

1 AN ACT Relating to transportation funding and appropriations;
2 amending RCW 46.68.170, 47.29.170, 46.16.685, 47.01.390, 88.16.090,
3 47.12.244, 70.95.521, and 46.68.060; amending 2006 c 53 s 2
4 (uncodified); amending 2006 c 370 ss 205, 208, 209, 210, 215, 218, 224,
5 226, 227, 228, 229, 301, 302, 303, 304, 305, 306, 307, 308, 309, 401,
6 402, 404, 405, and 406 (uncodified); amending 2005 c 313 s 301
7 (uncodified); adding new sections to 2005 c 313 (uncodified); creating
8 new sections; making appropriations and authorizing expenditures for
9 capital improvements; and declaring an emergency.

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

11 **2007-09 BIENNIUM**

12 NEW SECTION. **Sec. 1.** (1) The transportation budget of the state
13 is hereby adopted and, subject to the provisions set forth, the several
14 amounts specified, or as much thereof as may be necessary to accomplish
15 the purposes designated, are hereby appropriated from the several
16 accounts and funds named to the designated state agencies and offices
17 for employee compensation and other expenses, for capital projects, and

1 for other specified purposes, including the payment of any final
2 judgments arising out of such activities, for the period ending June
3 30, 2009.

4 (2) Unless the context clearly requires otherwise, the definitions
5 in this subsection apply throughout this act.

6 (a) "Fiscal year 2008" or "FY 2008" means the fiscal year ending
7 June 30, 2008.

8 (b) "Fiscal year 2009" or "FY 2009" means the fiscal year ending
9 June 30, 2009.

10 (c) "FTE" means full-time equivalent.

11 (d) "Lapse" or "revert" means the amount shall return to an
12 unappropriated status.

13 (e) "Provided solely" means the specified amount may be spent only
14 for the specified purpose. Unless otherwise specifically authorized in
15 this act, any portion of an amount provided solely for a specified
16 purpose which is not expended subject to the specified conditions and
17 limitations to fulfill the specified purpose shall lapse.

18 (f) "Reappropriation" means appropriation and, unless the context
19 clearly provides otherwise, is subject to the relevant conditions and
20 limitations applicable to appropriations.

21 (g) "LEAP" means the legislative evaluation and accountability
22 program committee.

23 **GENERAL GOVERNMENT AGENCIES--OPERATING**

24 NEW SECTION. **Sec. 101. FOR THE UTILITIES AND TRANSPORTATION**
25 **COMMISSION**

26 Grade Crossing Protective Account--State Appropriation . . . \$505,000

27 The appropriation in this section is subject to the following
28 conditions and limitations: Per current law, funds will be transferred
29 from the public service revolving fund's miscellaneous fees and
30 penalties accounts to the grade crossing protection account--state as
31 needed to implement the commission's railroad safety program.

32 NEW SECTION. **Sec. 102. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

33 Motor Vehicle Account--State Appropriation \$3,054,000

34 Puget Sound Ferry Operations Account--State
35 Appropriation \$100,000

1 TOTAL APPROPRIATION \$3,154,000

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

4 (1) \$2,545,000 of the motor vehicle account--state appropriation is
5 provided solely for the office of regulatory assistance integrated
6 permitting project.

7 (2) \$75,000 of the motor vehicle account state appropriation is to
8 address transportation budget and reporting requirements.

9 NEW SECTION. **Sec. 103. FOR THE MARINE EMPLOYEES COMMISSION**

10 Puget Sound Ferry Operations Account--State
11 Appropriation \$422,000

12 NEW SECTION. **Sec. 104. FOR THE STATE PARKS AND RECREATION**
13 **COMMISSION**

14 Motor Vehicle Account--State Appropriation \$985,000

15 The appropriation in this section is subject to the following
16 conditions and limitations: The entire appropriation in this section
17 is provided solely for road maintenance purposes.

18 NEW SECTION. **Sec. 105. FOR THE DEPARTMENT OF AGRICULTURE**

19 Motor Vehicle Account--State Appropriation \$1,358,000

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

22 (1) \$351,000 of the motor vehicle account--state appropriation is
23 provided solely for costs associated with the motor fuel quality
24 program.

25 (2) \$1,007,000 of the motor vehicle account--state appropriation is
26 provided solely to test the quality of biodiesel fuel. The department
27 must test fuel quality at the biodiesel manufacturer, distributor, and
28 retailer.

29 NEW SECTION. **Sec. 106. FOR THE DEPARTMENT OF ARCHEOLOGY AND**
30 **HISTORIC PRESERVATION**

31 Motor Vehicle Account--State Appropriation \$223,000

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

1 solely for staffing costs to be dedicated to state transportation
2 activities. Staff hired to support transportation activities must have
3 practical experience with complex construction projects.

4 NEW SECTION. **Sec. 107. FOR THE LEGISLATIVE EVALUATION AND**
5 **ACCOUNTABILITY PROGRAM COMMITTEE**

6 Motor Vehicle Account--State Appropriation \$1,596,000

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

9 (1) \$800,000 of the motor vehicle account--state appropriation is
10 provided solely for the continued maintenance and support of the
11 transportation executive information system (TEIS).

12 (2) \$795,000 of the motor vehicle account--state appropriation is
13 provided solely for development of a new transportation capital
14 budgeting system and transition of a copy of the transportation
15 executive information system (TEIS) to LEAP.

16 **TRANSPORTATION AGENCIES--OPERATING**

17 NEW SECTION. **Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY**
18 **COMMISSION**

19 Highway Safety Account--State Appropriation \$2,613,000

20 Highway Safety Account--Federal Appropriation \$15,884,000

21 School Zone Safety Account--State Appropriation \$3,300,000

22 TOTAL APPROPRIATION \$21,797,000

23 NEW SECTION. **Sec. 202. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

24 Rural Arterial Trust Account--State Appropriation \$907,000

25 Motor Vehicle Account--State Appropriation \$2,077,000

26 County Arterial Preservation Account--State
27 Appropriation \$921,000

28 TOTAL APPROPRIATION \$3,905,000

29 NEW SECTION. **Sec. 203. FOR THE TRANSPORTATION IMPROVEMENT BOARD**

30 Urban Arterial Trust Account--State Appropriation \$1,796,000

31 Transportation Improvement Account--State
32 Appropriation \$1,798,000

33 TOTAL APPROPRIATION \$3,594,000

1 NEW SECTION. **Sec. 204. FOR THE BOARD OF PILOTAGE COMMISSIONERS**

2 Pilotage Account--State Appropriation \$1,157,000

3 NEW SECTION. **Sec. 205. FOR THE JOINT TRANSPORTATION COMMITTEE**

4 Motor Vehicle Account--State Appropriation \$2,853,000

5 Multimodal Transportation Account--State Appropriation . . \$1,650,000

6 TOTAL APPROPRIATION \$4,503,000

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

9 (1) \$600,000 of the motor vehicle account--state appropriation is
10 provided solely to establish a workgroup to implement Engrossed
11 Substitute Senate Bill No. 6127 or Engrossed Substitute House Bill No.
12 2358 (regarding state ferries) and look at other matters relating to
13 Washington state ferries. The cochairs of the committee shall
14 establish the workgroup comprising committee members, or their
15 designees; an appointee by the governor; and other stakeholders as
16 appointed by the cochairs; to assist in the committee's work. The
17 workgroup shall report the progress of its tasks to the transportation
18 committees of the legislature by December 15, 2007. The workgroup is
19 tasked with the following:

20 (a) Implementing the recommendations of Engrossed Substitute Senate
21 Bill No. 6127 or Engrossed Substitute House Bill No. 2358 (regarding
22 state ferries). As directed by Engrossed Substitute Senate Bill No.
23 6127 or Engrossed Substitute House Bill No. 2358, the committee
24 workgroup shall participate in and provide a review of the following:

25 (i) The Washington transportation commission's development and
26 interpretation of a market survey of ferry customers;

27 (ii) The department of transportation's analysis and
28 reestablishment of vehicle level of service standards. In
29 reestablishing the standards, consideration must be given to whether
30 boat wait is the appropriate measure;

31 (iii) The department's development of operational strategies;

32 (iv) The department's development of pricing strategies. In
33 developing these strategies, the policy, in effect on some routes, of
34 collecting fares in only one direction must be evaluated to determine
35 whether one-way fare pricing best serves the ferry system;

36 (v) The department's development of terminal design standards; and

37 (vi) The department's development of a long-range capital plan;

1 (b) Reviewing the following Washington state ferry programs:

2 (i) Ridership demand forecast;

3 (ii) Updated life cycle cost model, as directed by Engrossed
4 Substitute Senate Bill No. 6127 or Engrossed Substitute House Bill No.
5 2358; and

6 (iii) Administrative operating costs; nonlabor and nonfuel
7 operating costs; Eagle Harbor maintenance facility program and
8 maintenance costs; administrative and systemwide capital costs; and
9 vessel preservation costs; and

10 (c) Making recommendations regarding:

11 (i) The most efficient timing and sizing of future vessel
12 acquisitions beyond those currently authorized by the legislature.
13 Vessel acquisition recommendations must be based on the ridership
14 projections, level of service standards, and operational and pricing
15 strategies reviewed by the committee and must include the impact of
16 those recommendations on the timing and size of terminal capital
17 investments and the state ferries' long range operating and capital
18 finance plans; and

19 (ii) Capital financing strategies for consideration in the 2009
20 legislative session. This work must include confirming the
21 department's estimate of future capital requirements based on a long
22 range capital plan and must include the department's project of
23 developing a plan for codevelopment and public private partnership
24 opportunities at public ferry terminals.

25 (2) \$50,000 of the motor vehicle account--state appropriation is
26 provided solely to contract with the joint legislative audit and review
27 committee to:

28 (a) Review the Washington state ferries' proposed capital cost
29 allocation plan methodology, as described in Engrossed Substitute
30 Senate Bill No. 6127 or Engrossed Substitute House Bill No. 2358, and
31 report regarding its review to the legislature not later than January,
32 2008.

33 (b) Review the Washington state ferries' assignment of preservation
34 costs as required by Engrossed Substitute Senate Bill No. 6127 or
35 Engrossed Substitute House Bill No. 2358, for fiscal year 2008, to
36 determine whether costs are capital costs and whether they meet the
37 statutory requirements for preservation activities, and report its
38 findings to the legislature not later than December 15, 2009.

1 (c) Review the Washington state ferries' implementation of the life
2 cycle cost model, as required by Engrossed Substitute Senate Bill No.
3 6127 or Engrossed Substitute House Bill No. 2358, and report to the
4 legislature not later than June 30, 2009, on whether the model:

5 (i) Complies with available industry standards or
6 department-adopted standards when industry standards are not available;

7 (ii) Is maintained and updated when asset inspections are made;

8 (iii) Excludes utilities and other systems that are not replaced on
9 a standard life cycle; and

10 (iv) Provides that all assets in the life-cycle cost model are
11 inspected and updated for asset condition at least every three years.

12 (3) \$250,000 of the motor vehicle account--state appropriation and
13 \$250,000 of the multimodal transportation account--state appropriation
14 are provided solely for the administration of a consultant study to
15 evaluate the imposition of a fee on the processing of shipping
16 containers, port-related user fees, and other funding mechanisms to
17 improve freight corridors for deposit in the freight congestion relief
18 account created under chapter 46.68 RCW. The findings and
19 recommendations of the report must be submitted to the transportation
20 committees of the legislature by December 1, 2007. Although the scope
21 of work for the study may be expanded to include analysis of other
22 issues relevant to the imposition of container port-related user fees,
23 at a minimum the study must:

24 (a) Assess the imposition of a shipping container based fee,
25 port-related user fees, and other funding mechanisms on the demand
26 elasticity of the movement of freight goods through Washington's
27 container ports at various rates as well as forecast diversion of
28 marine cargo at various price points;

29 (b) Measure the return on investment in freight rail and
30 highway-based infrastructure supported by the user fee and its impact
31 on forecast growth in shipping container traffic and the movement of
32 freight goods;

33 (c) Recommend the structure of a future project recommendation body
34 including its membership, process, and selection criteria; and

35 (d) Examine existing data on the health and environmental cost
36 impacts of maritime shipping and the movement of freight goods on air
37 quality near Washington's container ports.

1 (4) \$300,000 of the multimodal transportation account--state
2 appropriation is provided solely to implement Substitute House Bill No.
3 1694 (coordinated transportation). If Substitute House Bill No. 1694
4 is not enacted by June 30, 2007, the amount provided in this subsection
5 shall lapse.

6 (5) \$100,000 of the multimodal transportation account--state
7 appropriation is provided solely for a study of the consolidation of
8 those transportation related functions, currently delegated to the
9 utilities and transportation commission, within other state agencies,
10 which the committee shall report to the legislature by December 15,
11 2007.

12 **NEW SECTION. Sec. 206. FOR THE TRANSPORTATION COMMISSION**

13 Motor Vehicle Account--State Appropriation \$2,177,000
14 Multimodal Transportation Account--State Appropriation . . . \$112,000
15 TOTAL APPROPRIATION \$2,289,000

16 The appropriations in this section are subject to the following
17 conditions and limitations: \$350,000 of the motor vehicle account--
18 state appropriation is provided solely for the commission to conduct a
19 market survey of ferry customers as described in Engrossed Substitute
20 Senate Bill No. 6127 or Engrossed Substitute House Bill No. 2358.
21 Development and interpretation of the survey must be done with
22 participation of the joint transportation committee workgroup
23 established in section 205(1) of this act.

24 **NEW SECTION. Sec. 207. FOR THE FREIGHT MOBILITY STRATEGIC**
25 **INVESTMENT BOARD**

26 Motor Vehicle Account--State Appropriation \$697,000

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

29 (1) The freight mobility strategic investment board shall, on a
30 quarterly basis, provide status reports to the office of financial
31 management and the transportation committees of the legislature on the
32 delivery of projects funded by this act.

33 (2) The freight mobility strategic investment board and the
34 department of transportation shall develop a list of freight highway
35 and rail projects funded by the board and the department. The board
36 and the department shall collaborate to submit a report to the office

1 of financial management and the transportation committees of the
2 legislature by September 1, 2007, describing how the freight projects
3 address state freight priorities. The criteria used for selecting
4 among competing projects shall be clearly identified.

5 NEW SECTION. **Sec. 208. FOR THE WASHINGTON STATE PATROL--FIELD**
6 **OPERATIONS BUREAU**

7 State Patrol Highway Account--State
8 Appropriation \$224,659,000
9 State Patrol Highway Account--Federal
10 Appropriation \$10,602,000
11 State Patrol Highway Account--Private/Local
12 Appropriation \$410,000
13 TOTAL APPROPRIATION \$235,671,000

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

16 (1) Washington state patrol officers engaged in off-duty uniformed
17 employment providing traffic control services to the department of
18 transportation or other state agencies may use state patrol vehicles
19 for the purpose of that employment, subject to guidelines adopted by
20 the chief of the Washington state patrol. The Washington state patrol
21 shall be reimbursed for the use of the vehicle at the prevailing state
22 employee rate for mileage and hours of usage, subject to guidelines
23 developed by the chief of the Washington state patrol.

24 (2) In addition to the user fees, the patrol shall transfer into
25 the state patrol nonappropriated airplane revolving account under RCW
26 43.79.470 no more than the amount of appropriated state patrol highway
27 account and general fund funding necessary to cover the costs for the
28 patrol's use of the aircraft. The state patrol highway account and
29 general fund--state funds shall be transferred proportionately in
30 accordance with a cost allocation that differentiates between highway
31 traffic enforcement services and general policing purposes.

32 (3) The patrol shall not account for or record locally provided DUI
33 cost reimbursement payments as expenditure credits to the state patrol
34 highway account. The patrol shall report the amount of expected
35 locally provided DUI cost reimbursements to the governor and
36 transportation committees of the senate and house of representatives by
37 September 30th of each year.

1 (4) \$1,662,000 of the state patrol highway account--state
2 appropriation is provided solely for the implementation of Substitute
3 House Bill No. 1304 (commercial vehicle enforcement). If Substitute
4 House Bill No. 1304 is not enacted by June 30, 2007, the amount
5 provided in this subsection shall lapse.

6 (5) During the fiscal year 2008, the Washington state patrol shall
7 continue to perform traffic accident investigations on Thurston, Mason,
8 and Lewis county roads, and shall work with the counties to transition
9 the traffic accident investigations on county roads to the counties by
10 July 1, 2008.

11 (6) \$558,000 of the state patrol highway account--state
12 appropriation is provided solely for one-time bonuses of \$5,000 for
13 troopers who completed trooper basic training after July 1, 2003, and
14 who have served a continuous commission of four years within the
15 districts to which they are assigned by the Washington state patrol
16 without accepting a transfer, other than a transfer granted for
17 promotion or hardship. This one-time bonus is: Not subject to
18 collective bargaining; available only at the discretion of the chief,
19 who shall consider the trooper's record of service when deciding
20 whether to award the bonus; and is not to be included as compensation
21 for any retirement, pension, or disability purpose.

22 (7) \$100,000 of the state patrol highway account--state
23 appropriation is provided solely for the implementation of Substitute
24 House Bill No. 1417 (health benefits for surviving dependents). If
25 Substitute House Bill No. 1417 is not enacted by June 30, 2007, the
26 amount provided in this subsection shall lapse.

