
26 biennial budget request, the department shall provide an overview of
27 capital funds management challenges and recommendations for funds
28 management strategies that would improve the likelihood of increasing
29 performance associated with the following outcomes:

30 (a) Streamlined delivery of the department's capital program and
31 local government capital projects;

32 (b) Increased likelihood that federal funds are committed and
33 used prior to debt backed capital resources;

34 (c) Reduced overall time and cost of administrative efforts of
35 the department and local governments;

36 (d) Ensured federal government contributions regarding its share
37 toward overhead costs;

38 (e) Increased disadvantaged business enterprise program
39 participation and/or funding;

1 (f) Maximized amount of federal redistributed and grant funding
2 received by the state, including how to position the state for
3 providing state matching funds for federal grant opportunities;
4 (g) Increased clarity on how federal funds are administered;
5 (h) Identification of opportunities to leverage current and
6 future toll credits secured by the state; and
7 (i) Minimized risk of audit findings related to federal funds.
8 (2) The department may provide recommendations on the
9 transportation appropriations act structure and project list
10 amendments to most efficiently utilize state and federal capital
11 funds.
12 (3) As part of the department's 2023-2025 biennial budget
13 request, the department shall also report on:
14 (a) The federal grant programs it has applied for;
15 (b) The federal competitive grant programs it could have applied
16 for but did not and the reason or reasons it did not apply; and
17 (c) The potential to use a federal fund exchange program to most
18 efficiently use state and local federal funds.

(End of part)

1 TRANSFERS AND DISTRIBUTIONS

2 Sec. 401. 2021 c 333 s 401 (uncodified) is amended to read as
3 follows:

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

8	Transportation Partnership Account—State	
9	Appropriation.	((\$904,000))
10		<u>\$794,000</u>
11	Connecting Washington Account—State Appropriation.	((\$11,153,000))
12		<u>\$1,592,000</u>
13	Special Category C Account—State Appropriation.	((\$412,000))
14		<u>\$257,000</u>
15	Highway Bond Retirement Account—State Appropriation ((\$1,483,793,000))	
16		<u>\$1,408,619,000</u>
17	Ferry Bond Retirement Account—State Appropriation.	\$17,150,000
18	Transportation Improvement Board Bond Retirement	
19	Account—State Appropriation.	((\$11,770,000))
20		<u>\$18,152,000</u>
21	Nondebt-Limit Reimbursable Bond Retirement Account—	
22	State Appropriation.	((\$29,323,000))
23		<u>\$26,278,000</u>
24	Toll Facility Bond Retirement Account—State	
25	Appropriation.	\$76,376,000
26	TOTAL APPROPRIATION.	((\$1,630,881,000))
27		<u>\$1,549,218,000</u>

28 The appropriations in this section are subject to the following
29 conditions and limitations: \$6,451,550 of the transportation
30 improvement board bond retirement account—state appropriation is
31 provided solely for the prepayment of certain outstanding bonds and
32 debt service.

33 Sec. 402. 2021 c 333 s 402 (uncodified) is amended to read as
34 follows:

35 FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING
36 BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND
37 FISCAL AGENT CHARGES

1	Transportation Partnership Account—State	
2	Appropriation.	((\$181,000))
3		<u>\$150,000</u>
4	Connecting Washington Account—State Appropriation.	((\$2,231,000))
5		<u>\$318,000</u>
6	Special Category C Account—State Appropriation.	((\$82,000))
7		<u>\$51,000</u>
8	<u>Transportation Improvement Account—State</u>	
9	<u>Appropriation.</u>	<u>\$20,000</u>
10	TOTAL APPROPRIATION.	((\$2,494,000))
11		<u>\$539,000</u>

12 **Sec. 403.** 2021 c 333 s 403 (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 statutory distributions to	
17	cities and counties.	((\$467,390,000))
18		<u>\$474,003,000</u>
19	Multimodal Transportation Account—State	
20	Appropriation: For distribution to cities and	
21	counties.	\$26,786,000
22	Motor Vehicle Account—State Appropriation: For	
23	distribution to cities and counties.	\$23,438,000

24 **Sec. 404.** 2021 c 333 s 404 (uncodified) is amended to read as
25 follows:

26 **FOR THE STATE TREASURER—TRANSFERS**

27	Motor Vehicle Account—State Appropriation: For motor	
28	vehicle fuel tax refunds and statutory	
29	transfers.	((\$1,974,599,000))
30		<u>\$2,000,419,000</u>

31 **Sec. 405.** 2021 c 333 s 405 (uncodified) is amended to read as
32 follows:

33 **FOR THE DEPARTMENT OF LICENSING—TRANSFERS**

34	Motor Vehicle Account—State Appropriation: For motor	
35	vehicle fuel tax refunds and transfers.	((\$235,675,000))
36		<u>\$240,330,000</u>

1 **Sec. 406.** 2021 c 333 s 406 (uncodified) is amended to read as
2 follows:

3 **FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS**

4 (1) Highway Safety Account—State Appropriation:
5 For transfer to the State Patrol Highway
6 Account—State. \$47,000,000

7 (2) (a) Transportation Partnership Account—State
8 Appropriation: For transfer to the Capital Vessel
9 Replacement Account—State. (~~(\$152,453,000)~~)
10 \$45,468,000

11 (b) The amount transferred in this subsection represents proceeds
12 from the sale of bonds authorized in RCW 47.10.873.

13 (3) (a) Transportation Partnership Account—State
14 Appropriation: For transfer to the Tacoma Narrows Toll Bridge Account
15 —State. \$30,293,000

16 (b) It is the intent of the legislature that this transfer is
17 temporary, for the purpose of minimizing the impact of toll
18 increases. An equivalent reimbursing transfer is to occur after the
19 debt service and deferred sales tax on the Tacoma Narrows bridge
20 construction costs are fully repaid in accordance with chapter 195,
21 Laws of 2018.

22 (4) (a) Motor Vehicle Account—State Appropriation:
23 For transfer to Alaskan Way Viaduct Replacement Project
24 Account—State. \$6,000,000

25 (b) The funds provided in (a) of this subsection are a loan to
26 the Alaskan Way viaduct replacement project account—state, and the
27 legislature assumes that these funds will be reimbursed to the motor
28 vehicle account—state at a later date when traffic on the toll
29 facility has recovered from the COVID-19 pandemic.

30 (5) Motor Vehicle Account—State Appropriation:
31 For transfer to the County Arterial Preservation
32 Account—State. \$7,666,000

33 (6) Motor Vehicle Account—State Appropriation:
34 For transfer to the Freight Mobility Investment
35 Account—State. \$5,511,000

36 (7) Motor Vehicle Account—State Appropriation:
37 For transfer to the Rural Arterial Trust Account—State. . . \$9,331,000

38 (8) Motor Vehicle Account—State Appropriation:
39 For transfer to the Transportation Improvement

1 Account—State. \$9,688,000
2 (9) Rural Mobility Grant Program Account—State
3 Appropriation: For transfer to the Multimodal
4 Transportation Account—State. \$3,000,000
5 (10) (a) State Route Number 520 Civil Penalties
6 Account—State Appropriation: For transfer to the
7 Motor Vehicle Account—State
8 \$2,000,000
9 (b) The transfer in this subsection is to repay moneys loaned to
10 the state route number 520 civil penalties account in the 2019-2021
11 fiscal biennium.
12 (11) State Route Number 520 Civil Penalties
13 Account—State Appropriation: For transfer to the
14 State Route Number 520 Corridor Account—State. \$1,532,000
15 (12) Capital Vessel Replacement Account—State
16 Appropriation: For transfer to the Connecting
17 Washington Account—State. \$35,000,000
18 (13) (a) Capital Vessel Replacement Account—State
19 Appropriation: For transfer to the Transportation
20 Partnership Account—State. (~~(\$10,305,000)~~)
21 \$1,542,000
22 (b) The amount transferred in this subsection represents
23 repayment of debt service incurred for the construction of the Hybrid
24 Electric Olympic Class (144-auto) Vessel #5 project (L2000329).
25 (14) Multimodal Transportation Account—State
26 Appropriation: For transfer to the Complete Streets
27 Grant Program Account—State. \$14,670,000
28 (15) Multimodal Transportation Account—State
29 Appropriation: For transfer to the Connecting
30 Washington Account—State. \$200,000,000
31 (16) Multimodal Transportation Account—State
32 Appropriation: For transfer to the Freight Mobility
33 Multimodal Account—State. \$4,011,000
34 (17) Multimodal Transportation Account—State
35 Appropriation: For transfer to the Ignition Interlock
36 Device Revolving Account—State. \$600,000
37 (18) Multimodal Transportation Account—State
38 Appropriation: For transfer to the Pilotage
39 Account—State. (~~(\$1,500,000)~~)

1 \$2,000,000

2 (19) Multimodal Transportation Account—State

3 Appropriation: For transfer to the Puget Sound

4 Capital Construction Account—State. (~~(\$60,000,000)~~)

5 \$816,700,000

6 (20) Multimodal Transportation Account—State

7 Appropriation: For transfer to the Regional Mobility

8 Grant Program Account—State. \$27,679,000

9 (21) Multimodal Transportation Account—State

10 Appropriation: For transfer to the Rural Mobility

11 Grant Program Account—State. \$15,223,000

12 (22) (a) Alaskan Way Viaduct Replacement Project

13 Account—State Appropriation: For transfer to the

14 Transportation Partnership Account—State. \$22,884,000

15 (b) The amount transferred in this subsection represents

16 repayment of debt service incurred for the construction of the SR 99/

17 Alaskan Way Viaduct Replacement project (809936Z).

18 (23) Tacoma Narrows Toll Bridge Account—State

19 Appropriation: For transfer to the Motor Vehicle

20 Account—State. \$950,000

21 (24) Puget Sound Ferry Operations Account—State

22 Appropriation: For transfer to the Puget Sound

23 Capital Construction Account—State. \$60,000,000

24 (25) (a) General Fund Account—State

25 Appropriation: For transfer to the State Patrol

26 Highway Account—State. \$625,000

27 (b) The state treasurer shall transfer the funds only after

28 receiving notification from the Washington state patrol under section

29 207(2) (~~of this act~~), chapter 333, Laws of 2021.

30 (26) Motor Vehicle Account—State

31 Appropriation: For transfer to the Move Ahead WA

32 Account—State. \$3,689,000

33 (27) Motor Vehicle Account—State

34 Appropriation: For transfer to the Puget Sound

35 Capital Construction Account—State. \$30,000,000

36 (28) Electric Vehicle Account—State

37 Appropriation: For transfer to the Move Ahead WA

38 Flexible Account—State. \$16,064,000

39 (29) Multimodal Transportation Account—State

1	<u>Appropriation: For transfer to the I-405 and SR 167</u>	
2	<u>Express Toll Lanes Account—State.</u>	<u>\$268,433,000</u>
3	<u>(30) Multimodal Transportation Account—State</u>	
4	<u>Appropriation: For transfer to the Move Ahead WA</u>	
5	<u>Account—State.</u>	<u>\$874,081,000</u>
6	<u>(31) Multimodal Transportation Account—State</u>	
7	<u>Appropriation: For transfer to the State Route</u>	
8	<u>Number 520 Corridor Account—State.</u>	<u>\$70,786,000</u>
9	<u>(32) Move Ahead WA Flexible Account—State</u>	
10	<u>Appropriation: For transfer to the Move Ahead</u>	
11	<u>WA Account—State.</u>	<u>\$9,000,000</u>
12	<u>(33) Motor Vehicle Account—State</u>	
13	<u>Appropriation: For transfer to the Connecting Washington</u>	
14	<u>Account—State.</u>	<u>\$80,000,000</u>

15 **Sec. 407.** 2021 c 333 s 407 (uncodified) is amended to read as
16 follows:

17 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**
18 **BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY**
19 **STATUTORILY PRESCRIBED REVENUE**

20	Toll Facility Bond Retirement Account—Federal	
21	Appropriation.	\$199,129,000
22	Toll Facility Bond Retirement Account—State	
23	Appropriation.	\$25,372,000
24	TOTAL APPROPRIATION.	\$224,501,000

(End of part)

1 **COMPENSATION**

2 NEW SECTION. **Sec. 501.** A new section is added to 2021 c 333
3 (uncodified) to read as follows:

4 **COLLECTIVE BARGAINING AGREEMENTS**

5 Sections 502 through 519 of this act represent the results of the
6 collective bargaining process from reopening the 2021-2023 contracts
7 for the limited purpose of bargaining over compensation, and are
8 described in general terms. Only major economic terms are included in
9 the descriptions. These descriptions do not contain the complete
10 contents of the agreements. The collective bargaining agreements
11 contained in part V of this act may also be funded by expenditures
12 from nonappropriated accounts. If positions are funded with lidded
13 grants or dedicated fund sources with insufficient revenue,
14 additional funding from other sources is not provided.

15 **Sec. 502.** 2021 c 333 s 503 (uncodified) is amended to read as
16 follows:

17 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
18 **AGREEMENTS—OPEIU**

19 (1) An agreement has been reached between the governor and the
20 office and professional employees international union local eight
21 (OPEIU) pursuant to chapter 47.64 RCW for the 2021-2023 fiscal
22 biennium. Funding is provided to fund the agreement, which does not
23 include wage increases but does include furloughs. The agreement
24 provides that positions designated by the employer as not requiring
25 backfill take 24 furlough days during the biennium. In addition, the
26 following positions are not subject to the furlough requirement: Bid
27 administrator, dispatch, dispatch coordinator, and relief positions.