27 NEW SECTION. **Sec. 209. FOR THE WASHINGTON STATE PATROL--**
28 **INVESTIGATIVE SERVICES BUREAU**
29 State Patrol Highway Account--State Appropriation \$1,597,000

30 NEW SECTION. **Sec. 210. FOR THE WASHINGTON STATE PATROL--**
31 **TECHNICAL SERVICES BUREAU**
32 State Patrol Highway Account--State Appropriation \$103,922,000
33 State Patrol Highway Account--Private/Local
34 Appropriation \$2,008,000
35 TOTAL APPROPRIATION \$105,930,000

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

3 (1) The Washington state patrol shall work with the risk management
4 division in the office of financial management in compiling the
5 Washington state patrol's data for establishing the agency's risk
6 management insurance premiums to the tort claims account. The office
7 of financial management and the Washington state patrol shall submit a
8 report to the legislative transportation committees by December 31st of
9 each year on the number of claims, estimated claims to be paid, method
10 of calculation, and the adjustment in the premium.

11 (2) \$12,641,000 of the total appropriation is provided solely for
12 automobile fuel in the 2007-2009 biennium.

13 (3) \$8,678,000 of the total appropriation is provided solely for
14 the purchase of pursuit vehicles.

15 (4) \$5,254,000 of the total appropriation is provided solely for
16 vehicle repair and maintenance costs of vehicles used for highway
17 purposes.

18 (5) \$384,000 of the total appropriation is provided solely for the
19 purchase of mission vehicles used for highway purposes in the
20 commercial vehicle and traffic investigation sections of the Washington
21 state patrol.

22 (6) The Washington state patrol may submit information technology
23 related requests for funding only if the department has coordinated
24 with the department of information services as required by section 602
25 of this act.

26 **NEW SECTION. Sec. 211. FOR THE WASHINGTON STATE PATROL--CRIMINAL**
27 **HISTORY AND BACKGROUND CHECKS.** In accordance with RCW 10.97.100 and
28 chapter 43.43 RCW, the Washington state patrol is authorized to perform
29 criminal history and background checks for state and local agencies and
30 nonprofit and other private entities and disseminate the records
31 resulting from these activities. The Washington state patrol is
32 required to charge a fee for these activities, for which it is the
33 policy of the state of Washington that the fees cover the direct and
34 indirect costs of performing the criminal history and background checks
35 and disseminating the information. For each type of criminal history
36 and background check and dissemination of these records, the Washington
37 state patrol shall, as nearly as practicable, set fees at levels

1 sufficient to cover the direct and indirect costs. Pursuant to RCW
2 43.135.055, during the 2007-2009 fiscal biennium, the Washington state
3 patrol may increase fees in excess of the fiscal growth factor if the
4 increases are necessary to fully fund the cost of supervision and
5 regulation.

6 NEW SECTION. **Sec. 212. FOR THE DEPARTMENT OF LICENSING--**
7 **MANAGEMENT AND SUPPORT SERVICES**

| | | |
|----|---|--------------|
| 8 | Marine Fuel Tax Refund Account--State Appropriation | \$4,000 |
| 9 | Motorcycle Safety Education Account--State | |
| 10 | Appropriation | \$156,000 |
| 11 | Wildlife Account--State Appropriation | \$100,000 |
| 12 | Highway Safety Account--State Appropriation | \$14,625,000 |
| 13 | Motor Vehicle Account--State Appropriation | \$9,019,000 |
| 14 | Motor Vehicle Account--Federal Appropriation | \$15,000 |
| 15 | Department of Licensing Services Account--State | |
| 16 | Appropriation | \$126,000 |
| 17 | TOTAL APPROPRIATION | \$24,045,000 |

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

20 (1) \$182,000 of the highway safety account--state appropriation is
21 provided solely for the implementation of Substitute House Bill No.
22 1267 (modifying commercial driver's license requirements). If
23 Substitute House Bill No. 1267 is not enacted by June 30, 2007, the
24 amount provided in this subsection shall lapse. The department shall
25 informally report to the legislature by December 1, 2008, with
26 measurable data indicating the department's progress in meeting its
27 goal of improving public safety by improving the quality of the
28 commercial driver's license testing process.

29 (2) \$45,000 of the motorcycle safety education account--state
30 appropriation is provided solely for the implementation of Senate Bill
31 No. 5273 (modifying motorcycle driver's license endorsement and
32 education provisions). If Senate Bill No. 5273 is not enacted by June
33 30, 2007, the amount provided in this subsection shall lapse.

34 (3) \$434,000 of the highway safety account--state appropriation is
35 provided solely for costs associated with the systems development and
36 issuance of enhanced drivers' licenses and identicards to facilitate
37 crossing the Canadian border. If Substitute House Bill No. 1289

1 (relating to the issuance of enhanced drivers' licenses and
 2 identicards) is not enacted by June 30, 2007, the amount provided in
 3 this subsection shall lapse. The department may expend funds only
 4 after acceptance of the enhanced Washington state driver's license for
 5 border crossing purposes by the Canadian and United States governments.
 6 The department may expend funds only after prior written approval of
 7 the director of financial management.

8 (4) \$91,000 of the motor vehicle account--state appropriation and
 9 \$152,000 of the highway safety account--state appropriation are
 10 provided solely for contracting with the office of the attorney general
 11 to investigate criminal activity uncovered in the course of the
 12 agency's licensing and regulatory activities. Funding is provided for
 13 the 2008 fiscal year. The department may request funding for the 2009
 14 fiscal year if the request is submitted with measurable data indicating
 15 the department's progress in meeting its goal of increased prosecution
 16 of illegal activity.

17 NEW SECTION. **Sec. 213. FOR THE DEPARTMENT OF LICENSING--**
 18 **INFORMATION SERVICES**

| | | |
|----|---|--------------|
| 19 | Marine Fuel Tax Refund Account--State Appropriation | \$2,000 |
| 20 | State Patrol Highway Account--State Appropriation | \$1,126,000 |
| 21 | Motorcycle Safety Education Account--State | |
| 22 | Appropriation | \$72,000 |
| 23 | Wildlife Account--State Appropriation | \$47,000 |
| 24 | Highway Safety Account--State Appropriation | \$27,583,000 |
| 25 | Motor Vehicle Account--State Appropriation | \$13,068,000 |
| 26 | Motor Vehicle Account--Private/Local Appropriation | \$500,000 |
| 27 | Department of Licensing Services Account--State | |
| 28 | Appropriation | \$2,510,000 |
| 29 | TOTAL APPROPRIATION | \$44,908,000 |

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

32 (1) \$153,000 of the highway safety account--state appropriation is
 33 provided solely for the implementation of Substitute House Bill No.
 34 1267 (modifying commercial driver's license requirements). If
 35 Substitute House Bill No. 1267 is not enacted by June 30, 2007, the
 36 amount provided in this subsection shall lapse. The department shall
 37 informally report to the legislature by December 1, 2008, with

1 measurable data indicating the department's progress in meeting its
2 goal of improving public safety by improving the quality of the
3 commercial driver's license testing process.

4 (2) \$34,000 of the motorcycle safety education account--state
5 appropriation is provided solely for the implementation of Senate Bill
6 No. 5273 (modifying motorcycle driver's license endorsement and
7 education provisions). If Senate Bill No. 5273 is not enacted by June
8 30, 2007, the amount provided in this subsection shall lapse.

9 (3) \$6,014,000 of the highway safety account--state appropriation
10 is provided solely for costs associated with the systems development
11 and issuance of enhanced drivers' licenses and identicards to
12 facilitate crossing the Canadian border. If Substitute House Bill No.
13 1289 (relating to the issuance of enhanced drivers' licenses and
14 identicards) is not enacted by June 30, 2007, the amount provided in
15 this subsection shall lapse. The department may expend funds only
16 after acceptance of the enhanced Washington state driver's license for
17 border crossing purposes by the Canadian and United States governments.
18 The department may expend funds only after prior written approval of
19 the director of financial management.

20 (4) \$350,000 of the highway safety account--state appropriation is
21 provided solely for the costs associated with the systems development
22 of the interface that will allow insurance carriers and their agents
23 real time, online access to drivers' records. If Substitute Senate
24 Bill No. 5937 is not enacted by June 30, 2007, the amount provided in
25 this subsection shall lapse.

26 (5) \$1,126,000 of the state patrol highway account--state
27 appropriation is provided solely for the implementation of Substitute
28 House Bill No. 1304 (modifying commercial motor vehicle carrier
29 provisions). If Substitute House Bill No. 1304 is not enacted by June
30 30, 2007, the amount provided in this subsection shall lapse.

31 (6) The department may submit information technology related
32 requests for funding only if the department has coordinated with the
33 department of information services as required by section 602 of this
34 act.

35 NEW SECTION. **Sec. 214. FOR THE DEPARTMENT OF LICENSING--VEHICLE**
36 **SERVICES**

37 Marine Fuel Tax Refund Account--State Appropriation \$26,000

| | | |
|---|--|--------------|
| 1 | State Patrol Highway Account--State Appropriation | \$19,000 |
| 2 | Wildlife Account--State Appropriation | \$694,000 |
| 3 | Highway Safety Account--State Appropriation | \$460,000 |
| 4 | Motor Vehicle Account--State Appropriation | \$57,106,000 |
| 5 | Motor Vehicle Account--Federal Appropriation | \$102,000 |
| 6 | Motor Vehicle Account--Private/Local Appropriation | \$872,000 |
| 7 | Department of Licensing Services Account--State | |
| 8 | Appropriation | \$902,000 |
| 9 | TOTAL APPROPRIATION | \$60,181,000 |

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

12 (1) \$19,000 of the state patrol highway account--state
13 appropriation is provided solely for the implementation of Substitute
14 House Bill No. 1304 (modifying commercial motor vehicle carrier
15 provisions). If Substitute House Bill No. 1304 is not enacted by June
16 30, 2007, the amount provided in this subsection shall lapse.

17 (2) The department shall, working with the legislature, develop a
18 proposal to streamline title and registration statutes to specifically
19 address apparent conflicts, fee distribution, and other recommendations
20 by the department that are revenue neutral and which do not change
21 legislative policy. The department shall report the results of this
22 review to the transportation committees of the legislature by December
23 1, 2007.

24 NEW SECTION. **Sec. 215. FOR THE DEPARTMENT OF LICENSING--DRIVER**
25 **SERVICES**

| | | |
|----|---|---------------|
| 26 | Motorcycle Safety Education Account--State | |
| 27 | Appropriation | \$3,675,000 |
| 28 | Highway Safety Account--State Appropriation | \$99,198,000 |
| 29 | Highway Safety Account--Federal Appropriation | \$233,000 |
| 30 | TOTAL APPROPRIATION | \$103,106,000 |

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

33 (1) \$2,606,000 of the motor vehicle account--state appropriation is
34 provided solely for the implementation of Substitute House Bill No.
35 1267 (modifying commercial driver's license requirements). If
36 Substitute House Bill No. 1267 is not enacted by June 30, 2007, the
37 amount provided in this subsection shall lapse. The department shall

1 informally report to the legislature by December 1, 2008, with
2 measurable data indicating the department's progress in meeting its
3 goal of improving public safety by improving the quality of the
4 commercial driver's license testing process.

5 (2) \$637,000 of the motorcycle safety education account--state
6 appropriation is provided solely for implementing Senate Bill No. 5273
7 (modifying motorcycle driver's license endorsement and education
8 provisions). If Senate Bill No. 5273 is not enacted by June 30, 2007,
9 the amount provided in this subsection shall lapse.

10 (3) \$2,424,000 of the motor vehicle account--state appropriation is
11 provided solely for costs associated with the systems development and
12 issuance of enhanced drivers' licenses and identicards to facilitate
13 crossing the Canadian border. If Substitute House Bill No. 1289
14 (relating to the issuance of enhanced drivers' licenses and
15 identicards) is not enacted by June 30, 2007, the amount provided in
16 this subsection shall lapse. The department may expend funds only
17 after acceptance of the enhanced Washington state driver's license for
18 border crossing purposes by the Canadian and United States governments.
19 The department may expend funds only after prior written approval of
20 the director of financial management.

21 NEW SECTION. **Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION--**
22 **TOLL OPERATIONS AND MAINTENANCE--PROGRAM B**

23 High-Occupancy Toll Lanes Account--State
24 Appropriation \$2,596,000
25 Motor Vehicle Account--State Appropriation \$600,000
26 Tacoma Narrows Toll Bridge Account--State
27 Appropriation \$29,004,000
28 TOTAL APPROPRIATION \$32,200,000

29 NEW SECTION. **Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION--**
30 **INFORMATION TECHNOLOGY--PROGRAM C**

31 Transportation Partnership Account--State
32 Appropriation \$4,556,000
33 Motor Vehicle Account--State Appropriation \$66,002,000
34 Motor Vehicle Account--Federal Appropriation \$1,096,000
35 Puget Sound Ferry Operations Account--State
36 Appropriation \$9,188,000

| | | |
|---|---|--------------|
| 1 | Multimodal Transportation Account--State | |
| 2 | Appropriation | \$363,000 |
| 3 | Transportation 2003 Account (Nickel Account)--State | |
| 4 | Appropriation | \$4,000,000 |
| 5 | TOTAL APPROPRIATION | \$85,205,000 |

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

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

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

23 (3) \$2,300,000 of the motor vehicle account--state appropriation is
24 provided solely for preliminary work needed to transition the
25 department to the state government network. In collaboration with the
26 department of information services the department shall complete an
27 inventory of the current network infrastructure, and develop an
28 implementation plan for transition to the state government network.

29 (4) \$1,000,000 of the motor vehicle account--state appropriation,
30 \$4,566,000 of the transportation partnership account--state
31 appropriation, and \$4,000,000 of the transportation 2003 account
32 (nickel account)--state appropriation are provided solely for the
33 department to develop a project management and reporting system which
34 is a collection of integrated tools for capital construction project
35 managers to use to perform all the necessary tasks associated with
36 project management. The department shall integrate commercial off-the-
37 shelf software with existing department systems and enhanced approaches
38 to data management to provide web-based access for multi-level

1 reporting and improved business workflows and reporting. Beginning
 2 September 1, 2007, and on a quarterly basis thereafter, the department
 3 shall report to the office of financial management and the
 4 transportation committees of the legislature on the status of the
 5 development and integration of the system. The first report shall
 6 include a detailed work plan for the development and integration of the
 7 system including timelines and budget milestones. At a minimum the
 8 ensuing reports shall indicate the status of the work as it compares to
 9 the work plan, any discrepancies, and proposed adjustments necessary to
 10 bring the project back on schedule or budget if necessary.

11 (5) The department may submit information technology related
 12 requests for funding only if the department has coordinated with the
 13 department of information services as required by section 602 of this
 14 act.

15 NEW SECTION. **Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION--**
 16 **FACILITY MAINTENANCE, OPERATIONS AND CONSTRUCTION--PROGRAM D--OPERATING**
 17 Motor Vehicle Account--State Appropriation \$34,553,000

18 NEW SECTION. **Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION--**
 19 **AVIATION--PROGRAM F**
 20 Aeronautics Account--State Appropriation \$6,890,000
 21 Aeronautics Account--Federal Appropriation \$2,150,000
 22 Multimodal Transportation Account--State Appropriation . . . \$631,000
 23 TOTAL APPROPRIATION \$9,671,000

24 The appropriations in this section are subject to the following
 25 conditions and limitations: The entire multimodal transportation
 26 account--state appropriation is provided solely for the aviation
 27 planning council as provided for in RCW 47.68.410.

28 NEW SECTION. **Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION--**
 29 **PROGRAM DELIVERY MANAGEMENT AND SUPPORT--PROGRAM H**
 30 Transportation Partnership Account--State
 31 Appropriation \$2,921,000
 32 Motor Vehicle Account--State Appropriation \$50,486,000
 33 Motor Vehicle Account--Federal Appropriation \$500,000
 34 Multimodal Transportation Account--State
 35 Appropriation \$250,000

1 Transportation 2003 Account (Nickel Account)--State
 2 Appropriation \$2,921,000
 3 TOTAL APPROPRIATION \$57,078,000

4 The appropriations in this section are subject to the following
 5 conditions and limitations: \$2,921,000 of the transportation
 6 partnership account--state appropriation and \$2,921,000 of the
 7 transportation 2003 account (nickel account)--state appropriation are
 8 provided solely for consultant contracts to assist the department in
 9 the delivery of the capital construction program.

10 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION--**
 11 **ECONOMIC PARTNERSHIPS--PROGRAM K**

12 Motor Vehicle Account--State Appropriation \$954,000
 13 Multimodal Transportation Account--State Appropriation . . . \$300,000
 14 TOTAL APPROPRIATION \$1,254,000

15 The appropriation in this section is subject to the following
 16 conditions and limitations: \$300,000 of the multimodal account--state
 17 appropriation is provided solely for the department to hire a
 18 consultant to develop a plan for codevelopment and public-private
 19 partnership opportunities at public ferry terminals.