28 (2) An agreement has been reached between the governor and the
29 office and professional employees international union local eight
30 (OPEIU) pursuant to chapter 47.64 RCW for fiscal year 2023. The
31 agreement includes and funding is provided for a general wage
32 increase of 3.25 percent for fiscal year 2023 and a lump sum payment
33 for employees hired before July 1, 2022.

34 **Sec. 503.** 2021 c 333 s 504 (uncodified) is amended to read as
35 follows:

36 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
37 **AGREEMENTS—FASPA**

1 (1) An agreement has been reached between the governor and the
2 ferry agents, supervisors, and project administrators association
3 pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium.
4 Funding is provided to fund the agreement, which does not include
5 wage increases but does include furloughs. The agreement provides
6 that positions designated by the employer as not requiring backfill
7 take 24 furlough days during the biennium.

8 (2) An agreement has been reached between the governor and the
9 ferry agents, supervisors, and project administrators association
10 pursuant to chapter 47.64 RCW for fiscal year 2023. The agreement
11 includes and funding is provided for a general wage increase of 3.25
12 percent for fiscal year 2023 and a lump sum payment for employees
13 hired before July 1, 2022.

14 **Sec. 504.** 2021 c 333 s 505 (uncodified) is amended to read as
15 follows:

16 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
17 **AGREEMENTS—SEIU LOCAL 6**

18 (1) An agreement has been reached between the governor and the
19 service employees international union local 6 pursuant to chapter
20 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to
21 fund the agreement, which does not include wage increases but does
22 include furloughs. The agreement provides that positions designated
23 by the employer as not requiring backfill take 24 furlough days
24 during the biennium.

25 (2) An agreement has been reached between the governor and the
26 service employees international union local 6 pursuant to chapter
27 47.64 RCW for fiscal year 2023. The agreement includes and funding is
28 provided for a general wage increase of 3.25 percent for fiscal year
29 2023 and a lump sum payment for employees hired before July 1, 2022.

30 **Sec. 505.** 2021 c 333 s 506 (uncodified) is amended to read as
31 follows:

32 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
33 **AGREEMENTS—CARPENTERS**

34 (1) An agreement has been reached between the governor and the
35 Pacific Northwest regional council of carpenters pursuant to chapter
36 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to
37 fund the agreement, which does not include wage increases but does
38 include furloughs. The agreement provides that positions designated

1 by the employer as not requiring backfill take 24 furlough days
2 during the biennium.

3 (2) An agreement has been reached between the governor and the
4 Pacific Northwest regional council of carpenters pursuant to chapter
5 47.64 RCW for fiscal year 2023. The agreement includes and funding is
6 provided for a general wage increase of 3.25 percent for fiscal year
7 2023 and a lump sum payment for employees hired before July 1, 2022.

8 **Sec. 506.** 2021 c 333 s 507 (uncodified) is amended to read as
9 follows:

10 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
11 **AGREEMENTS—METAL TRADES**

12 (1) An agreement has been reached between the governor and the
13 Puget Sound metal trades council through an interest arbitration
14 award pursuant to chapter 47.64 RCW for the 2021-2023 fiscal
15 biennium. The arbitration award imposed and funding is provided to
16 implement a 1.9((%)) percent general wage decrease from July 1, 2021,
17 through June 30, 2022, and exempted these employees from the furlough
18 requirement.

19 (2) An agreement has been reached between the governor and the
20 Puget Sound metal trades council pursuant to chapter 47.64 RCW for
21 fiscal year 2023. The agreement includes and funding is provided for
22 a general wage increase of 3.25 percent for fiscal year 2023 and a
23 lump sum payment for employees hired before July 1, 2022.

24 **Sec. 507.** 2021 c 333 s 508 (uncodified) is amended to read as
25 follows:

26 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
27 **AGREEMENTS—MEBA-UL**

28 (1) An agreement has been reached between the governor and the
29 marine engineers' beneficial association unlicensed engine room
30 employees pursuant to chapter 47.64 RCW for the 2021-2023 fiscal
31 biennium. Funding is provided to fund the agreement, which does not
32 include either wage increases or the furlough requirement.

33 (2) An agreement has been reached between the governor and the
34 marine engineers' beneficial association unlicensed engine room
35 employees pursuant to chapter 47.64 RCW for fiscal year 2023. The
36 agreement includes and funding is provided for a general wage
37 increase of 3.25 percent for fiscal year 2023 and a lump sum payment
38 for employees hired before July 1, 2022.

1 **Sec. 508.** 2021 c 333 s 509 (uncodified) is amended to read as
2 follows:

3 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
4 **AGREEMENTS—MEBA-L**

5 (1) An agreement has been reached between the governor and the
6 marine engineers' beneficial association licensed engineer officers
7 pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium.
8 Funding is provided to fund the agreement, which does not include
9 either wage increases or the furlough requirement.

10 (2) An agreement has been reached between the governor and the
11 marine engineers' beneficial association licensed engineer officers
12 pursuant to chapter 47.64 RCW for fiscal year 2023. The agreement
13 includes and funding is provided for a general wage increase of 3.25
14 percent for fiscal year 2023 and a lump sum payment for employees
15 hired before July 1, 2022.

16 **Sec. 509.** 2021 c 333 s 510 (uncodified) is amended to read as
17 follows:

18 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
19 **AGREEMENTS—MEBA—PORT ENGINEERS**

20 (1) An agreement has been reached between the governor and the
21 marine engineers' beneficial association port engineers pursuant to
22 chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is
23 provided to fund the agreement, which does not include wage increases
24 but does include furloughs. The agreement provides that positions
25 designated by the employer as not requiring backfill take 24 furlough
26 days during the biennium.

27 (2) An agreement has been reached between the governor and the
28 marine engineers' beneficial association port engineers pursuant to
29 chapter 47.64 RCW for fiscal year 2023. The agreement includes and
30 funding is provided for a general wage increase of 3.25 percent for
31 fiscal year 2023 and a lump sum payment for employees hired before
32 July 1, 2022.

33 **Sec. 510.** 2021 c 333 s 511 (uncodified) is amended to read as
34 follows:

35 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
36 **AGREEMENTS—MM&P MATES**

1 (1) An agreement has been reached between the governor and the
2 masters, mates, and pilots - mates pursuant to chapter 47.64 RCW for
3 the 2021-2023 fiscal biennium. Funding is provided to fund the
4 agreement, which includes a two percent wage increase for second
5 mates, and does not include the furlough requirement.

6 (2) An agreement has been reached between the governor and the
7 masters, mates, and pilots - mates pursuant to chapter 47.64 RCW for
8 fiscal year 2023. The agreement includes and funding is provided for
9 a general wage increase of 3.25 percent for fiscal year 2023 and a
10 lump sum payment for employees hired before July 1, 2022.

11 **Sec. 511.** 2021 c 333 s 512 (uncodified) is amended to read as
12 follows:

13 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
14 **AGREEMENTS—MM&P MASTERS**

15 (1) An agreement has been reached between the governor and the
16 masters, mates, and pilots - masters pursuant to chapter 47.64 RCW
17 for the 2021-2023 fiscal biennium. Funding is provided to fund the
18 agreement, which does not include either wage increases or the
19 furlough requirement.

20 (2) An agreement has been reached between the governor and the
21 masters, mates, and pilots - masters pursuant to chapter 47.64 RCW
22 for fiscal year 2023. The agreement includes and funding is provided
23 for a general wage increase of 3.25 percent for fiscal year 2023 and
24 a lump sum payment for employees hired before July 1, 2022.

25 **Sec. 512.** 2021 c 333 s 513 (uncodified) is amended to read as
26 follows:

27 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
28 **AGREEMENTS—MM&P WATCH CENTER SUPERVISORS**

29 (1) An agreement has been reached between the governor and the
30 masters, mates, and pilots - watch center supervisors pursuant to
31 chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is
32 provided to fund the agreement, which does not include wage increases
33 but does include furloughs only for the following positions: Fleet
34 facility security officers and workforce development leads.

35 (2) An agreement has been reached between the governor and the
36 masters, mates, and pilots - watch center supervisors pursuant to
37 chapter 47.64 RCW for fiscal year 2023. The agreement includes and
38 funding is provided for a general wage increase of 3.25 percent for

1 fiscal year 2023 and a lump sum payment for employees hired before
2 July 1, 2022.

3 **Sec. 513.** 2021 c 333 s 514 (uncodified) is amended to read as
4 follows:

5 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
6 **AGREEMENTS—IBU**

7 (1) An agreement has been reached between the governor and the
8 inlandboatmen's union of the Pacific pursuant to chapter 47.64 RCW
9 through an interest arbitration award for the 2021-2023 fiscal
10 biennium. Funding is provided to fund the agreement, which does not
11 include wage increases, but does include furlough days for employees
12 in positions that do not require the position to be backfilled.

13 (2) An agreement has been reached between the governor and the
14 inlandboatmen's union of the Pacific pursuant to chapter 47.64 RCW
15 for fiscal year 2023. The agreement includes and funding is provided
16 for a general wage increase of 3.25 percent for fiscal year 2023 and
17 a lump sum payment for employees hired before July 1, 2022.

18 **Sec. 514.** 2021 c 333 s 515 (uncodified) is amended to read as
19 follows:

20 **COLLECTIVE BARGAINING AGREEMENT—WFSE**

21 (1) An agreement has been reached between the governor and the
22 Washington federation of state employees under the provisions of
23 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is
24 provided to fund the agreement, which does not include wage
25 increases, but does include 24 furlough days for employees in
26 position that do not require the position to be backfilled.

27 (2) An agreement has been reached between the governor and the
28 Washington federation of state employees under the provisions of
29 chapter 41.80 RCW for fiscal year 2023. The agreement includes and
30 funding is provided for a general wage increase of 3.25 percent for
31 fiscal year 2023 and a lump sum payment for employees who were
32 employed continuously starting on or before July 1, 2021, through
33 June 30, 2022.

34 **Sec. 515.** 2021 c 333 s 516 (uncodified) is amended to read as
35 follows:

36 **COLLECTIVE BARGAINING AGREEMENT—PTE LOCAL 17**

1 (1) An agreement has been reached between the governor and the
2 professional and technical employees local 17 under the provisions of
3 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is
4 provided to fund the agreement, which does not include wage
5 increases, but does include 24 furlough days for employees in
6 position that do not require the position to be backfilled.

7 (2) An agreement has been reached between the governor and the
8 professional and technical employees local 17 under the provisions of
9 chapter 41.80 RCW for fiscal year 2023. The agreement includes and
10 funding is provided for a general wage increase of 3.25 percent for
11 fiscal year 2023 and a lump sum payment for employees who were
12 employed continuously starting on or before July 1, 2021, through
13 June 30, 2022.

14 **Sec. 516.** 2021 c 333 s 517 (uncodified) is amended to read as
15 follows:

16 **COLLECTIVE BARGAINING AGREEMENT—WPEA**

17 (1) An agreement has been reached between the governor and the
18 Washington public employees association under the provisions of
19 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is
20 provided to fund the agreement, which does not include wage
21 increases, but does include 24 furlough days for employees in
22 positions that do not require the position to be backfilled.

23 (2) An agreement has been reached between the governor and the
24 Washington public employees association general government under the
25 provisions of chapter 41.80 RCW for fiscal year 2023. The agreement
26 includes and funding is provided for a general wage increase of 3.25
27 percent for fiscal year 2023 and a lump sum payment for employees
28 hired before July 1, 2022.

29 **Sec. 517.** 2021 c 333 s 518 (uncodified) is amended to read as
30 follows:

31 **COLLECTIVE BARGAINING AGREEMENT—COALITION OF UNIONS**

32 (1) An agreement has been reached for the 2019-2021 biennium
33 between the governor and the coalition of unions under the provisions
34 of chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is
35 provided to fund the agreement, which includes 24 furlough days for
36 employees in position that do not require the position to be
37 backfilled. The agreement includes and funding is provided for a 2.5
38 percent wage increase for fiscal year 2022 and a 2.5 percent wage

1 increase for fiscal year 2023 for the department of corrections
2 marine vessel operators.

3 (2) An agreement has been reached between the governor and the
4 coalition of unions under the provisions of chapter 41.80 RCW for
5 fiscal year 2023. The agreement includes and funding is provided for
6 a general wage increase of 3.25 percent for fiscal year 2023 and a
7 lump sum payment for employees hired before July 1, 2022.

8 **Sec. 518.** 2021 c 333 s 519 (uncodified) is amended to read as
9 follows:

10 **COLLECTIVE BARGAINING AGREEMENT—WSP TROOPERS ASSOCIATION**

11 (1) An agreement has been reached between the governor and the
12 Washington state patrol troopers association under the provisions of
13 chapter 41.56 RCW for the 2021-2023 fiscal biennium. Funding is
14 provided to fund the agreement, which does not include general wages
15 increases but does provide the ability to request to reopen the
16 compensation article for the purpose of bargaining base rate of pay
17 for fiscal year 2023.