20 NEW SECTION. **Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION--**
 21 **HIGHWAY MAINTENANCE--PROGRAM M**

22 Motor Vehicle Account--State Appropriation \$321,684,000
 23 Motor Vehicle Account--Federal Appropriation \$2,000,000
 24 Motor Vehicle Account--Private/Local Appropriation \$5,797,000
 25 TOTAL APPROPRIATION \$329,481,000

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

28 (1) If portions of the appropriations in this section are required
 29 to fund maintenance work resulting from major disasters not covered by
 30 federal emergency funds such as fire, flooding, and major slides,
 31 supplemental appropriations must be requested to restore state funding
 32 for ongoing maintenance activities.

33 (2) The department shall request an unanticipated receipt for any
 34 federal moneys received for emergency snow and ice removal and shall

1 place an equal amount of the motor vehicle account--state into
2 unallotted status. This exchange shall not affect the amount of
3 funding available for snow and ice removal.

4 (3) The department shall request an unanticipated receipt for any
5 private or local funds received for reimbursements of third party
6 damages that are in excess of the motor vehicle account--private/local
7 appropriation.

8 (4) \$1,500,000 of the motor vehicle account--federal appropriation
9 is provided for unanticipated federal funds that may be received during
10 the 2007-09 biennium. Upon receipt of the funds, the department shall
11 provide a report on the use of the funds to the transportation
12 committees of the legislature and the office of financial management.

13 (5) Funding is provided for maintenance on the state system to
14 deliver service level targets as listed in LEAP Transportation Document
15 2007-C, as developed March 27, 2007. In delivering the program and
16 aiming for these targets, the department should concentrate on the
17 following areas:

18 (a) Eliminating the number of activities delivered in the "f" level
19 of service at the region level; and

20 (b) Evaluating, analyzing, and potentially redistributing resources
21 within and among regions to provide greater consistency in delivering
22 the program statewide and in achieving overall level of service
23 targets.

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

27 (7) \$650,000 of the motor vehicle account--state appropriation is
28 provided solely for increased asphalt costs. If Substitute Senate Bill
29 No. 5080 (waste tire fees) is not enacted by June 30, 2007, the amount
30 provided in this subsection shall lapse.

31 NEW SECTION. **Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION--**
32 **TRAFFIC OPERATIONS--PROGRAM Q--OPERATING**

| | | |
|----|--|--------------|
| 33 | Motor Vehicle Account--State Appropriation | \$52,017,000 |
| 34 | Motor Vehicle Account--Federal Appropriation | \$2,050,000 |
| 35 | Motor Vehicle Account--Private/Local Appropriation | \$127,000 |
| 36 | TOTAL APPROPRIATION | \$54,194,000 |

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

3 (1) \$654,000 of the motor vehicle account--state appropriation is
4 provided solely for the department to time state-owned and operated
5 traffic signals. This funding may also be used to program incident,
6 emergency, or special event signal timing plans.

7 (2) \$346,000 of the motor vehicle account--state appropriation is
8 provided solely for the department to implement a pilot tow truck
9 incentive program. The department may provide incentive payments to
10 towing companies that meet clearance goals on accidents that involve
11 heavy trucks.

12 (3) \$6,800,000 of the motor vehicle account--state appropriation is
13 provided solely for low-cost enhancements. The department shall give
14 priority to low-cost enhancement projects that improve safety or
15 provide congestion relief. The department shall prioritize low-cost
16 enhancement projects on a statewide rather than regional basis. By
17 January 1, 2008, and January 1, 2009, the department shall provide a
18 report to the legislature listing all low-cost enhancement projects
19 prioritized on a statewide rather than regional basis completed in the
20 prior year.

21 (4) The department, in consultation with the Washington state
22 patrol, may conduct a pilot program for the patrol to issue infractions
23 based on information from automated traffic safety cameras in roadway
24 construction zones on state highways when workers are present.

25 (a) In order to ensure adequate time in the 2007-09 biennium to
26 evaluate the effectiveness of the pilot program, any projects
27 authorized by the department must be authorized by December 31, 2007.

28 (b) The department shall use the following guidelines to administer
29 the program:

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

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

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

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

9 (v) For purposes of the 2007-09 biennium pilot project, infractions
10 detected through the use of automated traffic safety cameras are not
11 part of the registered owner's driving record under RCW 46.52.101 and
12 46.52.120. Additionally, infractions generated by the use of automated
13 traffic safety cameras must be processed in the same manner as parking
14 infractions for the purposes of RCW 3.46.120, 3.50.100, 35.20.220,
15 46.16.216, and 46.20.270(3). However, the amount of the fine issued
16 for an infraction generated through the use of an automated traffic
17 safety camera is one hundred thirty-seven dollars. The court shall
18 remit thirty-two dollars of the fine to the state treasurer for deposit
19 into the state patrol highway account;

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

35 (vii) By June 30, 2009, the department shall provide a report to
36 the legislature regarding the use, public acceptance, outcomes, and
37 other relevant issues regarding the pilot project.

1 (1) \$3,900,000 of the motor vehicle account--state appropriation is
2 provided solely for the costs of the regional transportation investment
3 district (RTID) and department of transportation project oversight.
4 The department shall provide support from its urban corridors region to
5 assist in preparing project costs, expenditure plans, and modeling.
6 The department shall not deduct a management reserve, nor charge
7 management or overhead fees. These funds, including those expended
8 since 2003, are provided as a loan to the RTID and shall be repaid to
9 the state within one year following formation of the RTID. \$2,391,000
10 of the amount provided under this subsection shall lapse, effective
11 January 1, 2008, if voters fail to approve formation of the RTID at the
12 2007 general election, as determined by the certification of the
13 election results.

14 (2) \$300,000 of the multimodal transportation account--state
15 appropriation is provided solely for a transportation demand management
16 program, developed by the Whatcom council of governments, to further
17 reduce drive-alone trips and maximize the use of sustainable
18 transportation choices. The community-based program must focus on all
19 trips, not only commute trips, by providing education, assistance, and
20 incentives to four target audiences: (a) Large work sites; (b)
21 employees of businesses in downtown areas; (c) school children; and (d)
22 residents of Bellingham.

23 (3) \$320,000 of the motor vehicle account--state appropriation and
24 \$128,000 of the motor vehicle account--federal appropriation are
25 provided solely for development of a freight database to help guide
26 freight investment decisions and track project effectiveness. The
27 database will be based on truck movement tracked through geographic
28 information system technology. TransNow will contribute an additional
29 \$192,000 in federal funds which are not appropriated in the
30 transportation budget. The department shall work with the freight
31 mobility strategic investment board to implement this project.

32 (4) In consultation with the department of community, trade, and
33 economic development, and by December 1, 2007, the department shall
34 develop minimum standards for local land use policies and regulations
35 that protect the capacity and safety of the state transportation
36 system, and provide an update on the standards to the appropriate
37 committees of the legislature prior to the 2008 regular legislative
38 session. By December 1, 2008, the department shall require

1 confirmation from jurisdictions that plan under the growth management
 2 act, chapter 36.70A RCW, and that receive state transportation funding
 3 under this act, that the jurisdictions have (a) adopted standards for
 4 access permitting on state highways that meet or exceed department
 5 standards in accordance with RCW 47.50.030(3); (b) adopted the minimum
 6 land use standards developed by the department under this subsection;
 7 and (c) adopted a plan for mitigating development impacts on state
 8 transportation facilities that identifies how the impacts of the
 9 proposed development will be evaluated, how the appropriate mitigation
 10 will be determined, and how the mitigation will be enforced. The
 11 objective of this subsection is to encourage local governments, through
 12 the receipt of state transportation funding, to adhere to best
 13 practices in planning, impact mitigation, and access control applicable
 14 to development activity significantly impacting state transportation
 15 facilities. By January 1, 2009, the department shall submit a report
 16 to the appropriate committees of the legislature detailing the progress
 17 of the local jurisdictions in adopting the highway access permitting
 18 standards, land use standards, and mitigation plans required under this
 19 subsection.

20 (5) \$150,000 of the motor vehicle account--federal appropriation is
 21 provided solely for the costs to develop an electronic map-based
 22 computer application that will enable law enforcement officers and
 23 others to more easily locate collisions and other incidents in the
 24 field.

25 NEW SECTION. **Sec. 226. FOR THE DEPARTMENT OF TRANSPORTATION--**
 26 **CHARGES FROM OTHER AGENCIES--PROGRAM U**

| | | |
|----|--|--------------|
| 27 | Motor Vehicle Account--State Appropriation | \$66,342,000 |
| 28 | Motor Vehicle Account--Federal Appropriation | \$400,000 |
| 29 | Multimodal Transportation Account--State | |
| 30 | Appropriation | \$259,000 |
| 31 | TOTAL APPROPRIATION | \$67,001,000 |

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

34 (1) \$36,665,000 of the motor vehicle fund--state appropriation is
 35 provided solely for the liabilities attributable to the department of
 36 transportation. The office of financial management must provide a

1 detailed accounting of the revenues and expenditures of the self-
2 insurance fund to the transportation committees of the legislature on
3 December 31st and June 30th of each year.

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

| | | |
|----|---|--------------|
| 6 | (a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT | |
| 7 | DIVISION OF RISK MANAGEMENT FEES | \$1,520,000 |
| 8 | (b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE | |
| 9 | AUDITOR | \$1,150,000 |
| 10 | (c) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL | |
| 11 | ADMINISTRATION FACILITIES AND SERVICES AND CONSOLIDATED | |
| 12 | MAIL SERVICES | \$4,157,000 |
| 13 | (d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF | |
| 14 | PERSONNEL | \$4,033,000 |
| 15 | (e) FOR PAYMENT OF SELF-INSURANCE LIABILITY | |
| 16 | PREMIUMS AND ADMINISTRATION | \$36,665,000 |
| 17 | (f) FOR PAYMENT OF THE DEPARTMENT OF GENERAL | |
| 18 | ADMINISTRATION CAPITAL PROJECTS SURCHARGE | \$1,838,000 |
| 19 | (g) FOR ARCHIVES AND RECORDS MANAGEMENT | \$647,000 |
| 20 | (h) FOR OFFICE OF MINORITIES AND WOMEN BUSINESS | |
| 21 | ENTERPRISES | \$1,070,000 |
| 22 | (i) FOR USE OF FINANCIAL SYSTEMS PROVIDED BY | |
| 23 | THE OFFICE OF FINANCIAL MANAGEMENT | \$930,000 |
| 24 | (j) FOR POLICY ASSISTANCE FROM THE DEPARTMENT | |
| 25 | OF INFORMATION SERVICES | \$1,138,000 |
| 26 | (k) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY | |
| 27 | GENERAL'S OFFICE | \$8,859,000 |
| 28 | (l) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY | |
| 29 | GENERAL'S OFFICE FOR THE SECOND PHASE OF THE BOLDT | |
| 30 | LITIGATION | \$158,000 |

31 NEW SECTION. **Sec. 227. FOR THE DEPARTMENT OF TRANSPORTATION--**
32 **PUBLIC TRANSPORTATION--PROGRAM V**

| | | |
|----|--|--------------|
| 33 | Regional Mobility Grant Program Account--State | |
| 34 | Appropriation | \$40,000,000 |
| 35 | Multimodal Transportation Account--State | |
| 36 | Appropriation | \$85,205,000 |
| 37 | Multimodal Transportation Account--Federal | |

| | | |
|---|--|---------------|
| 1 | Appropriation | \$2,582,000 |
| 2 | Multimodal Transportation Account--Private/Local | |
| 3 | Appropriation | \$291,000 |
| 4 | TOTAL APPROPRIATION | \$128,078,000 |

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

7 (1) \$25,000,000 of the multimodal transportation account--state
8 appropriation is provided solely for a grant program for special needs
9 transportation provided by transit agencies and nonprofit providers of
10 transportation.

11 (a) \$5,500,000 of the amount provided in this subsection is
12 provided solely for grants to nonprofit providers of special needs
13 transportation. Grants for nonprofit providers shall be based on need,
14 including the availability of other providers of service in the area,
15 efforts to coordinate trips among providers and riders, and the cost
16 effectiveness of trips provided.

17 (b) \$19,500,000 of the amount provided in this subsection is
18 provided solely for grants to transit agencies to transport persons
19 with special transportation needs. To receive a grant, the transit
20 agency must have a maintenance of effort for special needs
21 transportation that is no less than the previous year's maintenance of
22 effort for special needs transportation. Grants for transit agencies
23 shall be prorated based on the amount expended for demand response
24 service and route deviated service in calendar year 2006 as reported in
25 the "Summary of Public Transportation - 2006" published by the
26 department of transportation. No transit agency may receive more than
27 thirty percent of these distributions.

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

30 (a) \$8,500,000 of the multimodal transportation account--state
31 appropriation is provided solely for grants for those transit systems
32 serving small cities and rural areas as identified in the Summary of
33 Public Transportation - 2006 published by the department of
34 transportation. Noncompetitive grants must be distributed to the
35 transit systems serving small cities and rural areas in a manner
36 similar to past disparity equalization programs.

37 (b) \$8,500,000 of the multimodal transportation account--state

1 appropriation is provided solely to providers of rural mobility service
2 in areas not served or underserved by transit agencies through a
3 competitive grant process.

4 (3) \$8,600,000 of the multimodal transportation account--state
5 appropriation is provided solely for a vanpool grant program for: (a)
6 Public transit agencies to add vanpools; and (b) incentives for
7 employers to increase employee vanpool use. The grant program for
8 public transit agencies will cover capital costs only; no operating
9 costs for public transit agencies are eligible for funding under this
10 grant program. No additional employees may be hired from the funds
11 provided in this section for the vanpool grant program, and supplanting
12 of transit funds currently funding vanpools is not allowed. Additional
13 criteria for selecting grants must include leveraging funds other than
14 state funds.

15 (4) \$40,000,000 of the regional mobility grant program account--
16 state appropriation is provided solely for the regional mobility grant
17 projects identified on the LEAP Transportation Document 2007-B as
18 developed March 27, 2007. The department shall review all projects
19 receiving grant awards under this program at least semiannually to
20 determine whether the projects are making satisfactory progress. Any
21 project that has been awarded funds, but does not report activity on
22 the project within one year of the grant award, shall be reviewed by
23 the department to determine whether the grant should be terminated.
24 The department shall promptly close out grants when projects have been
25 completed, and any remaining funds available to the office of transit
26 mobility shall be used only to fund projects on the LEAP Transportation
27 Document 2007-B as developed March 27, 2007. The department shall
28 provide annual status reports on December 15, 2007, and December 15,
29 2008, to the office of financial management and the transportation
30 committees of the legislature regarding the projects receiving the
31 grants.

32 (5) \$17,168,087 of the multimodal transportation account--state
33 appropriation is reappropriated and provided solely for the regional
34 mobility grant projects identified on the LEAP Transportation Document
35 2006-D, regional mobility grant program projects as developed March 8,
36 2006. The department shall continue to review all projects receiving
37 grant awards under this program at least semiannually to determine
38 whether the projects are making satisfactory progress. The department

1 shall promptly close out grants when projects have been completed, and
2 any remaining funds available to the office of transit mobility shall
3 be used only to fund projects on the LEAP Transportation Document
4 2007-B as developed March 27, 2007, or the LEAP Transportation Document
5 2006-D as developed March 8, 2006.

6 (6) \$200,000 of the multimodal transportation account--state
7 appropriation is provided solely for the department to study and then
8 develop pilot programs aimed at addressing commute trip reduction
9 strategies for K-12 students and for college and university students.
10 The department shall submit to the legislature by January 1, 2009, a
11 summary of the program results and recommendations for future student
12 commute trip reduction strategies. The pilot programs are described as
13 follows:

14 (a) The department shall consider approaches, including mobility
15 education, to reducing and removing traffic congestion in front of
16 schools by changing travel behavior for elementary, middle, and high
17 school students and their parents; and

18 (b) The department shall design a program that includes student
19 employment options as part of the pilot program applicable to college
20 and university students.

21 (7) \$2,400,000 of the multimodal account--state appropriation is
22 provided solely for establishing growth and transportation efficiency
23 centers (GTEC). Funds are appropriated for one time only. The
24 department shall provide in its annual report to the legislature an
25 evaluation of the GTEC concept and recommendations on future funding
26 levels.

27 (8) \$381,000 of the multimodal transportation account--state
28 appropriation is provided solely for the implementation of Substitute
29 House Bill No. 1694 (reauthorizing the agency council on coordinated
30 transportation). If Substitute House Bill No. 1694 is not enacted by
31 June 30, 2007, the amount provided in this subsection shall lapse.

32 (9) \$136,000 of the multimodal transportation account--
33 private/local appropriation is provided solely for the implementation
34 of Senate Bill No. 5084 (updating rail transit safety plans). If
35 Senate Bill No. 5084 is not enacted by June 30, 2007, the amount
36 provided in this subsection shall lapse.

37 (10) \$60,000 of the multimodal transportation account--state
38 appropriation is provided solely for low-income car ownership programs.

1 The department shall collaborate with interested regional
2 transportation planning organizations and metropolitan planning
3 organizations to determine the effectiveness of the programs at
4 providing transportation solutions for low-income persons who depend
5 upon cars to travel to their places of employment.

6 (11) \$1,000,000 of the multimodal transportation account--state
7 appropriation is provided solely for additional funding for the trip
8 reduction performance program, including telework enhancement projects.
9 Funds are appropriated for one time only.

10 (12) \$2,000,000 of the multimodal transportation account--state
11 appropriation is provided solely for the tri-county connection service
12 for Island, Skagit, and Whatcom transit agencies.

13 NEW SECTION. **Sec. 228. FOR THE DEPARTMENT OF TRANSPORTATION--**
14 **MARINE--PROGRAM X**

| | | |
|----|---|---------------|
| 15 | Puget Sound Ferry Operations Account--State | |
| 16 | Appropriation | \$410,710,000 |
| 17 | Multimodal Transportation Account--State | |
| 18 | Appropriation | \$1,830,000 |
| 19 | TOTAL APPROPRIATION | \$412,540,000 |

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

22 (1) \$79,525,000 of the total appropriation is for ferry vessel
23 operating fuel in the 2007-2009 biennium.

24 (2) The Washington state ferries must work with the department's
25 information technology division to implement an electronic fare system,
26 including the integration of the regional fare coordination system
27 (smart card). Each December and June, semiannual updates must be
28 provided to the transportation committees of the legislature concerning
29 the status of implementing and completing this project, with updates
30 concluding the first December after full project implementation.

31 (3) The Washington state ferries shall continue to provide service
32 to Sidney, British Columbia.

33 (4) \$1,830,000 of the multimodal transportation account--state
34 appropriation is provided solely to provide passenger-only ferry
35 service. The ferry system shall continue passenger-only ferry service
36 from Vashon Island to Seattle through June 30, 2008. Ferry system
37 management shall continue to implement its agreement with the

1 inlandboatmen's union of the pacific and the international organization
2 of masters, mates and pilots providing for part-time passenger-only
3 work schedules.

4 (5) The department shall file an alternative compliance plan with
5 the department of ecology, as allowed by rule, regarding the transfer
6 of oil on or near state waters.

7 (6) \$1,116,000 of the Puget Sound ferry operations account--state
8 appropriation is provided solely for ferry security operations
9 necessary to comply with the ferry security plan submitted by the
10 Washington state ferry system to the United States coast guard. The
11 department shall track security costs and expenditures. Ferry security
12 operations costs shall not be included as part of the operational costs
13 that are used to calculate farebox recovery.

14 (7) \$378,000 of the Puget Sound ferry operations account--state
15 appropriation is provided solely to meet the United States coast guard
16 requirements for appropriate rest hours between shifts for vessel crews
17 on the Bainbridge to Seattle and Edmonds to Kingston ferry routes.

18 NEW SECTION. **Sec. 229. FOR THE DEPARTMENT OF TRANSPORTATION--**
19 **RAIL--PROGRAM Y--OPERATING**

20 Multimodal Transportation Account--State Appropriation . . \$37,036,000

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

23 (1) The department shall publish a final long-range plan for Amtrak
24 Cascades by September 30, 2007. By December 31, 2008, the department
25 shall submit to the office of financial management and the
26 transportation committees of the legislature a midrange plan for Amtrak
27 Cascades that identifies specific steps the department would propose to
28 achieve additional service beyond current levels.

29 (2)(a) \$29,091,000 of the multimodal transportation account--state
30 appropriation is provided solely for the Amtrak service contract and
31 Talgo maintenance contract associated with providing and maintaining
32 the state-supported passenger rail service. Upon completion of the
33 rail platform project in the city of Stanwood, the department shall
34 provide daily Amtrak Cascades service to the city.

35 (b) The department shall negotiate with Amtrak and Burlington
36 Northern Santa Fe to adjust the Amtrak Cascades schedule to leave
37 Bellingham at a significantly earlier hour.

1 (3) No Amtrak Cascade runs may be eliminated.

2 (4) \$40,000 of the multimodal transportation account--state
3 appropriation is provided solely for the produce railcar program. The
4 department is encouraged to implement the produce railcar program by
5 maximizing private investment.

6 (5) The department shall begin planning for a third roundtrip
7 Cascades train between Seattle and Vancouver, B.C. by 2010, which shall
8 depart southbound from Bellingham no later than 8:30 a.m.

9 NEW SECTION. **Sec. 230. FOR THE DEPARTMENT OF TRANSPORTATION--**
10 **LOCAL PROGRAMS--PROGRAM Z--OPERATING**

| | | |
|----|--|--------------|
| 11 | Motor Vehicle Account--State Appropriation | \$8,641,000 |
| 12 | Motor Vehicle Account--Federal Appropriation | \$2,567,000 |
| 13 | TOTAL APPROPRIATION | \$11,208,000 |

14 **TRANSPORTATION AGENCIES--CAPITAL**

15 NEW SECTION. **Sec. 301. FOR THE WASHINGTON STATE PATROL**

16 State Patrol Highway Account--State Appropriation \$1,550,000

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

19 (1) \$863,000 is provided solely for the following minor works
20 projects: \$473,000 for replacement of twenty-one communication site
21 underground fuel tanks; \$240,000 for communication site building
22 replacements at Lind, Scoggans Mountain, and Lewiston Ridge; and
23 \$150,000 for unforeseen emergency repairs.

24 (2) \$687,000 is provided solely for design and construction of
25 regional waste water treatment systems for the Shelton Academy of the
26 Washington state patrol.

27 NEW SECTION. **Sec. 302. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

| | | |
|----|---|--------------|
| 28 | Rural Arterial Trust Account--State Appropriation | \$64,000,000 |
| 29 | Motor Vehicle Account--State Appropriation | \$2,368,000 |
| 30 | County Arterial Preservation Account--State | |
| 31 | Appropriation | \$33,342,000 |
| 32 | TOTAL APPROPRIATION | \$99,710,000 |

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

1 (1) \$2,069,000 of the motor vehicle account--state appropriation is
2 provided solely for county ferries, as set forth in RCW 47.56.725(4),
3 for the following projects: Pierce county replacement ferry, \$754,000;
4 Whatcom county replacement ferry, \$815,000; and Wahkiakum county ferry
5 ramp reconstruction, \$500,000.

6 (2) \$481,000 of the county arterial preservation account--state
7 appropriation is provided solely for continued development and
8 implementation of a maintenance management system to manage county
9 transportation assets.

10 **NEW SECTION. Sec. 303. FOR THE TRANSPORTATION IMPROVEMENT BOARD**
11 Small City Pavement and Sidewalk Account--State
12 Appropriation \$4,500,000
13 Urban Arterial Trust Account--State Appropriation \$129,600,000
14 Transportation Improvement Account--State
15 Appropriation \$90,643,000
16 TOTAL APPROPRIATION \$224,743,000

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

19 (1) The transportation improvement account--state appropriation
20 includes up to \$7,143,000 in proceeds from the sale of bonds authorized
21 in RCW 47.26.500.

22 (2) The urban arterial trust account--state appropriation includes
23 up to \$15,000,000 in proceeds from the sale of bonds authorized in
24 Substitute Senate Bill No. 5107.

25 **NEW SECTION. Sec. 304. FOR THE DEPARTMENT OF TRANSPORTATION--**
26 **PROGRAM D (DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)--CAPITAL**

27 Motor Vehicle Account--State Appropriation \$6,202,000

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

30 (1) \$584,000 of the motor vehicle account--state appropriation is
31 for statewide administration.

32 (2) \$750,000 of the motor vehicle account--state appropriation is
33 for regional minor projects.

34 (3) \$568,000 of the motor vehicle account--state appropriation is
35 for the Olympic region headquarters property payments.

1 (4) By September 1, 2007, the department shall submit to the
2 transportation committees of the legislature predesign plans, developed
3 using the office of financial management's predesign process, for all
4 facility replacement projects to be proposed in the facilities 2008
5 budget proposal.

6 (5) \$1,600,000 of the motor vehicle account--state appropriation is
7 for site acquisition for the Tri-cities area maintenance facility.

8 (6) \$2,700,000 of the motor vehicle account--state appropriation is
9 for site acquisition for the Vancouver light industrial facility.

10 (7) The department shall work with the office of financial
11 management and staff of the transportation committees of the
12 legislature to develop a statewide inventory of all department-owned
13 surplus property that is suitable for development for department
14 facilities or that should be sold. By December 1, 2008, the department
15 shall report to the joint transportation committee on the findings of
16 this study.

17 NEW SECTION. **Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION--**
18 **IMPROVEMENTS--PROGRAM I**

19 Transportation Partnership Account--State

| | | |
|----|---|-----------------|
| 20 | Appropriation | \$1,073,581,000 |
| 21 | Motor Vehicle Account--State Appropriation | \$78,727,000 |
| 22 | Motor Vehicle Account--Federal Appropriation | \$357,023,000 |
| 23 | Motor Vehicle Account--Private/Local | |
| 24 | Appropriation | \$41,372,000 |
| 25 | Special Category C Account--State Appropriation | \$18,245,000 |
| 26 | Tacoma Narrows Toll Bridge Account--State | |
| 27 | Appropriation | \$142,484,000 |
| 28 | Transportation 2003 Account (Nickel Account)--State | |
| 29 | Appropriation | \$615,302,000 |
| 30 | Freight Congestion Relief Account--State | |
| 31 | Appropriation | \$40,000,000 |
| 32 | TOTAL APPROPRIATION | \$2,366,734,000 |

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

35 (1) The entire transportation 2003 account (nickel account)
36 appropriation and the entire transportation partnership account
37 appropriation are provided solely for the projects and activities as

1 listed by fund, project, and amount in LEAP Transportation Document
2 2007-1, Highway Improvement Program (I) as developed March 27, 2007.
3 However, limited transfers of specific line-item project appropriations
4 may occur between projects for those amounts listed subject to the
5 conditions and limitations in section 603 of this act.

6 (2) The motor vehicle account--state appropriation includes up to
7 \$11,000,000 in proceeds from the sale of bonds authorized by RCW
8 47.10.843.

9 (3) The department shall not commence construction on any part of
10 the state route number 520 bridge replacement and HOV project until a
11 record of decision has been reached providing reasonable assurance that
12 project impacts will be avoided, minimized, or mitigated as much as
13 practicable to protect against further adverse impacts on neighborhood
14 environmental quality as a result of repairs and improvements made to
15 the state route 520 bridge and its connecting roadways, and that any
16 such impacts will be addressed through engineering design choices,
17 mitigation measures, or a combination of both. The requirements of
18 this section shall not apply to off-site pontoon construction
19 supporting the state route number 520 bridge replacement and HOV
20 project.

21 (4) The Tacoma Narrows toll bridge account--state appropriation
22 includes up to \$131,016,000 in proceeds from the sale of bonds
23 authorized by RCW 47.10.843.

24 (5) The department should consider using mitigation banking on
25 appropriate projects whenever possible, without increasing the cost to
26 projects. The department should consider using the advanced
27 environmental mitigation revolving account (AEMRA) for corridor and
28 watershed based mitigation opportunities, in addition to project
29 specific mitigation. However, the department shall not use
30 agricultural lands of long-term commercial significance, as that term
31 is used under chapter 36.70A RCW, for mitigation banking.

32 (6) The department shall apply for surface transportation program
33 (STP) enhancement funds to be expended in lieu of or in addition to
34 state funds for eligible costs of projects in Programs I and P,
35 including, but not limited to, the SR 518, SR 519, SR 520, and Alaskan
36 Way Viaduct projects.

37 (7) \$250,000 of the motor vehicle account--state appropriation is
38 provided solely for an inland pacific hub study to develop an inland

1 corridor for the movement of freight and goods to and through eastern
2 Washington; and \$500,000 of the motor vehicle account--state
3 appropriation is provided solely for the SR3/SR16 corridor study to
4 plan and prioritize state and local improvements needed over the next
5 10-20 years to support safety, capacity development, and economic
6 development within the corridor.

7 (8) The department shall, on a quarterly basis beginning July 1,
8 2007, provide to the office of financial management and the legislature
9 reports providing the status on each project funded in part or whole by
10 the transportation 2003 account (nickel account) or the transportation
11 partnership account. Funding provided at a programmatic level for
12 transportation partnership account and transportation 2003 account
13 (nickel account) projects relating to bridge rail, guard rail, fish
14 passage barrier removal, and roadside safety projects should be
15 reported on a programmatic basis. Projects within this programmatic
16 level funding should be completed on a priority basis and scoped to be
17 completed within the current programmatic budget. Other projects may
18 be reported on a programmatic basis. The department shall work with
19 the office of financial management and the transportation committees of
20 the legislature to agree on report formatting and elements. Elements
21 shall include, but not be limited to, project scope, schedule, and
22 costs. The department shall also provide the information required
23 under this subsection on a quarterly basis via the transportation
24 executive information systems (TEIS).

25 (9) The SR 519/I-90 to SR 99 intermodal access project is
26 anticipated to cost not more than \$74,000,000, with \$19,433,000 from
27 the freight congestion relief account and remaining amounts funded from
28 other state, federal, and local sources.

29 (10) The department shall apply for federal transit administration
30 funds for eligible costs of the SR 520 bridge replacement and HOV
31 project.

32 (11) Funding provided by this act for the Alaskan Way Viaduct
33 project shall not be spent for preliminary engineering, design, right-
34 of-way acquisition, or construction on the project if completion of the
35 project would more likely than not reduce the capacity of the facility.
36 Capacity shall be measured by including the consideration of the
37 efficient movement of people and goods on the facility.

1 (12) The governor shall convene a collaborative process involving
2 key leaders to determine the final project design for the Alaskan Way
3 Viaduct.

4 (a) The process shall be guided by the following common principles:
5 Public safety must be maintained; the final project shall meet both
6 capacity and mobility needs; and taxpayer dollars must be spent
7 responsibly.

8 (b) The state's project expenditures shall not exceed
9 \$2,800,000,000.

10 (c) A final design decision shall be made by December 31, 2008.

11 (13) During the 2007-09 biennium, the department shall proceed with
12 a series of projects on the Alaskan Way Viaduct that are common to any
13 design alternative. Those projects include relocation of two
14 electrical transmission lines, Battery Street tunnel upgrades, seismic
15 upgrades from Lenora to the Battery Street tunnel, viaduct removal from
16 Holgate to King Street, and development of transit enhancements and
17 other improvements to mitigate congestion during construction.

18 NEW SECTION. **Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION--**
19 **IMPROVEMENTS--PROGRAM I SPECIAL APPROPRIATIONS**

20 Transportation Partnership Account--State

| | | |
|----|--|-----------------|
| 21 | Appropriation | \$489,705,000 |
| 22 | Motor Vehicle Account--State Appropriation | \$3,437,000 |
| 23 | Motor Vehicle Account--Federal Appropriation | \$67,203,000 |
| 24 | Motor Vehicle Account--Private/Local Appropriation | \$5,564,000 |
| 25 | Special Category C Account--State Appropriation | \$28,723,000 |
| 26 | Transportation 2003 Account (Nickel Account)--State | |
| 27 | Appropriation | \$902,239,000 |
| 28 | TOTAL APPROPRIATION | \$1,496,871,000 |

29 The entire appropriations in this section are subject to the
30 following conditions and limitations: The total appropriation provided
31 in this section includes funding for the total project costs, and not
32 just for the anticipated expenditures for the 2007-09 biennium, for the
33 projects listed below. If projects listed in this section are
34 completed at a rate faster than anticipated, the appropriation
35 authority provided remains available for the projects to continue
36 without delay. However, the transfer authority provided in section 603
37 of this act shall not apply to the projects listed in this section.