18 (2) An agreement has been reached between the governor and the
19 Washington state patrol troopers association under the provisions of
20 chapter 41.56 RCW for fiscal year 2023. The agreement includes and
21 funding is provided for a general wage increase of 10 percent for
22 fiscal year 2023.

23 **Sec. 519.** 2021 c 333 s 520 (uncodified) is amended to read as
24 follows:

25 **COLLECTIVE BARGAINING AGREEMENT—WSP LIEUTENANTS AND CAPTAINS**
26 **ASSOCIATION**

27 (1) An agreement has been reached between the governor and the
28 Washington state patrol lieutenants and captains association under
29 the provisions of chapter 41.56 RCW for the 2021-2023 fiscal
30 biennium. Funding is provided to fund the agreement, which does not
31 include general wages increases but does provide the ability to
32 request to reopen the compensation article for the purpose of
33 bargaining base rate of pay for fiscal year 2023.

34 (2) An agreement has been reached between the governor and the
35 Washington state patrol lieutenants and captains association under
36 the provisions of chapter 41.56 RCW for fiscal year 2023. The
37 agreement includes and funding is provided for a general wage
38 increase of 10 percent for fiscal year 2023.

1 **Sec. 520.** 2021 c 333 s 521 (uncodified) is amended to read as
2 follows:

3 **COMPENSATION—REPRESENTED EMPLOYEES—HEALTH CARE—COALITION—INSURANCE**
4 **BENEFITS**

5 An agreement was reached for the 2021-2023 biennium between the
6 governor and the health care coalition under the provisions of
7 chapter 41.80 RCW. Appropriations in this act for state agencies,
8 including institutions of higher education, are sufficient to
9 implement the provisions of the 2021-2023 collective bargaining
10 agreement, which maintains the provisions of the 2019-2021 agreement,
11 and are subject to the following conditions and limitations:

12 The monthly employer funding rate for insurance benefit premiums,
13 public employees' benefits board administration, and the uniform
14 medical plan, shall not exceed \$936 per eligible employee for fiscal
15 year 2022. For fiscal year 2023, the monthly employer funding rate
16 shall not exceed (~~(\$1091)~~) \$1,130 per eligible employee.

17 The board shall collect a \$25 per month surcharge payment from
18 members who use tobacco products and a surcharge payment of not less
19 than \$50 per month from members who cover a spouse or domestic
20 partner where the spouse or domestic partner has chosen not to enroll
21 in another employer-based group health insurance that has benefits
22 and premiums with an actuarial value of not less than 95 percent of
23 the actuarial value of the public employees' benefits board plan with
24 the largest enrollment. The surcharge payments shall be collected in
25 addition to the member premium payment if directed by the
26 legislature.

27 **Sec. 521.** 2021 c 333 s 522 (uncodified) is amended to read as
28 follows:

29 **COMPENSATION—REPRESENTED EMPLOYEES OUTSIDE HEALTH CARE COALITION—**
30 **INSURANCE BENEFITS**

31 Appropriations for state agencies in this act are sufficient for
32 represented employees outside the coalition for health benefits, and
33 are subject to the following conditions and limitations: The monthly
34 employer funding rate for insurance benefit premiums, public
35 employees' benefits board administration, and the uniform medical
36 plan, may not exceed \$936 per eligible employee for fiscal year 2022.
37 For fiscal year 2023, the monthly employer funding rate may not
38 exceed (~~(\$1091)~~) \$1,130 per eligible employee.

1 **Sec. 522.** 2021 c 333 s 523 (uncodified) is amended to read as
2 follows:

3 **COMPENSATION—NONREPRESENTED EMPLOYEES—INSURANCE BENEFITS**

4 Appropriations for state agencies in this act are sufficient for
5 nonrepresented state employee health benefits for state agencies,
6 including institutions of higher education, and are subject to the
7 following conditions and limitations: The employer monthly funding
8 rate for insurance benefit premiums, public employees' benefits board
9 administration, and the uniform medical plan, shall not exceed \$936
10 per eligible employee for fiscal year 2022. For fiscal year 2023, the
11 monthly employer funding rate shall not exceed (~~(\$1091)~~) \$1,130 per
12 eligible employee.

13 NEW SECTION. **Sec. 523.** A new section is added to 2021 c 333
14 (uncodified) to read as follows:

15 **GENERAL WAGE INCREASES**

16 (1) Appropriations for state agency employee compensation in this
17 act are sufficient to provide general wage increases to state agency
18 employees who are not represented or who bargain under statutory
19 authority other than chapter 41.80 or 47.64 RCW or RCW 41.56.473 or
20 RCW 41.56.475.

21 (2) Funding is provided for a 3.25 percent salary increase
22 effective July 1, 2022, for all classified employees as specified in
23 subsection (1) of this section, employees in the Washington
24 management service, and exempt employees under the jurisdiction of
25 the office of financial management. The appropriations are also
26 sufficient to fund a 3.25 percent salary increase effective July 1,
27 2022 for executive, legislative, and judicial branch employees exempt
28 from merit system rules whose maximum salaries are not set by the
29 commission on salaries of elected officials.

30 NEW SECTION. **Sec. 524.** A new section is added to 2021 c 333
31 (uncodified) to read as follows:

32 **COMPENSATION—PENSION CONTRIBUTIONS**

33 Appropriations to state agencies include funding for an increase
34 in pension contribution rates for several state pension systems as
35 provided in this section.

36 (1) An increase of 0.14 percent is funded for state employer
37 contributions to the public employees' retirement system, the public
38 safety employees' retirement systems, and the school employees'

1 retirement system. An increase of 0.27 percent for employer
2 contributions to the teachers' retirement system is funded. These
3 increases are provided for the purpose of a one-time, ongoing pension
4 increase for retirees in the public employees' retirement system plan
5 1 and teachers' retirement system plan 1, as provided in Senate Bill
6 No. 5652 (providing a benefit increase to certain retirees of the
7 public employees' retirement system plan 1 and the teachers'
8 retirement system plan 1). If Senate Bill No. 5652 is not enacted by
9 June 30, 2022, this subsection lapses.

10 (2) An increase of 0.13 percent is funded for state employer
11 contributions to the Washington state patrol retirement system. These
12 increases are provided for the purpose of expanding no-cost
13 interruptive military service credit to individuals that were issued
14 an expeditionary medal, as provided in Senate Bill No. 5726 (military
15 service credit). If Senate Bill No. 5726 is not enacted by June 30,
16 2022, this subsection lapses.

17 (3) An increase of 0.10 percent is funded for state employer
18 contributions to the public safety employees' retirement system.
19 These increases are provided for the cost to provide an enhanced
20 disability benefit to members of this system who experience a
21 qualifying catastrophic disability on the job, as provided in Senate
22 Bill No. 5748 (PSERS disability benefits). If Senate Bill No. 5748 is
23 not enacted by June 30, 2022, this subsection lapses.

24 NEW SECTION. **Sec. 525.** The following acts or parts of acts are
25 each repealed:

- 26 (1) 2021 c 333 s 526 (uncodified);
- 27 (2) 2021 c 333 s 527 (uncodified);
- 28 (3) 2021 c 333 s 528 (uncodified);
- 29 (4) 2021 c 333 s 529 (uncodified);
- 30 (5) 2021 c 333 s 530 (uncodified);
- 31 (6) 2021 c 333 s 531 (uncodified);
- 32 (7) 2021 c 333 s 532 (uncodified); and
- 33 (8) 2021 c 333 s 537 (uncodified).

(End of part)

1 **IMPLEMENTING PROVISIONS**

2 **Sec. 601.** 2021 c 333 s 601 (uncodified) is amended to read as
3 follows:

4 **MANAGEMENT OF TRANSPORTATION FUNDS WHEN THE LEGISLATURE IS NOT IN**
5 **SESSION**

6 (1) The 2005 transportation partnership projects or improvements
7 and 2015 connecting Washington projects or improvements are listed in
8 the LEAP Transportation Document (~~(2021-1)~~) 2022-1 as developed
9 (~~(April 23, 2021)~~) February 20, 2022, which consists of a list of
10 specific projects by fund source and amount over a sixteen-year
11 period. Current fiscal biennium funding for each project is a line-
12 item appropriation, while the outer year funding allocations
13 represent a sixteen-year plan. The department of transportation is
14 expected to use the flexibility provided in this section to assist in
15 the delivery and completion of all transportation partnership account
16 and connecting Washington account projects on the LEAP transportation
17 document referenced in this subsection. For the 2021-2023 project
18 appropriations, unless otherwise provided in this act, the director
19 of the office of financial management may provide written
20 authorization for a transfer of appropriation authority between
21 projects funded with transportation partnership account
22 appropriations or connecting Washington account appropriations to
23 manage project spending and efficiently deliver all projects in the
24 respective program under the following conditions and limitations:

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

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

30 (c) Transfers from a project may be made if the funds
31 appropriated to the project are in excess of the amount needed in the
32 current fiscal biennium;

33 (d) Transfers may not occur for projects not identified on the
34 applicable project list;

35 (e) Transfers to a project may not occur if that project is a
36 programmatic funding item described in broad general terms on the
37 applicable project list without referencing a specific state route
38 number;

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

3 (g) Transfers to a project may not be made with funds designated
4 as attributable to practical design savings as described in RCW
5 47.01.480;

6 (h) Except for transfers made under (l) of this subsection,
7 transfers may only be made in fiscal year 2023;

8 (i) The total amount of transfers under this section may not
9 exceed \$50,000,000;

10 (j) Except as otherwise provided in (l) of this subsection,
11 transfers made to a single project may not cumulatively total more
12 than \$20,000,000 per biennium;

13 (k) Each transfer between projects may only occur if the director
14 of the office of financial management finds that any resulting change
15 will not hinder the completion of the projects as approved by the
16 legislature; and

17 (1) Transfers between projects may be made by the department of
18 transportation without the formal written approval provided under
19 this subsection (1), provided that the transfer amount to a single
20 project does not exceed two hundred fifty thousand dollars or ten
21 percent of the total project per biennium, whichever is less. These
22 transfers must be reported quarterly to the director of the office of
23 financial management and the chairs of the house of representatives
24 and senate transportation committees.

25 (2) The department of transportation must submit quarterly all
26 transfers authorized under this section in the transportation
27 executive information system. The office of financial management must
28 maintain a legislative baseline project list identified in the LEAP
29 transportation documents referenced in this act, and update that
30 project list with all authorized transfers under this section,
31 including any effects to the total project budgets and schedules
32 beyond the current biennium.

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

37 (4) Before approval, the office of financial management shall
38 work with legislative staff of the house of representatives and
39 senate transportation committees to review the requested transfers in

1 a timely manner and address any concerns raised by the chairs and
2 ranking members of the transportation committees.

3 (5) No fewer than ten days after the receipt of a project
4 transfer request, the director of the office of financial management
5 must provide written notification to the department of any decision
6 regarding project transfers, with copies submitted to the
7 transportation committees of the legislature.

8 (6) The department must submit annually as part of its budget
9 submittal a report detailing all transfers made pursuant to this
10 section, including any effects to the total project budgets and
11 schedules beyond the current biennium.

12 (7)(a) If the department of transportation receives federal
13 funding not appropriated in this act, the department shall apply such
14 funds to any of the following activities in lieu of state funds, if
15 compliant with federal funding restrictions, and in the order that
16 most reduces administrative burden and minimizes the use of bond
17 proceeds:

18 (i) Projects on LEAP Transportation Document (~~(2021-2)~~) 2022-2
19 ALL PROJECTS as developed (~~(April 23, 2021)~~) February 20, 2022; or

20 (ii) Other department of transportation operating or capital
21 expenditures funded by appropriations from state accounts in this
22 act.

23 (b) However, if the funds received may not be used for any of the
24 purposes enumerated in this section and must be obligated before the
25 next regular legislative session, then the department may program the
26 funds for other transportation-related activities, provided that
27 these actions do not initiate any new programs, policies, or
28 expenditure levels requiring additional one-time or ongoing state
29 funds that have not been expressly authorized by the legislature. The
30 department shall follow the existing unanticipated receipt process to
31 notify the legislative standing committees on transportation and the
32 office of financial management of the amount of federal funds
33 received in addition to those appropriated in this act and the
34 projects or activities receiving funding through this process.

35 **Sec. 602.** 2021 c 333 s 606 (uncodified) is amended to read as
36 follows:

37 **TRANSIT, BICYCLE, AND PEDESTRIAN ELEMENTS REPORTING**

38 (1) By November 15th of each year, the department of
39 transportation must report on amounts expended to benefit transit,

1 bicycle, or pedestrian elements within all connecting Washington
2 projects in programs I, P, and Z identified in LEAP Transportation
3 Document ((2021-2)) 2022-2 ALL PROJECTS as developed ((April-23,
4 2021)) February 20, 2022. The report must address each modal category
5 separately and identify if eighteenth amendment protected funds have
6 been used and, if not, the source of funding.

7 (2) To facilitate the report in subsection (1) of this section,
8 the department of transportation must require that all bids on
9 connecting Washington projects include an estimate on the cost to
10 implement any transit, bicycle, or pedestrian project elements.