1 (1) \$27,436,000 of the transportation partnership account--state
2 appropriation and \$2,000 of the motor vehicle account--private/local
3 appropriation are provided solely for the I-5/172nd St NE (SR 531)
4 Interchange project (100553N);

5 (2) \$15,464,000 of the transportation partnership account--state
6 appropriation and \$241,535,000 of the transportation 2003 account
7 (nickel account)--state appropriation are provided solely for the
8 I-5/SR 16 Interchange project (300567A);

9 (3) \$81,303,000 of the transportation 2003 account (nickel
10 account)--state appropriation and \$278,000 of the motor vehicle
11 account--federal appropriation are provided solely for the I-5/Grand
12 Mound to Maytown Stage One project (300581A);

13 (4) \$37,406,000 of the transportation 2003 account (nickel
14 account)--state appropriation is provided solely for the I-5/SR 502
15 Interchange project (400599R);

16 (5) \$36,912,000 of the transportation partnership account--state
17 appropriation, \$18,000 of the motor vehicle account--state
18 appropriation, and \$1,081,000 of the motor vehicle account--federal
19 appropriation are provided solely for the SR 9/SR 96 to Marsh Rd
20 project (100914G);

21 (6) \$82,614,000 of the transportation 2003 account (nickel
22 account)--state appropriation, \$172,000 of the motor vehicle account--
23 state appropriation, \$190,000 of the motor vehicle account--
24 private/local appropriation, and \$1,192,000 of the motor vehicle
25 account--federal appropriation are provided solely for the SR
26 20/Fredonia to I-5 project (102039A);

27 (7) \$8,343,000 of the transportation 2003 account (nickel
28 account)--state appropriation, \$1,991,000 of the transportation
29 partnership account--state appropriation, and \$1,656,000 of the motor
30 vehicle account--federal appropriation are provided solely for the
31 I-90/Two Way Transit project (109040T). Expenditure of these funds on
32 construction is contingent upon revising the access plan for Mercer
33 Island traffic such that Mercer Island traffic will have access to the
34 outer roadway high occupancy vehicle (HOV) lanes during the period of
35 operation of such lanes following the removal of Mercer Island traffic
36 from the center roadway and prior to conversion of the outer roadway
37 HOV lanes to high occupancy toll (HOT) lanes. Sound transit may have
38 access to the center lanes only when alternative R8A is complete;

1 (8) \$78,450,000 of the transportation partnership account--state
2 appropriation is provided solely for the SR 167/8th St E Vic to S 277th
3 St project (816701C);

4 (9) \$90,234,000 of the transportation 2003 account (nickel
5 account)--state appropriation, \$28,723,000 of the special category C
6 account--state appropriation, and \$112,000 of the motor vehicle
7 account--private/local appropriation are provided solely for the
8 395/NSC-US 2 to Wandermere and US 2 Lowering project (600003A);

9 (10) \$46,070,000 of the transportation 2003 account (nickel
10 account)--state appropriation, \$52,501,000 of the transportation
11 partnership account--state appropriation, and \$1,118,000 of the motor
12 vehicle account--private/local appropriation are provided solely for
13 the I-405/SR 181 to SR 167 project (840502B);

14 (11) \$105,839,000 of the transportation partnership account--state
15 appropriation and \$796,000 of the motor vehicle account--federal
16 appropriation are provided solely for the I-405/SR 515 project
17 (840505A);

18 (12) \$143,757,000 of the transportation 2003 account (nickel
19 account)--state appropriation and \$1,171,000 of the motor vehicle
20 account--private/local appropriation are provided solely for the
21 I-405/I-90 to SE 8th St project (840541F). No funds may be expended
22 from this project for the purpose of funding improvements,
23 construction, or the movement of a rail bridge across the cedar river;

24 (13) \$22,917,000 of the transportation partnership account--state
25 appropriation and \$5,479,000 of the motor vehicle account--federal
26 appropriation are provided solely for the I-405/NE 10th St project
27 (840552A);

28 (14) \$90,956,000 of the transportation 2003 account (nickel
29 account)--state appropriation and \$72,000 of the motor vehicle
30 account--private/local appropriation are provided solely for the SR
31 520/W Lake Sammamish Parkway to SR 202, Stage 3 project (152040A);

32 (15) \$3,134,000 of the motor vehicle account--state appropriation,
33 \$38,350,000 of the motor vehicle account--federal appropriation, and
34 \$2,899,000 of the motor vehicle account--private/local appropriation
35 are provided solely for the SR 539/Horton Road to Tenmile Road project
36 (153902B);

37 (16) \$80,020,000 of the transportation 2003 account (nickel

1 account)--state appropriation is provided solely for the SR 539/Tenmile
2 Road to SR 546 project (153910A); and

3 (17) \$148,196,000 of the transportation partnership account--state
4 appropriation, \$109,000 of the motor vehicle account--state
5 appropriation, and \$18,311,000 of the motor vehicle account--federal
6 appropriation are provided solely for the SR 104/Hood Canal Bridge
7 project (310407B).

8 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION--**
9 **PRESERVATION--PROGRAM P**

10 Transportation Partnership Account--State

| | | |
|----|--|---------------|
| 11 | Appropriation | \$81,989,000 |
| 12 | Motor Vehicle Account--State Appropriation | \$71,382,000 |
| 13 | Motor Vehicle Account--Federal Appropriation | \$412,508,000 |
| 14 | Motor Vehicle Account--Private/Local Appropriation | \$15,285,000 |
| 15 | Transportation 2003 Account (Nickel Account)--State | |
| 16 | Appropriation | \$5,122,000 |
| 17 | Puyallup Tribal Settlement Account--State | |
| 18 | Appropriation | \$11,000,000 |
| 19 | TOTAL APPROPRIATION | \$597,286,000 |

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

22 (1) The entire transportation 2003 account (nickel account)
23 appropriation and the entire transportation partnership account
24 appropriation are provided solely for the projects and activities as
25 listed by fund, project, and amount in LEAP Transportation Document
26 2007-1, Highway Preservation Program (P) as developed March 27, 2007.
27 However, limited transfers of specific line-item project appropriations
28 may occur between projects for those amounts listed subject to the
29 conditions and limitations in section 603 of this act.

30 (2) \$295,000 of the motor vehicle account--federal appropriation
31 and \$5,000 of the motor vehicle account--state appropriation are
32 provided solely for the department to determine the most cost efficient
33 way to replace the current Keller ferry. Options reviewed shall not
34 include an expansion of the current capacity of the Keller ferry.

35 (3) \$5,513,000 of the transportation partnership account--state
36 appropriation is provided solely for settlement of all claims by the
37 Lower Elwha Klallam tribe relating to the Port Angeles graving dock

1 property, including all claims raised in *Lower Elwha Klallam Tribe et*
2 *al. v. State*, Thurston county superior court cause no. 05-2-01595-8.
3 No moneys may be expended from the amount provided in this subsection
4 unless the Lower Elwha Klallam tribe has executed a full and
5 unconditional release of all claims against the state.

6 (4) The department shall apply for surface transportation program
7 (STP) enhancement funds to be expended in lieu of or in addition to
8 state funds for eligible costs of projects in Programs I and P,
9 including, but not limited to, the SR 518, SR 519, SR 520, and Alaskan
10 Way Viaduct projects.

11 (5) The department shall, on a quarterly basis beginning July 1,
12 2007, provide to the office of financial management and the legislature
13 reports providing the status on each project funded in part or whole by
14 the transportation 2003 account (nickel account) or the transportation
15 partnership account. Funding provided at a programmatic level for
16 transportation partnership account projects relating to seismic bridges
17 should be reported on a programmatic basis. Projects within this
18 programmatic level funding should be completed on a priority basis and
19 scoped to be completed within the current programmatic budget. Other
20 projects may be reported on a programmatic basis. The department shall
21 work with the office of financial management and the transportation
22 committees of the legislature to agree on report formatting and
23 elements. Elements shall include, but not be limited to, project
24 scope, schedule, and costs. The department shall also provide the
25 information required under this subsection on a quarterly basis via the
26 transportation executive information systems (TEIS).

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

33 (7) \$2,604,501 of the motor vehicle account--federal appropriation
34 and \$3,000,000 of the motor vehicle account--state appropriation are
35 for expenditures on damaged state roads due to flooding, mudslides,
36 rock fall, or other unforeseen events.

1 NEW SECTION. **Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION--**
2 **TRAFFIC OPERATIONS--PROGRAM Q--CAPITAL**

| | | |
|---|--|--------------|
| 3 | Motor Vehicle Account--State Appropriation | \$9,212,000 |
| 4 | Motor Vehicle Account--Federal Appropriation | \$15,951,000 |
| 5 | Motor Vehicle Account--Private/Local Appropriation | \$74,000 |
| 6 | TOTAL APPROPRIATION | \$25,237,000 |

7 The appropriations in this section are subject to the following
8 conditions and limitations: The motor vehicle account--state
9 appropriation includes \$7,700,000 provided solely for state matching
10 funds for federally selected competitive grant or congressional earmark
11 projects other than the commercial vehicle information systems and
12 network. These moneys shall be placed into reserve status until such
13 time as federal funds are secured that require a state match.

14 NEW SECTION. **Sec. 309. FOR THE DEPARTMENT OF TRANSPORTATION--**
15 **WASHINGTON STATE FERRIES CONSTRUCTION--PROGRAM W**

| | | |
|----|---|---------------|
| 16 | Puget Sound Capital Construction Account--State | |
| 17 | Appropriation | \$131,800,000 |
| 18 | Puget Sound Capital Construction Account--Federal | |
| 19 | Appropriation | \$51,742,000 |
| 20 | Multimodal Transportation Account--State | |
| 21 | Appropriation | \$5,600,000 |
| 22 | Transportation 2003 Account (Nickel Account)--State | |
| 23 | Appropriation | \$76,525,000 |
| 24 | TOTAL APPROPRIATION | \$265,667,000 |

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

27 (1) \$938,000 of the motor vehicle account--state appropriation is
28 provided solely for implementing Engrossed Substitute Senate Bill No.
29 6127 or Engrossed Substitute House Bill No. 2358 as follows:

30 (a) The department shall allow the joint transportation committee
31 workgroup established in section 205(1) of this act to participate in
32 the following elements as they are described in Engrossed Substitute
33 Senate Bill No. 6127 or Engrossed Substitute House Bill No. 2358:

34 (i) Development and implementation of a market survey of ferry
35 customers;

36 (ii) Analysis and reestablishment of vehicle level of service
37 standards. In reestablishing the standards, consideration shall be

1 given to whether boat wait is the appropriate measure. The level of
2 service standard shall be reestablished in conjunction with or after
3 the market survey has been implemented;

4 (iii) Development of operational strategies. The operational
5 strategies shall be reestablished in conjunction with the market survey
6 or after the market survey has been implemented;

7 (iv) Development of pricing strategies. In developing these
8 strategies, the policy, in effect on some routes, of collecting fares
9 in only one direction shall be evaluated to determine whether one-way
10 fare pricing best serves the ferry system. The pricing strategies must
11 be developed in conjunction with or after the market survey has been
12 implemented;

13 (v) Development of terminal design standards. The terminal design
14 standards shall be developed after the provisions of subsections (a)(i)
15 through (iv) and subsection (b) of this section have been developed and
16 reviewed by the joint transportation committee; and

17 (vi) Development of a capital plan. The capital plan shall be
18 developed after terminal design standards have been developed by the
19 department and reviewed by the joint transportation committee.

20 (b) The department shall develop a ridership demand forecast that
21 shall be used in the development of a long-range capital plan. If more
22 than one forecast is developed they must be reconciled.

23 (c) The department shall update the life cycle cost model to meet
24 the requirements of Engrossed Substitute Senate Bill No. 6127 or
25 Engrossed Substitute House Bill No. 2358 no later than August 1, 2007.

26 (d) The department shall develop a cost allocation methodology
27 proposal to meet the requirements described in Engrossed Substitute
28 Senate Bill No. 6127 or Engrossed Substitute House Bill No. 2358. The
29 proposal shall be completed and presented to the joint legislative
30 audit and review committee and the joint transportation committee no
31 later than August 1, 2007.

32 (2) \$6,432,000 of the Puget Sound capital construction account--
33 state appropriation is provided solely for emergency capital costs.

34 (3) \$9,325,000 of the Puget Sound capital construction account--
35 state appropriation is provided solely for the terminal projects
36 listed:

37 (a) Anacortes ferry terminal - electrical work, upland parking,

1 interim terminal costs, interim kitchen trailer costs, and demolition
2 costs;

3 (b) Bremerton ferry terminal - move terminal agent's office and
4 overhead loading control system;

5 (c) Edmonds ferry terminal - right-of-way acquisition costs and
6 federal match requirements;

7 (d) Port Townsend ferry terminal - wingwall preservation costs;

8 (e) Kingston ferry terminal - transfer span retrofit, overhead
9 vehicle holding control system modifications;

10 (f) Clinton ferry terminal - septic system replacement; and

11 (g) Friday Harbor ferry terminal - parking resurfacing.

12 (4) \$5,600,000 of the multimodal transportation account--state
13 appropriation is provided solely for right-of-way acquisition costs and
14 tribal mitigation and archeological work costs associated with the
15 Mukilteo ferry terminal.

16 (5) \$76,525,000 of the transportation 2003 account (nickel
17 account)--state appropriation and \$62,473,000 of the Puget Sound
18 capital construction account--state appropriation are provided solely
19 for the procurement of four 144-vehicle auto-passenger ferry vessels.

20 (6) \$18,116,000 of the Puget Sound capital construction account--
21 state appropriation is provided solely for the Eagle Harbor maintenance
22 facility preservation project. These funds may not be used for
23 relocating any warehouses not currently on the Eagle Harbor site.

24 (7) \$80,000 of the Puget Sound capital construction account--state
25 appropriation is provided solely to research an asset management system
26 to improve Washington state ferries' management of capital assets and
27 the department's ability to estimate future preservation needs. The
28 department shall report its findings regarding a new asset management
29 system to the governor and the transportation committees of the
30 legislature no later than January 15, 2008.

31 (8) The multimodal transportation account--state appropriation
32 includes up to \$75,000,000 in proceeds from the sale of bonds
33 authorized by RCW 47.10.867.

34 (9) The department shall sell the M.V. Chinook and M.V. Snohomish
35 passenger-only fast ferries as soon as practicable and deposit the
36 proceeds of the sales into the passenger ferry account created in RCW
37 47.60.645. Once the department ceases to provide passenger-only ferry

1 service, the department shall sell the M.V. Kalama and M.V. Skagit
2 passenger-only ferries and deposit the proceeds of the sales into the
3 passenger ferry account created in RCW 47.60.645.

4 (10) The department shall, on a quarterly basis beginning July 1,
5 2007, provide to the office of financial management and the legislature
6 reports providing the status on each project listed in this section and
7 in the project lists submitted pursuant to this act and on any
8 additional projects for which the department has expended funds during
9 the 2007-09 fiscal biennium. Elements shall include, but not be
10 limited to, project scope, schedule, and costs. The department shall
11 also provide the information required under this subsection via the
12 transportation executive information systems (TEIS).

13 NEW SECTION. **Sec. 310. FOR THE DEPARTMENT OF TRANSPORTATION--**
14 **RAIL--PROGRAM Y--CAPITAL**

| | | |
|----|--|---------------|
| 15 | Essential Rail Assistance Account--State Appropriation . . . | \$500,000 |
| 16 | Freight Congestion Relief Account--State | |
| 17 | Appropriation | \$25,000,000 |
| 18 | Transportation Infrastructure Account--State | |
| 19 | Appropriation | \$14,500,000 |
| 20 | Multimodal Transportation Account--State | |
| 21 | Appropriation | \$150,678,000 |
| 22 | Multimodal Transportation Account--Federal | |
| 23 | Appropriation | \$30,450,000 |
| 24 | Multimodal Transportation Account--Private/Local | |
| 25 | Appropriation | \$7,894,000 |
| 26 | TOTAL APPROPRIATION | \$229,022,000 |

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

29 (1)(a) The entire appropriations in this section are provided
30 solely for the projects and activities as listed by fund, project, and
31 amount in LEAP Transportation Document 2007-1, Rail Capital Program (Y)
32 as developed March 27, 2007. However, limited transfers of specific
33 line-item project appropriations may occur between projects for those
34 amounts listed subject to the conditions and limitations in section 603
35 of this act.

36 (b) Within the amounts provided in this section, \$14,500,000 of the
37 transportation infrastructure account--state appropriation is for low-

1 interest loans for rail capital projects through the freight rail
2 investment bank program. However, until June 30, 2009, \$12,000,000 of
3 the amount provided under this subsection (1)(b), which includes
4 proceeds from the sale of ancillary property pursuant to subsection (5)
5 of this section, must be made available as a no interest loan to any
6 public entity seeking to provide operating service on a state-owned
7 rail line where the loan proceeds are used to refurbish the rail line.
8 With respect to the remaining \$2,500,000 of the amount provided under
9 this subsection (1)(b), the department shall issue a call for projects
10 based upon the legislative priorities specified in Engrossed Substitute
11 Senate Bill No. 6120. Application must be received by the department
12 by November 1, 2007. By December 1, 2007, the department shall submit
13 a prioritized list of recommended projects to the office of financial
14 management and the transportation committees of the legislature.

15 (c) Within the amounts provided in this section, \$3,335,000 of the
16 multimodal transportation account--state appropriation is for statewide
17 - emergent freight rail assistance projects. However, the department
18 shall perform a cost/benefit analysis of the projects according to the
19 legislative priorities regarding public benefits specified in Engrossed
20 Substitute Senate Bill No. 6120, and shall give priority to the
21 following projects: Rail - Tacoma rail yard switching upgrades
22 (\$500,000); Rail - Port of Ephrata spur rehabilitation (\$127,000); Rail
23 - Lewis and Clark rail improvements (\$1,100,000); Rail - Port of Grays
24 Harbor rail access improvements (\$543,000); Rail - Port of Longview
25 rail loop construction (\$291,000); and Rail - Port of Chehalis
26 (\$774,000). If the relative cost of any of the six projects identified
27 in this subsection (1)(c) is not substantially less than the public
28 benefits to be derived from the project, then the department shall not
29 assign the funds to the project, and instead shall use those funds
30 toward those projects identified by the department in the attachments
31 to the "Washington State Department of Transportation FREIGHT RAIL
32 ASSISTANCE FUNDING PROGRAM: 2007-2009 Prioritized Project List and
33 Program Update" dated December 2006 for which the proportion of public
34 benefits to be gained compared to the cost of the project is greatest.

35 (d) Within the amounts provided in this section, \$9,000,000 of the
36 multimodal transportation account--state appropriation is for the
37 replacement of the rail bridge across the Cedar river.

1 (e) Within the amounts provided in this section, \$25,000,000 of the
2 freight congestion relief account--state appropriation is for
3 modifications to the Stampede Pass rail tunnel to facilitate the
4 movement of double stacked rail cars.

5 (f) Within the amounts provided in this section, \$200,000 of the
6 multimodal transportation account--state appropriation is for rescoping
7 the Kelso to Martin's Bluff - 3rd Mainline and Storage Tracks project.
8 The rescoped project may include funds that are committed to the
9 project by local or private funding partners. However, the rescoped
10 project must be capable of being completed with not more than
11 \$49,470,000 in future state funding. Subject to this funding
12 constraint, the rescoped project must maximize capacity improvements
13 along the rail mainline.

14 (2) The multimodal transportation account--state appropriation
15 includes up to \$137,620,000 in proceeds from the sale of bonds
16 authorized by RCW 47.10.867.

17 (3) The department is directed to seek the use of unprogrammed
18 federal rail crossing funds to be expended in lieu of or in addition to
19 state funds for eligible costs of projects in Program Y, including, but
20 not limited to the "Tacoma -- bypass of Pt. Defiance" project.

21 (4) If new federal funding for freight or passenger rail is
22 received, the department shall consult with the transportation
23 committees of the legislature and the office of financial management
24 prior to spending the funds on existing or additional projects.

25 (5) The Palouse River and Coulee City (PCC) rail line system is
26 made up of the CW, P&L and PV Hooper rail lines. The state has
27 purchased the right-of-ways to the PCC rail line system. Watco will
28 continue to operate the PV Hooper line, as required by contract. The
29 department shall select operator(s) for the CW and P&L rail lines for
30 the 2007 and 2008 harvest seasons through a competitive bid process,
31 unless no bid is submitted in response to the department's request for
32 bids. The operating agreement(s) for the CW and P&L rail lines shall
33 not include provision for a state operating or capital subsidy. If,
34 upon expiration of any of the operating agreements, any
35 intergovernmental entity or local rail district expresses interest in
36 the operating rights to the CW, P&L and PV Hooper rail lines, then the
37 department shall give the intergovernmental entity or local rail
38 district the right of first refusal to the long-term operating rights

1 of the line(s), provided however that the long-term operating rights
 2 shall be available without state operating or capital subsidy. The
 3 department shall sell any ancillary property, acquired when the state
 4 purchased the right-of-ways to the PCC rail line system, to a lessee of
 5 the ancillary property who is willing to pay fair market value for the
 6 property. The department shall deposit the proceeds from the sale of
 7 ancillary property into the transportation infrastructure account for
 8 use according to the provisions of subsection (1)(b) of this section.

9 NEW SECTION. **Sec. 311. FOR THE DEPARTMENT OF TRANSPORTATION--**
 10 **LOCAL PROGRAMS--PROGRAM Z--CAPITAL**

| | | |
|----|---|---------------|
| 11 | Highway Infrastructure Account--State Appropriation | \$207,000 |
| 12 | Highway Infrastructure Account--Federal | |
| 13 | Appropriation | \$1,602,000 |
| 14 | Freight Mobility Investment Account--State | |
| 15 | Appropriation | \$12,500,000 |
| 16 | Freight Congestion Relief Account--State | |
| 17 | Appropriation | \$51,720,000 |
| 18 | Transportation Partnership Account--State | |
| 19 | Appropriation | \$6,906,000 |
| 20 | Motor Vehicle Account--State Appropriation | \$6,504,000 |
| 21 | Motor Vehicle Account--Federal Appropriation | \$52,900,000 |
| 22 | Freight Mobility Multimodal Account--State | |
| 23 | Appropriation | \$12,100,000 |
| 24 | Multimodal Transportation Account--State | |
| 25 | Appropriation | \$27,658,000 |
| 26 | Transportation 2003 Account (Nickel Account)--State | |
| 27 | Appropriation | \$2,706,000 |
| 28 | Passenger Ferry Account--State Appropriation | \$8,500,000 |
| 29 | TOTAL APPROPRIATION | \$183,303,000 |

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

32 (1) The department shall, on a quarterly basis, provide status
 33 reports to the legislature on the delivery of projects as outlined in
 34 the project lists incorporated in this section. For projects funded by
 35 new revenue in the 2003 and 2005 transportation packages, reporting
 36 elements shall include, but not be limited to, project scope, schedule,
 37 and costs. Other projects may be reported on a programmatic basis.

1 The department shall also provide the information required under this
2 subsection on a quarterly basis via the transportation executive
3 information system (TEIS).

4 (2) \$8,500,000 of the passenger ferry account--state appropriation
5 is provided solely for the establishment of a ferry grant program to
6 provide operating or capital grants for ferry systems as provided in
7 chapters 36.54 and 36.57A RCW to operate a passenger-only ferry system.

8 (3) The department shall seek the use of unprogrammed federal rail
9 crossing funds to be expended in lieu of or in addition to state funds
10 for eligible costs of projects in local programs, program Z capital.

11 (4) The department shall apply for surface transportation program
12 (STP) enhancement funds to be expended in lieu of or in addition to
13 state funds for eligible costs of projects in local programs, program
14 Z capital.

15 (5) Federal funds may be transferred from program Z to programs I
16 and P and state funds shall be transferred from programs I and P to
17 program Z to replace those federal funds in a dollar-for-dollar match.
18 Fund transfers authorized under this subsection shall not affect
19 project prioritization status. Appropriations shall initially be
20 allotted as appropriated in this act. The department may not transfer
21 funds as authorized under this subsection without approval of the
22 office of financial management. The department shall submit a report
23 on those projects receiving fund transfers to the office of financial
24 management and the transportation committees of the legislature by
25 December 1, 2007, and December 1, 2008.

26 (6) The city of Winthrop may utilize a design-build process for the
27 Winthrop bike path project. Of the amount appropriated in this section
28 for this project, \$500,000 of the multimodal transportation account--
29 state appropriation is contingent upon the state receiving from the
30 city of Winthrop \$500,000 in federal funds awarded to the city of
31 Winthrop by its local planning organization.

32 (7) \$7,000,000 of the multimodal transportation account--state
33 appropriation, \$7,000,000 of the motor vehicle account--federal
34 appropriation, and \$4,000,000 of the transportation partnership
35 account--state appropriation are provided solely for the pedestrian and
36 bicycle safety program projects and safe routes to schools program
37 projects identified in the LEAP Transportation Document 2007-A,
38 pedestrian and bicycle safety program projects and safe routes to

1 schools program projects as developed March 27, 2007. Projects must be
2 allocated funding based on order of priority. The department shall
3 review all projects receiving grant awards under this program at least
4 semiannually to determine whether the projects are making satisfactory
5 progress. Any project that has been awarded funds, but does not report
6 activity on the project within one year of the grant award, shall be
7 reviewed by the department to determine whether the grant should be
8 terminated. The department shall promptly close out grants when
9 projects have been completed, and identify where unused grant funds
10 remain because actual project costs were lower than estimated in the
11 grant award.

12 (8) Up to a maximum of \$5,000,000 of the multimodal transportation
13 account--state appropriation and up to a maximum of \$2,000,000 of the
14 motor vehicle account--federal appropriation are reappropriated for the
15 pedestrian and bicycle safety program projects and safe routes to
16 schools program projects identified in the LEAP transportation document
17 2006-B, pedestrian and bicycle safety program projects and safe routes
18 to schools program projects as developed March 8, 2006. Projects must
19 be allocated funding based on order of priority. The department shall
20 review all projects receiving grant awards under this program at least
21 semiannually to determine whether the projects are making satisfactory
22 progress. Any project that has been awarded funds, but does not report
23 activity on the project within one year of the grant award, shall be
24 reviewed by the department to determine whether the grant should be
25 terminated. The department shall promptly close out grants when
26 projects have been completed, and identify where unused grant funds
27 remain because actual project costs were lower than estimated in the
28 grant award.

29 NEW SECTION. **Sec. 312.** (1) Up to \$881,646,000 in proceeds from
30 the sale of bonds authorized in RCW 47.10.873 is available to support
31 both of the transportation partnership account--state appropriations in
32 sections 305 and 306 of this act.

33 (2) Up to \$858,724,000 in proceeds from the sale of bonds
34 authorized by RCW 47.10.861 is available to support both of the
35 transportation 2003 account (nickel account)--state appropriations in
36 sections 305 and 306 of this act.

1 (3) Up to \$22,080,000 in proceeds from the sale of bonds authorized
2 in Substitute Senate Bill No. 5107 is available to support both of the
3 special category C account--state appropriations in sections 305 and
4 306 of this act. If Substitute Senate Bill No. 5107 is not enacted by
5 June 30, 2007, the amount provided in this subsection shall lapse.

6 **TRANSFERS AND DISTRIBUTIONS**

7 **NEW SECTION. Sec. 401. FOR THE STATE TREASURER--BOND RETIREMENT**
8 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
9 **BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND**
10 **TRANSPORTATION FUND REVENUE**

| | | |
|----|---|---------------|
| 11 | Highway Bond Retirement Account Appropriation | \$548,852,000 |
| 12 | Ferry Bond Retirement Account Appropriation | \$38,059,000 |
| 13 | Transportation Improvement Board Bond Retirement | |
| 14 | Account--State Appropriation | \$26,844,000 |
| 15 | Nondebt-Limit Reimbursable Account Appropriation | \$15,477,000 |
| 16 | Transportation Partnership Account--State | |
| 17 | Appropriation | \$6,612,000 |
| 18 | Motor Vehicle Account--State Appropriation | \$563,000 |
| 19 | Transportation Improvement Account--State Appropriation | \$68,000 |
| 20 | Multimodal Transportation Account--State | |
| 21 | Appropriation | \$1,307,000 |
| 22 | Transportation 2003 Account (Nickel Account)--State | |
| 23 | Appropriation | \$6,440,000 |
| 24 | Urban Arterial Trust Account--State Appropriation | \$473,000 |
| 25 | Special Category C Account Appropriation | \$278,000 |
| 26 | TOTAL APPROPRIATION | \$644,973,000 |

27 **NEW SECTION. Sec. 402. FOR THE STATE TREASURER--BOND RETIREMENT**
28 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
29 **BOND SALE EXPENSES AND FISCAL AGENT CHARGES**

| | | |
|----|---|-------------|
| 30 | Transportation Partnership Account--State Appropriation | \$2,204,000 |
| 31 | Motor Vehicle Account--State Appropriation | \$188,000 |
| 32 | Transportation Improvement Account--State Appropriation | \$5,000 |
| 33 | Multimodal Transportation Account--State Appropriation | \$130,000 |
| 34 | Transportation 2003 Account (Nickel Account)--State | |
| 35 | Appropriation | \$2,147,000 |

1 Urban Arterial Trust Account--State Appropriation \$38,000
 2 Special Category C Account--State Appropriation \$30,000
 3 TOTAL APPROPRIATION \$4,742,000

4 NEW SECTION. **Sec. 403. FOR THE STATE TREASURER--BOND RETIREMENT**
 5 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
 6 **MVFT BONDS AND TRANSFERS**

7 (1) Motor Vehicle Account--State Reappropriation:
 8 For transfer to the Tacoma Narrows Toll Bridge
 9 Account \$131,016,000

10 The department of transportation is authorized to sell up to
 11 \$131,016,000 in bonds authorized by RCW 47.10.843 for the Tacoma
 12 Narrows bridge project. Proceeds from the sale of the bonds shall be
 13 deposited into the motor vehicle account. The department of
 14 transportation shall inform the treasurer of the amount to be
 15 deposited.

16 (2) Motor Vehicle Account--State Appropriation:
 17 For transfer to the Puget Sound Capital Construction
 18 Account \$75,000,000

19 The department of transportation is authorized to sell up to
 20 \$75,000,000 in bonds authorized by RCW 47.10.843 for vessel and
 21 terminal acquisition, major and minor improvements, and long lead-time
 22 materials acquisition for the Washington state ferries.

23 NEW SECTION. **Sec. 404. FOR THE STATE TREASURER--STATE REVENUES**
 24 **FOR DISTRIBUTION**

25 Motor Vehicle Account Appropriation for
 26 motor vehicle fuel tax distributions to cities
 27 and counties \$526,320,000

28 NEW SECTION. **Sec. 405. FOR THE STATE TREASURER--TRANSFERS**

29 Motor Vehicle Account--State
 30 Appropriation: For motor vehicle fuel tax
 31 refunds and statutory transfers \$937,181,000

32 NEW SECTION. **Sec. 406. FOR THE DEPARTMENT OF LICENSING--**

1 **TRANSFERS**

2 Motor Vehicle Account--State
3 Appropriation: For motor vehicle fuel tax
4 refunds and transfers \$346,657,000

5 NEW SECTION. **Sec. 407. FOR THE STATE TREASURER--ADMINISTRATIVE**
6 **TRANSFERS**

7 (1) Recreational Vehicle Account--State
8 Appropriation: For transfer to the Motor Vehicle
9 Account--State \$3,005,000

10 (2) License Plate Technology Account--State
11 Appropriation: For the Highway Safety Account--
12 State \$4,500,000

13 (3) Motor Vehicle Account--State Appropriation:
14 For transfer to the High-Occupancy Toll Lanes Operations--
15 State Account \$3,000,000

16 (4) Motor Vehicle Account--State Appropriation:
17 For transfer to the Puget Sound Capital Construction
18 Account--State \$30,000,000

19 (5) Multimodal Transportation Account--State
20 Appropriation: For transfer to the Puget Sound
21 Ferry Operations Account--State \$35,000,000

22 (6) Advanced Right-of-Way Revolving Account--State
23 Appropriation: For transfer to the Motor Vehicle
24 Account--State \$30,000,000

25 (7) Waste Tire Removal Account--State Appropriation:
26 For transfer to the Motor Vehicle Account--State \$5,600,000

27 (8) Motor Vehicle Account--State Appropriation:
28 For transfer to the Transportation Partnership
29 Account--State \$28,000,000

30 (9) Multimodal Transportation Account--State
31 Appropriation: For transfer to the Puget Sound Capital
32 Construction Account--State \$7,000,000

33 The transfers identified in this section are subject to the
34 following conditions and limitations: The amount transferred in
35 subsection (3) of this section may be spent only on "highway purposes"
36 as that term is construed in Article II, section 40 of the Washington
37 state Constitution.

1 other moneys recovered as a result of prior uniform medical plan claims
2 payments, into the public employees' and retirees' insurance account to
3 be used for insurance benefits. Such receipts shall not be used for
4 administrative expenditures.

5 (2) The health care authority, subject to the approval of the
6 public employees' benefits board, shall provide subsidies for health
7 benefit premiums to eligible retired or disabled public employees and
8 school district employees who are eligible for medicare, pursuant to
9 RCW 41.05.085. From January 1, 2008, through December 31, 2008, the
10 subsidy shall be \$165.31. Starting January 1, 2009, the subsidy shall
11 be \$184.26 per month.

12 NEW SECTION. **Sec. 502. COMPENSATION--REPRESENTED EMPLOYEES**
13 **OUTSIDE SUPER COALITION--INSURANCE BENEFITS.** The appropriations for
14 state agencies, are subject to the following conditions and
15 limitations:

16 (1)(a) The monthly employer funding rate for insurance benefit
17 premiums, public employees' benefits board administration, and the
18 uniform medical plan, for represented employees outside the super
19 coalition under chapter 41.80 RCW, shall not exceed \$707 per eligible
20 employee for fiscal year 2008. For fiscal year 2009 the monthly
21 employer funding rate shall not exceed \$732 per eligible employee.

22 (b) In order to achieve the level of funding provided for health
23 benefits, the public employees' benefits board shall require any or all
24 of the following: Employee premium copayments, increases in
25 point-of-service cost sharing, the implementation of managed
26 competition, or make other changes to benefits consistent with RCW
27 41.05.065.

28 (c) The health care authority shall deposit any moneys received on
29 behalf of the uniform medical plan as a result of rebates on
30 prescription drugs, audits of hospitals, subrogation payments, or any
31 other moneys recovered as a result of prior uniform medical plan claims
32 payments, into the public employees' and retirees' insurance account to
33 be used for insurance benefits. Such receipts shall not be used for
34 administrative expenditures.

35 (2) The health care authority, subject to the approval of the
36 public employees' benefits board, shall provide subsidies for health
37 benefit premiums to eligible retired or disabled public employees and

1 school district employees who are eligible for medicare, pursuant to
2 RCW 41.05.085. From January 1, 2008, through December 31, 2008, the
3 subsidy shall be \$165.31. Starting January 1, 2009, the subsidy shall
4 be \$184.26 per month.

5 NEW SECTION. **Sec. 503. COMPENSATION--REPRESENTED EMPLOYEES--**
6 **SUPER COALITION.** Collective bargaining agreements negotiated as part
7 of the super coalition under chapter 41.80 RCW include employer
8 contributions to health insurance premiums at 88% of the cost. Funding
9 rates at this level are currently \$707 per month for fiscal year 2008
10 and \$732 per month for fiscal year 2009. The agreements also include
11 a one-time payment of \$756 for each employee who is eligible for
12 insurance for the month of June, 2007, as well as continuation of the
13 salary increases that were negotiated for the twelve-month period
14 beginning July 1, 2006, and scheduled to terminate June 30, 2007.