(End of part)

MISCELLANEOUS 2021-2023 FISCAL BIENNIUM

Sec. 701. RCW 47.01.071 and 2016 c 35 s 1 are each amended to read as follows:

The transportation commission shall have the following functions, powers, and duties:

(1) To propose policies to be adopted by the governor and the legislature designed to assure the development and maintenance of a comprehensive and balanced statewide transportation system which will meet the needs of the people of this state for safe and efficient transportation services. Wherever appropriate, the policies shall provide for the use of integrated, intermodal transportation systems. The policies must be aligned with the goals established in RCW 47.04.280. To this end the commission shall:

(a) Develop transportation policies which are based on the policies, goals, and objectives expressed and inherent in existing state laws;

(b) Inventory the adopted policies, goals, and objectives of the local and area-wide governmental bodies of the state and define the role of the state, regional, and local governments in determining transportation policies, in transportation planning, and in implementing the state transportation plan;

(c) Establish a procedure for review and revision of the state transportation policy and for submission of proposed changes to the governor and the legislature; and

(d) Integrate the statewide transportation plan with the needs of the elderly and persons with disabilities, and coordinate federal and state programs directed at assisting local governments to answer such needs;

(2) To provide for the effective coordination of state transportation planning with national transportation policy, state and local land use policies, and local and regional transportation plans and programs;

(3) In conjunction with the provisions under RCW 47.01.075, to provide for public involvement in transportation designed to elicit the public's views both with respect to adequate transportation services and appropriate means of minimizing adverse social, economic, environmental, and energy impact of transportation programs;

1 (4) By December 2010, to prepare a comprehensive and balanced
2 statewide transportation plan consistent with the state's growth
3 management goals and based on the transportation policy goals
4 provided under RCW 47.04.280 and applicable state and federal laws.
5 The plan must reflect the priorities of government developed by the
6 office of financial management and address regional needs, including
7 multimodal transportation planning. The plan must, at a minimum: (a)
8 Establish a vision for the development of the statewide
9 transportation system; (b) identify significant statewide
10 transportation policy issues; and (c) recommend statewide
11 transportation policies and strategies to the legislature to fulfill
12 the requirements of subsection (1) of this section. The plan must be
13 the product of an ongoing process that involves representatives of
14 significant transportation interests and the general public from
15 across the state. Every four years, except during the 2021-2023
16 fiscal biennium, the plan shall be reviewed and revised, and
17 submitted to the governor and the house of representatives and senate
18 standing committees on transportation.

19 The plan shall take into account federal law and regulations
20 relating to the planning, construction, and operation of
21 transportation facilities;

22 (5) To propose to the governor and the legislature prior to the
23 convening of each regular session held in an odd-numbered year a
24 recommended budget for the operations of the commission as required
25 by RCW 47.01.061;

26 (6) To adopt such rules as may be necessary to carry out
27 reasonably and properly those functions expressly vested in the
28 commission by statute;

29 (7) To contract with the office of financial management or other
30 appropriate state agencies for administrative support, accounting
31 services, computer services, and other support services necessary to
32 carry out its other statutory duties;

33 (8) To conduct transportation-related studies and policy analysis
34 to the extent directed by the legislature or governor in the biennial
35 transportation budget act, or as otherwise provided in law, and
36 subject to the availability of amounts appropriated for this specific
37 purpose; and

38 (9) To exercise such other specific powers and duties as may be
39 vested in the transportation commission by this or any other
40 provision of law.

1 **Sec. 702.** RCW 46.01.385 and 2021 c 32 s 2 are each amended to
2 read as follows:

3 The agency financial transaction account is created in the state
4 treasury. Receipts directed by law to the account from cost recovery
5 charges for credit card and other financial transaction fees must be
6 deposited into the account. Moneys in the account may be spent only
7 after appropriation. Expenditures from the account may be used only
8 for paying credit card and financial transaction fees, and other
9 related costs incurred by state agencies. During the 2021-2023 fiscal
10 biennium, expenditures from the account may also be used for
11 additional information technology costs related to supporting the
12 department of licensing operations and addressing its staffing
13 shortages.

14 **Sec. 703.** RCW 47.01.505 and 2017 c 288 s 4 are each amended to
15 read as follows:

16 (1) On behalf of the state, the legislature of the state of
17 Washington invites the legislature of the state of Oregon to
18 participate in a joint legislative action committee regarding the
19 construction of a new Interstate 5 bridge spanning the Columbia river
20 that achieves the following purposes:

21 (a) Works with both states' departments of transportation and
22 transportation commissions and stakeholders to begin a process toward
23 project development. It is assumed that the appropriate local and
24 bistate entities already tasked with related work will also be
25 included when the legislative and interagency agreements are ready to
26 move forward. The legislative action committee must convene its first
27 meeting by December 15, 2017;

28 (b) Reviews and confirms lead roles related to permitting,
29 construction, operation, and maintenance of a future Interstate 5
30 bridge project;

31 (c) Establishes a process to seek public comment on the
32 Interstate 5 bridge project development plan selected and presents
33 final recommendations for the process and financing to both states;

34 (d) Works to ensure that there are sufficient resources available
35 to both states' departments of transportation to inventory and
36 utilize existing data and any prior relevant work to allow for
37 nonduplicative and efficient decision making regarding a new project;

38 (e) Examines all of the potential mass transit options available
39 for a future Interstate 5 bridge project;

1 (f) Utilizes design-build procurement, or an equivalent or better
2 innovation delivery method, and determines the least costly, most
3 efficient project management and best practices tools consistent with
4 work already completed including, but not limited to, height,
5 navigation needs, transparency, economic development, and other
6 critical elements, while minimizing the impacts of congestion during
7 construction;

8 (g) Considers the creation of a Columbia river bridge authority
9 to review bridge needs for possible repair, maintenance, or new
10 construction, prioritizing those needs and making recommendations to
11 both states with regard to financing specific projects, timing,
12 authorities, and operations; and

13 (h) Provides a report to the legislatures of each state that
14 details the findings and recommendations of the legislative action
15 committee by December 15, 2018. The report must also contain a
16 recommendation as to whether the Interstate 5 project should be
17 designated by the legislature of the state of Washington as a project
18 of statewide significance and by the state of Oregon with an
19 equivalent designation.

20 (2) (a) The joint Oregon-Washington legislative action committee
21 is established, with sixteen members as provided in this subsection:

22 (i) The speaker and minority leader of the house of
23 representatives of each state shall jointly appoint four members, two
24 from each of the two largest caucuses of their state's house of
25 representatives.

26 (ii) The majority leader and minority leader of the senate of
27 each state shall jointly appoint four members, two from each of the
28 two largest caucuses of their state's senate.

29 (b) The legislative action committee shall choose its cochairs
30 from among its membership, one each from the senate and the house of
31 representatives of both states.

32 (c) Executive agencies, including the departments of
33 transportation and the transportation commissions, shall cooperate
34 with the committee and provide information and other assistance as
35 the cochairs may reasonably request.

36 (d) Staff support for the legislative action committee must be
37 provided by the Washington house of representatives office of program
38 research, Washington senate committee services, and, contingent upon
39 the acceptance by the legislature of the state of Oregon of the
40 invitation in subsection (1) of this section to participate in the

1 legislative action committee, the Oregon legislative policy and
2 research office.

3 (e) Legislative members of the legislative action committee are
4 reimbursed for travel expenses. For Washington legislative members,
5 this reimbursement must be in accordance with RCW 44.04.120.

6 (f) The expenses of the legislative action committee must be paid
7 jointly by both states' senate and house of representatives. In
8 Washington, committee expenditures are subject to approval by the
9 senate facilities and operations committee and the house of
10 representatives executive rules committee, or their successor
11 committees.

12 (g) Each meeting of the legislative action committee must allow
13 an opportunity for public comment. Legislative action committee
14 meetings must be scheduled and conducted in accordance with the
15 requirements of both the senate and the house of representatives of
16 both states.

17 (h) The Washington members of the joint Oregon-Washington
18 legislative action committee shall report back to the Washington
19 state legislature, by August 1, 2022, regarding the progress of the
20 committee and its work to advance the project to build a new
21 Interstate 5 bridge spanning the Columbia river. The report must
22 include a description of the locally preferred alternative ultimately
23 identified as part of the interstate bridge replacement project.

24 **Sec. 704.** RCW 70A.205.415 and 2009 c 261 s 3 are each amended to
25 read as follows:

26 The waste tire removal account is created in the state treasury.
27 Expenditures from the account may be used for the cleanup of
28 unauthorized waste tire piles, measures that prevent future
29 accumulation of unauthorized waste tire piles, and road wear related
30 maintenance on state and local public highways. During the 2007-2009
31 fiscal biennium, the legislature may transfer from the waste tire
32 removal account to the motor vehicle fund such amounts as reflect the
33 excess fund balance of the waste tire removal account. During the
34 2021-2023 fiscal biennium, appropriations from the waste tire removal
35 account may be made for the department of transportation to address
36 the risks to safety and public health associated with homeless
37 encampments on department owned rights-of-way.

1 **Sec. 705.** RCW 81.104.160 and 2015 3rd sp.s. c 44 s 319 are each
2 amended to read as follows:

3 (1) Regional transit authorities that include a county with a
4 population of more than (~~one million five hundred thousand~~)
5 1,500,000 may submit an authorizing proposition to the voters, and if
6 approved, may levy and collect an excise tax, at a rate approved by
7 the voters, but not exceeding eight-tenths of one percent on the
8 value, under chapter 82.44 RCW, of every motor vehicle owned by a
9 resident of the taxing district, solely for the purpose of providing
10 high capacity transportation service. The maximum tax rate under this
11 subsection does not include a motor vehicle excise tax approved
12 before July 15, 2015, if the tax will terminate on the date bond debt
13 to which the tax is pledged is repaid. This tax does not apply to
14 vehicles licensed under RCW 46.16A.455 except vehicles with an
15 unladen weight of (~~six thousand~~) 6,000 pounds or less, RCW
16 46.16A.425 or 46.17.335(2). Notwithstanding any other provision of
17 this subsection or chapter 82.44 RCW, a motor vehicle excise tax
18 imposed by a regional transit authority before or after July 15,
19 2015, must comply with chapter 82.44 RCW as it existed on January 1,
20 1996, until December 31st of the year in which the regional transit
21 authority repays bond debt to which a motor vehicle excise tax was
22 pledged before July 15, 2015. Motor vehicle taxes collected by
23 regional transit authorities after December 31st of the year in which
24 a regional transit authority repays bond debt to which a motor
25 vehicle excise tax was pledged before July 15, 2015, must comply with
26 chapter 82.44 RCW as it existed on the date the tax was approved by
27 voters.

28 (2) An agency and high capacity transportation corridor area may
29 impose a sales and use tax solely for the purpose of providing high
30 capacity transportation service, in addition to the tax authorized by
31 RCW 82.14.030, upon retail car rentals within the applicable
32 jurisdiction that are taxable by the state under chapters 82.08 and
33 82.12 RCW. The rate of tax may not exceed 2.172 percent. The rate of
34 tax imposed under this subsection must bear the same ratio of the
35 2.172 percent authorized that the rate imposed under subsection (1)
36 of this section bears to the rate authorized under subsection (1) of
37 this section. The base of the tax is the selling price in the case of
38 a sales tax or the rental value of the vehicle used in the case of a
39 use tax.

1 (3) Any motor vehicle excise tax previously imposed under the
2 provisions of ((RCW 81.104.160(1))) subsection (1) of this section
3 shall be repealed, terminated, and expire on December 5, 2002, except
4 for a motor vehicle excise tax for which revenues have been
5 contractually pledged to repay a bonded debt issued before December
6 5, 2002, as determined by *Pierce County et al. v. State*, 159 Wn.2d
7 16, 148 P.3d 1002 (2006). In the case of bonds that were previously
8 issued, the motor vehicle excise tax must comply with chapter 82.44
9 RCW as it existed on January 1, 1996.

10 (4) If a regional transit authority imposes the tax authorized
11 under subsection (1) of this section, the authority may not receive
12 any state grant funds provided in an omnibus transportation
13 appropriations act except transit coordination grants created in
14 chapter 11, Laws of 2015 3rd sp. sess. However, for the 2023-2025
15 grant solicitation process, occurring during the 2021-2023 fiscal
16 biennium, a regional transit authority is eligible for regional
17 mobility grants but only for project proposals supporting bus service
18 and operations.

19 **Sec. 706.** RCW 82.44.200 and 2021 c 300 s 5 are each amended to
20 read as follows:

21 The electric vehicle account is created in the transportation
22 infrastructure account. Proceeds from the principal and interest
23 payments made on loans from the account must be deposited into the
24 account. Expenditures from the account may be used only for the
25 purposes specified in RCW 47.04.350, 82.08.9999, and 82.12.9999, and
26 the support of other transportation electrification and alternative
27 fuel related purposes, including RCW 47.01.520. Moneys in the account
28 may be spent only after appropriation. During the 2021-2023 fiscal
29 biennium, the legislature may direct the state treasurer to make
30 transfers of moneys in the electric vehicle account to the move ahead
31 WA flexible account.

(End of part)

1

MISCELLANEOUS

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

6 NEW SECTION. **Sec. 802.** This act is necessary for the immediate
7 preservation of the public peace, health, or safety, or support of
8 the state government and its existing public institutions, and takes
9 effect immediately.

(End of part)

(End of Bill)

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