15 NEW SECTION. **Sec. 504. COMPENSATION--PENSION CONTRIBUTIONS.** The
16 appropriations for state agencies, including institutions of higher
17 education are subject to the following conditions and limitations:
18 Appropriations are provided to fund employer contributions to state
19 pension funds at the rates adopted by the pension funding council.

20 NEW SECTION. **Sec. 505. COMPENSATION--REVISE PENSION GAIN**
21 **SHARING.** The appropriations for (schools) state agencies, including
22 institutions of higher education are subject to the following
23 conditions and limitations: Appropriations are adjusted to reflect
24 changes to pension gain sharing as provided in Z-.

25 NEW SECTION. **Sec. 506. NONREPRESENTED EMPLOYEE COMPENSATION.**
26 The appropriations for nonrepresented employee compensation adjustments
27 are provided solely for:

- 28 (1) Across the Board Adjustments.
- 29 (a) Appropriations are provided for a 3.2% salary increase
30 effective July 1, 2007, for all classified employees, except those
31 represented by a collective bargaining unit under chapter 41.80 RCW,
32 and except the certificated employees of the state schools for the deaf
33 and blind and employees of community and technical colleges covered by

1 the provisions of Initiative Measure No. 732. Also included are
2 employees in the Washington management service, and exempt employees
3 under the jurisdiction of the director of personnel.

4 The appropriations are also sufficient to fund a 3.2% salary
5 increase effective July 1, 2007, and for executive, legislative, and
6 judicial branch employees exempt from merit system rules whose maximum
7 salaries are not set by the commission on salaries for elected
8 officials.

9 (b) Appropriations are provided for a 2.0% salary increase
10 effective July 1, 2008, for all classified employees, except those
11 represented by a collective bargaining unit under chapter 41.80 RCW,
12 and except for the certificated employees of the state schools of the
13 deaf and blind and employees of community and technical colleges
14 covered by the provisions of Initiative Measure No. 732. Also included
15 are employees in the Washington management service, and exempt
16 employees under the jurisdiction of the director of personnel. The
17 appropriations are also sufficient to fund a 2.0% salary increase
18 effective July 1, 2008, for executive, legislative, and judicial branch
19 employees exempt from merit system rules whose maximum salaries are not
20 set by the commission on salaries for elected officials.

21 (2) Salary Survey.

22 For state employees, except those represented by a bargaining unit
23 under chapters 41.80, 41.56, and 47.64 RCW, funding is provided for
24 implementation of the department of personnel's 2006 salary survey, for
25 job classes more than 25% below market rates and affected classes.

26 (3) Classification Consolidation.

27 For state employees, except those represented by a bargaining unit
28 under chapters 41.80, 41.56, and 47.64 RCW, funding is provided for
29 implementation of the department of personnel's phase 4 job class
30 consolidation and revisions under the personnel system reform act of
31 2002.

32 (4) Agency Request Consolidation.

33 For state employees, except those represented by a bargaining unit
34 under chapters 41.80, 41.56, and 47.64 RCW, funding is provided for
35 implementation of the department of personnel's agency request job
36 class consolidation and reclassification plan.

37 (5) Additional Pay Step.

1 For state employees, except those represented by a bargaining unit
2 under chapters 41.80, 41.56, and 47.64 RCW, funding is provided for a
3 new pay step L for those who have been in step K for at least one year.

4 (6) Retain Fiscal Year 2007 Pay Increase.

5 For all classified state employees, except those represented by a
6 bargaining unit under chapters 41.80, 41.56, and 47.64 RCW, and except
7 for the certificated employees of the state schools of the deaf and
8 blind and employees of community and technical colleges covered by the
9 provisions of Initiative Measure No. 732, funding is provided for
10 continuation of the 1.6% salary increase that was provided during
11 fiscal year 2007. Also included are employees in the Washington
12 management service, and exempt employees under the jurisdiction of the
13 director of personnel. The appropriations are also sufficient to
14 continue a 1.6% salary increase for executive, legislative, and
15 judicial branch employees exempt from merit system rules whose maximum
16 salaries are not set by the commission on salaries for elected
17 officials.

18 NEW SECTION. **Sec. 507. COLLECTIVE BARGAINING AGREEMENTS.**

19 Provisions of the collective bargaining agreements contained in
20 sections 508 through 518 of this act are described in general terms.
21 Only major economic terms are included in the descriptions. These
22 descriptions do not contain the complete contents of the agreements.
23 The collective bargaining agreements contained in sections 506 through
24 516 may also be funded by expenditures from nonappropriated accounts.
25 If positions are funded with lidded grants or dedicated fund sources
26 with insufficient revenue, additional funding from other sources is not
27 provided.

28 NEW SECTION. **Sec. 508. COLLECTIVE BARGAINING AGREEMENT--IBU.**

29 Appropriations in this act contain funding for the collective
30 bargaining agreement reached between the governor and the
31 inlandboatmen's union of the pacific under chapter 47.64 RCW. For
32 employees covered under this agreement, provisions include a 1.6%
33 salary increase effective July 1, 2007, which continues the increase
34 that went into effect July 1, 2006, and is set to terminate June 30,
35 2007. Also included is a 3.2% salary increase effective July 1, 2007,
36 a 2% salary increase effective July 1, 2008, and increases ranging from

1 1.5% to 4% to address specific classifications which are below market
2 rates as established by the marine employees commission 2006 salary
3 survey.

4 NEW SECTION. **Sec. 509. COLLECTIVE BARGAINING AGREEMENT--MEBA-**
5 **LICENSED.** Appropriations in this act reflect the collective bargaining
6 agreement reached between the governor and the marine engineers'
7 beneficial association under chapter 47.64 RCW. For employees covered
8 under this agreement, provisions include a 1.6% salary increase
9 effective July 1, 2007, which continues the increase that went into
10 effect July 1, 2006, and is set to terminate June 30, 2007. Also
11 included is a 3.2% salary increase effective July 1, 2007, a 2% salary
12 increase effective July 1, 2008, and increases ranging from 1% to 6% to
13 address specific classifications which are below market rates as
14 established by the marine employees commission 2006 salary survey.

15 NEW SECTION. **Sec. 510. COLLECTIVE BARGAINING AGREEMENT--**
16 **MEBA-UNLICENSED.** Appropriations in this act reflect the collective
17 bargaining agreement reached between the governor and the marine
18 engineers' beneficial association under chapter 47.64 RCW. For
19 employees covered under this agreement, provisions include a 1.6%
20 salary increase effective July 1, 2007, which continues the increase
21 that went into effect July 1, 2006, and is set to terminate June 30,
22 2007. Also included is a 3.2% salary increase effective July 1, 2007,
23 and a 2% salary increase effective July 1, 2008.

24 NEW SECTION. **Sec. 511. COLLECTIVE BARGAINING AGREEMENT--MM&P.**
25 Appropriations in this act reflect the collective bargaining agreement
26 reached between the governor and the international organization of
27 master, mates & pilots, local 6, under chapter 47.64 RCW. For
28 employees covered under this agreement, provisions include a 1.6%
29 salary increase effective July 1, 2007, which continues the increase
30 that went into effect July 1, 2006, and is set to terminate June 30,
31 2007. Also included is a 3.2% salary increase effective July 1, 2007,
32 a 2% salary increase effective July 1, 2008, and increases ranging from
33 2.5% to 7.5% to address specific classifications which are below market
34 rates as established by the marine employees commission 2006 salary
35 survey.

1 NEW SECTION. **Sec. 512. COLLECTIVE BARGAINING AGREEMENT--**
2 **MM&P-WATCH SUPERVISORS.** Appropriations in this act reflect the
3 collective bargaining agreement reached between the governor and the
4 international organization of master, mates & pilots, watch
5 supervisors, local 6, under chapter 47.64 RCW. For employees covered
6 under this agreement, provisions include a 1.6% salary increase
7 effective July 1, 2007, which continues the increase that went into
8 effect July 1, 2006, and is set to terminate June 30, 2007. Also
9 included is a 3.2% salary increase effective July 1, 2007, a 2% salary
10 increase effective July 1, 2008, and a 3% increase to address this
11 specific classification which is below market rates as established by
12 the marine employees commission 2006 salary survey.

13 NEW SECTION. **Sec. 513. COLLECTIVE BARGAINING AGREEMENT--METAL**
14 **TRADES COUNCIL.** Appropriations in this act reflect the collective
15 bargaining agreement reached between the governor and the Puget Sound
16 metal trades council under chapter 47.64 RCW. For employees covered
17 under this agreement, provisions include a 1.6% salary increase
18 effective July 1, 2007, which continues the increase that went into
19 effect July 1, 2006, and is set to terminate June 30, 2007. Also
20 included is a 3.2% salary increase effective July 1, 2007, a 2% salary
21 increase effective July 1, 2008, and a \$0.95/hour salary adjustment to
22 all classifications which are below market rates as established by the
23 marine employees commission 2006 salary survey.

24 NEW SECTION. **Sec. 514. COLLECTIVE BARGAINING AGREEMENT--FASPAA.**
25 Appropriations in this act reflect the collective bargaining agreement
26 reached between the governor and the ferry agents, supervisors, &
27 project administrators association under chapter 47.64 RCW. For
28 employees covered under this agreement, provisions include a 1.6%
29 salary increase effective July 1, 2007, which continues the increase
30 that went into effect July 1, 2006, and is set to terminate June 30,
31 2007. Also included is a 3.2% salary increase effective July 1, 2007,
32 a 2% salary increase effective July 1, 2008, and a 10% increase to
33 address specific classifications which are below market rates as
34 established by the marine employees commission 2006 salary survey.

1 NEW SECTION. **Sec. 515. COLLECTIVE BARGAINING AGREEMENT--OPEIU.**

2 Appropriations in this act reflect the collective bargaining agreement
3 reached between the governor and the office & professional employees
4 international union, local 8, under chapter 47.64 RCW. For employees
5 covered under this agreement, provisions include a 1.6% salary increase
6 effective July 1, 2007, which continues the increase that went into
7 effect July 1, 2006, and is set to terminate June 30, 2007. Also
8 included is a 3.2% salary increase effective July 1, 2007, a 2% salary
9 increase effective July 1, 2008, and a one salary range (5%) increase
10 to address specific classifications which are below market rates as
11 established by the marine employees commission 2006 salary survey.

12 NEW SECTION. **Sec. 516. COLLECTIVE BARGAINING AGREEMENT--SEIU.**

13 Appropriations in this act reflect the collective bargaining agreement
14 reached between the governor and the service employees international
15 union, local 6, under chapter 47.64 RCW. For employees covered under
16 this agreement, provisions include a 1.6% salary increase effective
17 July 1, 2007, which continues the increase that went into effect July
18 1, 2006, and is set to terminate June 30, 2007. Also included is a
19 3.2% salary increase effective July 1, 2007, a 2% salary increase
20 effective July 1, 2008, and a 5% increase to address specific
21 classifications which are below market rates as established by the
22 marine employees commission 2006 salary survey.

23 NEW SECTION. **Sec. 517. COLLECTIVE BARGAINING AGREEMENT--WSP**
24 **TROOPERS ASSOCIATION.** Appropriations in this act reflect funding for
25 the collective bargaining agreement reached between the governor and
26 the Washington state patrol trooper's association under the provisions
27 of chapter 41.56 RCW. For employees covered under this agreement,
28 provisions include a 4.0% salary increase effective July 1, 2007, and
29 a 4.0% salary increase effective July 1, 2008.

30 NEW SECTION. **Sec. 518. COLLECTIVE BARGAINING AGREEMENT--WSP**
31 **LIEUTENANTS ASSOCIATION.** Appropriations in this act reflect funding
32 for the collective bargaining agreement reached between the governor
33 and the Washington state patrol lieutenant's association under the
34 provisions of chapter 41.56 RCW. For employees covered under this

1 agreement, provisions include a 4.0% salary increase effective July 1,
2 2007, and a 4.0% salary increase effective July 1, 2008.

3 NEW SECTION. **Sec. 519. COLLECTIVE BARGAINING AGREEMENT--IFPTE.**

4 Appropriations in this act reflect the collective bargaining agreement
5 reached between the governor and the international federation of
6 professional and technical engineers under the provisions of chapter
7 41.80 RCW. For employees covered under this agreement, provisions
8 include a 1.6% salary increase effective July 1, 2007, which continues
9 the increase that went into effect July 1, 2006, and is set to
10 terminate June 30, 2007. Also included is a 3.2% salary increase
11 effective July 1, 2007, and a 2% salary increase effective July 1,
12 2008. Select classifications will receive wage increases due to the
13 implementation of the department of personnel's 2006 salary survey for
14 classes more than 25% below market rates. These increases will be
15 effective July 1, 2007. All employees covered under the agreement that
16 have been at the top step of their range for a year or longer will
17 progress to a new step L effective July 1, 2007.

18 **IMPLEMENTING PROVISIONS**

19 NEW SECTION. **Sec. 601.** Executive Order number 05-05,
20 archaeological and cultural resources, was issued effective November
21 10, 2005. Agencies and higher education institutions that issue grants
22 or loans for capital projects shall comply with the requirements set
23 forth in this executive order.

24 NEW SECTION. **Sec. 602. INFORMATION SYSTEMS PROJECTS.** Agencies
25 shall comply with the following requirements regarding information
26 systems projects when specifically directed to do so by this act.

27 (1) Agency planning and decisions concerning information technology
28 shall be made in the context of its information technology portfolio.
29 "Information technology portfolio" means a strategic management
30 approach in which the relationships between agency missions and
31 information technology investments can be seen and understood, such
32 that: Technology efforts are linked to agency objectives and business
33 plans; the impact of new investments on existing infrastructure and

1 business functions are assessed and understood before implementation;
2 and agency activities are consistent with the development of an
3 integrated, nonduplicative statewide infrastructure.

4 (2) Agencies shall use their information technology portfolios in
5 making decisions on matters related to the following:

6 (a) System refurbishment, acquisitions, and development efforts;

7 (b) Setting goals and objectives for using information technology
8 in meeting legislatively-mandated missions and business needs;

9 (c) Assessment of overall information processing performance,
10 resources, and capabilities;

11 (d) Ensuring appropriate transfer of technological expertise for
12 the operation of any new systems developed using external resources;
13 and

14 (e) Progress toward enabling electronic access to public
15 information.

16 (3) Each project will be planned and designed to take optimal
17 advantage of Internet technologies and protocols. Agencies shall
18 ensure that the project is in compliance with the architecture,
19 infrastructure, principles, policies, and standards of digital
20 government as maintained by the information services board.

21 (4) The agency shall produce a feasibility study for information
22 technology projects at the direction of the information services board
23 and in accordance with published department of information services
24 policies and guidelines. At a minimum, such studies shall include a
25 statement of: (a) The purpose or impetus for change; (b) the business
26 value to the agency, including an examination and evaluation of
27 benefits, advantages, and cost; (c) a comprehensive risk assessment
28 based on the proposed project's impact on both citizens and state
29 operations, its visibility, and the consequences of doing nothing; (d)
30 the impact on agency and statewide information infrastructure; and (e)
31 the impact of the proposed enhancements to an agency's information
32 technology capabilities on meeting service delivery demands.

33 (5) The agency shall produce a comprehensive management plan for
34 each project. The plan or plans shall address all factors critical to
35 successful completion of each project. The plan(s) shall include, but
36 is not limited to, the following elements: A description of the
37 problem or opportunity that the information technology project is
38 intended to address; a statement of project objectives and assumptions;

1 a definition and schedule of phases, tasks, and activities to be
2 accomplished; and the estimated cost of each phase. The planning for
3 the phased approach shall be such that the business case justification
4 for a project needs to demonstrate how the project recovers cost or
5 adds measurable value or positive cost benefit to the agency's business
6 functions within each development cycle.

7 (6) The agency shall produce quality assurance plans for
8 information technology projects. Consistent with the direction of the
9 information services board and the published policies and guidelines of
10 the department of information services, the quality assurance plan
11 shall address all factors critical to successful completion of the
12 project and successful integration with the agency and state
13 information technology infrastructure. At a minimum, quality assurance
14 plans shall provide time and budget benchmarks against which project
15 progress can be measured, a specification of quality assurance
16 responsibilities, and a statement of reporting requirements. The
17 quality assurance plans shall set out the functionality requirements
18 for each phase of a project.

19 (7) A copy of each feasibility study, project management plan, and
20 quality assurance plan shall be provided to the department of
21 information services, the office of financial management, and
22 legislative fiscal committees. The plans and studies shall demonstrate
23 a sound business case that justifies the investment of taxpayer funds
24 on any new project, an assessment of the impact of the proposed system
25 on the existing information technology infrastructure, the disciplined
26 use of preventative measures to mitigate risk, and the leveraging of
27 private-sector expertise as needed. Authority to expend any funds for
28 individual information systems projects is conditioned on the approval
29 of the relevant feasibility study, project management plan, and quality
30 assurance plan by the department of information services and the office
31 of financial management.

32 (8) Quality assurance status reports shall be submitted to the
33 department of information services, the office of financial management,
34 and legislative fiscal committees at intervals specified in the
35 project's quality assurance plan.

36 NEW SECTION. **Sec. 603. FUND TRANSFERS.** (1) The transportation
37 2003 projects or improvements and the 2005 transportation partnership

1 projects or improvements are listed in LEAP Transportation Document
2 2007-1, which consists of a list of specific projects by fund source
3 and amount over a sixteen year period. Current biennium funding for
4 each project is a line item appropriation, while the outer year funding
5 allocations represent a sixteen year balanced plan. Unless otherwise
6 provided in this act, the director of financial management may
7 authorize a transfer of spending allocation within the appropriation
8 provided and between projects funded with transportation 2003 account
9 (nickel account) appropriations, transportation partnership account
10 appropriations, or multimodal transportation account appropriations, in
11 order to manage project spending and efficiently deliver all projects
12 in the respective program under the following conditions and
13 limitations:

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

16 (b) Transfers from a project may not be made as a result of the
17 reduction of the scope of a project, nor shall a transfer be made to
18 support increases in the scope of a project;

19 (c) Each transfer between projects may only occur if the director
20 of financial management finds that any resulting change will not hinder
21 the completion of the projects as approved by the legislature;

22 (d) Transfers to a project may be made without an offsetting
23 project reduction if the office of financial management finds there is
24 sufficient appropriation authority to accommodate the allocation
25 increase;

26 (e) Transfers of less than \$500,000 may be made by the department
27 without approval from the office of financial management;

28 (f) Transfers may not occur to projects not identified on the
29 applicable project list; and

30 (g) Transfers may not be made while the legislature is in session.

31 (2) At the time the department submits a request to transfer funds
32 under this section a copy of the request shall be submitted to the
33 transportation committees of the legislature. The request must include
34 how the fund transfer requests will be accommodated in a balanced
35 financial plan, consistent with legislative intent. A report of all
36 approved transfers made under this section shall be submitted on
37 October 1st of each fiscal year to the transportation committees of the
38 legislature.

1 (3) The office of financial management shall work with legislative
2 staff of the house of representatives and senate transportation
3 committees and the legislative evaluation and accountability program
4 committee to review the requested transfers.

5 (4) The office of financial management shall document approved
6 transfers and/or schedule changes in the transportation executive
7 information system (TEIS), compare changes to the last legislative
8 session, and transmit revised project lists to chairs of the
9 transportation committees of the legislature on a quarterly basis.

10 NEW SECTION. **Sec. 604. MEGA-PROJECT REPORTING.** Mega-projects are
11 defined as individual or groups of related projects that cost
12 \$1,000,000,000 or more. These projects include, but are not limited
13 to: Alaskan Way Viaduct, SR 520, SR 167, I-405, North Spokane
14 corridor, I-5 Tacoma HOV, and the Columbia River Crossing. The office
15 of financial management shall track mega-projects and report the
16 financial status and schedule of these projects at least once a year to
17 the transportation committees of the legislature.

18 **MISCELLANEOUS 2007-09 BIENNIUM**

19 **Sec. 701.** RCW 46.68.170 and 1996 c 237 s 2 are each amended to
20 read as follows:

21 There is hereby created in the motor vehicle fund the RV account.
22 All moneys hereafter deposited in said account shall be used by the
23 department of transportation for the construction, maintenance, and
24 operation of recreational vehicle sanitary disposal systems at safety
25 rest areas in accordance with the department's highway system plan as
26 prescribed in chapter 47.06 RCW. During the 2005-2007 and 2007-2009
27 fiscal biennia, the legislature may transfer from the RV account to the
28 motor vehicle fund such amounts as reflect the excess fund balance of
29 the RV account.

30 **Sec. 702.** RCW 47.29.170 and 2006 c 370 s 604 are each amended to
31 read as follows:

32 Before accepting any unsolicited project proposals, the commission
33 must adopt rules to facilitate the acceptance, review, evaluation, and

1 selection of unsolicited project proposals. These rules must include
2 the following:

3 (1) Provisions that specify unsolicited proposals must meet
4 predetermined criteria;

5 (2) Provisions governing procedures for the cessation of
6 negotiations and consideration;

7 (3) Provisions outlining that unsolicited proposals are subject to
8 a two-step process that begins with concept proposals and would only
9 advance to the second step, which are fully detailed proposals, if the
10 commission so directed;

11 (4) Provisions that require concept proposals to include at least
12 the following information: Proposers' qualifications and experience;
13 description of the proposed project and impact; proposed project
14 financing; and known public benefits and opposition; and

15 (5) Provisions that specify the process to be followed if the
16 commission is interested in the concept proposal, which must include
17 provisions:

18 (a) Requiring that information regarding the potential project
19 would be published for a period of not less than thirty days, during
20 which time entities could express interest in submitting a proposal;

21 (b) Specifying that if letters of interest were received during the
22 thirty days, then an additional sixty days for submission of the fully
23 detailed proposal would be allowed; and

24 (c) Procedures for what will happen if there are insufficient
25 proposals submitted or if there are no letters of interest submitted in
26 the appropriate time frame.

27 The commission may adopt other rules as necessary to avoid
28 conflicts with existing laws, statutes, or contractual obligations of
29 the state.

30 The commission may not accept or consider any unsolicited proposals
31 before (~~(June 30, 2007)~~) July 1, 2009.

32 NEW SECTION. Sec. 703. To the extent that any appropriation
33 authorizes expenditures of state funds from the motor vehicle account,
34 special category C account, Tacoma Narrows toll bridge account,
35 transportation 2003 account (nickel account), transportation
36 partnership account, transportation improvement account, Puget Sound
37 capital construction account, multimodal transportation account, or

1 other transportation capital project account in the state treasury for
2 a state transportation program that is specified to be funded with
3 proceeds from the sale of bonds authorized in chapter 47.10 RCW, the
4 legislature declares that any such expenditures made prior to the issue
5 date of the applicable transportation bonds for that state
6 transportation program are intended to be reimbursed from proceeds of
7 those transportation bonds in a maximum amount equal to the amount of
8 such appropriation.

9 **Sec. 704.** RCW 46.16.685 and 2003 c 370 s 4 are each amended to
10 read as follows:

11 The license plate technology account is created in the state
12 treasury. All receipts collected under RCW 46.01.140(4)(e)(ii) must be
13 deposited into this account. Expenditures from this account must
14 support current and future license plate technology and systems
15 integration upgrades for both the department and correctional
16 industries. Moneys in the account may be spent only after
17 appropriation. Additionally, the moneys in this account may be used to
18 reimburse the motor vehicle account for any appropriation made to
19 implement the digital license plate system. During the 2007-2009
20 fiscal biennium, the legislature may transfer from the license plate
21 technology account to the highway safety fund such amounts as reflect
22 the excess fund balance of the license plate technology account.

23 **Sec. 705.** RCW 47.01.390 and 2006 c 311 s 27 are each amended to
24 read as follows:

25 (1) Prior to commencing construction on either project, the
26 department of transportation must complete all of the following
27 requirements for both the Alaskan Way viaduct and Seattle Seawall
28 replacement project, and the state route number 520 bridge replacement
29 and HOV project: (a) In accordance with the national environmental
30 policy act, the department must designate the preferred alternative,
31 prepare a substantial project mitigation plan, and complete a
32 comprehensive cost estimate review using the department's cost estimate
33 validation process, for each project; (b) in accordance with all
34 applicable federal highway administration planning and project
35 management requirements, the department must prepare a project finance
36 plan for each project that clearly identifies secured and anticipated

1 fund sources, cash flow timing requirements, and project staging and
2 phasing plans if applicable; and (c) the department must report these
3 results for each project to the joint transportation committee.

4 (2) The requirements of this section shall not apply to (a) utility
5 relocation work, and related activities, on the Alaskan Way viaduct and
6 Seattle Seawall replacement project and (b) off-site pontoon
7 construction supporting the state route number 520 bridge replacement
8 and HOV project.

9 (3) The requirements of subsection (1) of this section shall not
10 apply during the 2007-2009 fiscal biennium.

11 **Sec. 706.** RCW 88.16.090 and 2005 c 26 s 2 are each amended to read
12 as follows:

13 (1) A person may pilot any vessel subject to this chapter on waters
14 covered by this chapter only if licensed to pilot such vessels on such
15 waters under this chapter.

16 (2)(a) A person is eligible to be licensed as a pilot if the
17 person:

18 (i) Is a citizen of the United States;

19 (ii) Is over the age of twenty-five years and under the age of
20 seventy years;

21 (iii) Is a resident of the state of Washington at the time of
22 licensure as a pilot;

23 (iv)(A) Holds at the time of application, as a minimum, a United
24 States government license as master of steam or motor vessels of not
25 more than one thousand six hundred gross register tons (three thousand
26 international tonnage convention tons) upon oceans, near coastal
27 waters, or inland waters; or the then most equivalent federal license
28 as determined by the board; any such license to have been held by the
29 applicant for a period of at least two years before application;

30 (B) Holds at the time of licensure as a pilot, after successful
31 completion of the board-required training program, a first class United
32 States endorsement without restrictions on the United States government
33 license for the pilotage district in which the pilot applicant desires
34 to be licensed; however, all applicants for a pilot examination
35 scheduled to be given before July 1, 2008, must have the United States
36 pilotage endorsement at the time of application; and

1 (C) The board may establish such other federal license requirements
2 for applicants and pilots as it deems appropriate; and

3 (v) Successfully completes a board-specified training program.

4 (b) In addition to the requirements of (a) of this subsection, a
5 pilot applicant must meet such other qualifications as may be required
6 by the board.

7 (c) A person applying for a license under this section shall not
8 have been convicted of an offense involving drugs or the personal
9 consumption of alcohol in the twelve months prior to the date of
10 application. This restriction does not apply to license renewals under
11 this section.

12 (3) The board may establish such other training license and pilot
13 license requirements as it deems appropriate.

14 (4) Pilot applicants shall be evaluated and ranked in a manner
15 specified by the board based on their experience, other qualifications
16 as may be set by the board, performance on a written examination or
17 examinations established by the board, and performance in such other
18 evaluation exercises as may be required by the board, for entry into a
19 board-specified training program.

20 When the board determines that the demand for pilots requires entry
21 of an applicant into the training program it shall issue a training
22 license to that applicant, but under no circumstances may an applicant
23 be issued a training license more than four years after taking the
24 written entry examination. The training license authorizes the trainee
25 to do such actions as are specified in the training program.

26 After the completion of the training program the board shall
27 evaluate the trainee's performance and knowledge. The board, as it
28 deems appropriate, may then issue a pilot license, delay the issuance
29 of the pilot license, deny the issuance of the pilot license, or
30 require further training and evaluation.

31 (5) The board may appoint a special independent committee or may
32 contract with a firm knowledgeable and experienced in the development
33 of professional tests and evaluations for development and grading of
34 the examinations and other evaluation methods. Active licensed state
35 pilots may be consulted for the general development of any examinations
36 and evaluation exercises but shall have no knowledge of the specific
37 questions. The pilot members of the board may participate in the
38 grading of examinations. If the board does appoint a special

1 examination or evaluation development committee it is authorized to pay
2 the members of the committee the same compensation and travel expenses
3 as received by members of the board. Any person who willfully gives
4 advance knowledge of information contained on a pilot examination or
5 other evaluation exercise is guilty of a gross misdemeanor.

6 (6) Pilots are licensed under this section for a term of five years
7 from and after the date of the issuance of their respective state
8 licenses. Licenses must thereafter be renewed as a matter of course,
9 unless the board withholds the license for good cause. Each pilot
10 shall pay to the state treasurer an annual license fee (~~of three~~
11 ~~thousand dollars~~) in an amount set by the board by rule. The fees
12 established under this subsection may be increased in excess of the
13 fiscal growth factor as provided in RCW 43.135.055 through the fiscal
14 year ending June 30, 2009. The fees must be deposited in the state
15 treasury to the credit of the pilotage account. The board may assess
16 partially active or inactive pilots a reduced fee.

17 (7) All pilots and applicants are subject to an annual physical
18 examination by a physician chosen by the board. The physician shall
19 examine the applicant's heart, blood pressure, circulatory system,
20 lungs and respiratory system, eyesight, hearing, and such other items
21 as may be prescribed by the board. After consultation with a physician
22 and the United States coast guard, the board shall establish minimum
23 health standards to ensure that pilots licensed by the state are able
24 to perform their duties. Within ninety days of the date of each annual
25 physical examination, and after review of the physician's report, the
26 board shall make a determination of whether the pilot or applicant is
27 fully able to carry out the duties of a pilot under this chapter. The
28 board may in its discretion check with the appropriate authority for
29 any convictions of offenses involving drugs or the personal consumption
30 of alcohol in the prior twelve months.

31 (8) The board may require vessel simulator training for a pilot
32 applicant and shall require vessel simulator training for a licensed
33 pilot subject to RCW 88.16.105. The board shall also require vessel
34 simulator training in the first year of active duty for a new pilot and
35 at least once every five years for all active pilots.

36 (9) The board shall prescribe, pursuant to chapter 34.05 RCW, such
37 reporting requirements and review procedures as may be necessary to

1 assure the accuracy and validity of license and service claims.
2 Willful misrepresentation of such required information by a pilot
3 applicant shall result in disqualification of the pilot applicant.

4 **Sec. 707.** RCW 47.12.244 and 1991 c 291 s 2 are each amended to
5 read as follows:

6 There is created the "advance right of way revolving fund" in the
7 custody of the treasurer, into which the department is authorized to
8 deposit directly and expend without appropriation:

9 (1) An initial deposit of ten million dollars from the motor
10 vehicle fund included in the department of transportation's 1991-93
11 budget;

12 (2) All moneys received by the department as rental income from
13 real properties that are not subject to federal aid reimbursement,
14 except moneys received from rental of capital facilities properties as
15 defined in chapter 47.13 RCW; and

16 (3) Any federal moneys available for acquisition of right of way
17 for future construction under the provisions of section 108 of Title
18 23, United States Code.

19 (4) During the 2007-09 fiscal biennium, the legislature may
20 transfer from the advance right of way revolving fund to the motor
21 vehicle account amounts as reflect the excess fund balance of the
22 advance right of way revolving fund.

23 **Sec. 708.** RCW 70.95.521 and 2005 c 354 s 3 are each amended to
24 read as follows:

25 The waste tire removal account is created in the state treasury.
26 All receipts from tire fees imposed under RCW 70.95.510 must be
27 deposited in the account. Moneys in the account may be spent only
28 after appropriation. Expenditures from the account may be used for the
29 cleanup of unauthorized waste tire piles and measures that prevent
30 future accumulation of unauthorized waste tire piles. During the 2007-
31 2009 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.

34 NEW SECTION. **Sec. 709.** The department of transportation, in
35 conjunction with the office of financial management, must implement the

1 governmental accounting standards board's (GASB) statement number 34
2 including a complete inventory and valuation of the state's highway
3 system. The financial reporting value of the state's highway system
4 must be adjusted for any new additions to the system. The biennial
5 reporting of the condition of the system must be related to the funding
6 levels of maintaining the system. The department must maintain a
7 current inventory of the state's highway system and estimate the actual
8 cost to maintain and preserve the assets. In addition to the GASB
9 statement 34, the department of transportation with the office of
10 financial management's assistance must establish an asset replacement
11 value for the entire state's highway system. During 2007, the speaker
12 of the house of representatives must select one member from each caucus
13 to work with the office of financial management and the department of
14 transportation. The purpose of this effort is to enhance decision
15 making that will result in strategic long-term investment decisions in
16 transportation capital project management and asset preservation. The
17 office of financial management will coordinate and manage the inventory
18 and the valuation. The office of financial management must submit a
19 final report to the legislative transportation committees on or before
20 December 1, 2008.

21 **2005-07 BIENNIUM**

22 **TRANSPORTATION AGENCIES--OPERATING**

23 **Sec. 801.** 2006 c 53 s 2 (uncodified) is amended to read as
24 follows:

25 **FOR THE BOARD OF PILOTAGE COMMISSIONERS**

26 Pilotage Account--State Appropriation ((\$1,017,000))
27 \$1,317,000

28 ~~((The appropriation in this section is subject to the following
29 conditions and limitations: \$500,000 of the appropriation is provided
30 solely for stipends to trainees in the training program as set forth in
31 rules adopted by the board.))~~

32 NEW SECTION. **Sec. 802.** A new section is added to 2005 c 313
33 (uncodified) to read as follows:

34 **FOR THE DEPARTMENT OF LICENSING.** The appropriations to the

1 department of licensing in chapter 370, Laws of 2006 shall be expended
2 for the programs and in the amounts specified herein. However, after
3 May 1, 2007, unless specifically prohibited, the department may
4 transfer motor vehicle account--state appropriations for the 2005-2007
5 fiscal biennium, highway safety account--state appropriations for the
6 2005-2007 fiscal biennium, and department of licensing services
7 account--state appropriations for the 2005-2007 fiscal biennium between
8 programs after approval by the director of financial management.
9 However, the department shall not transfer state moneys that are
10 provided solely for a specified purpose. The director of financial
11 management shall notify the appropriate fiscal committees of the senate
12 and house of representatives in writing prior to approving any
13 allotment modifications or transfers under this section.

14 NEW SECTION. **Sec. 803.** A new section is added to 2005 c 313
15 (uncodified) to read as follows:

16 **FOR THE DEPARTMENT OF TRANSPORTATION.** (1) The appropriations to the
17 department of transportation in this act shall be expended for the
18 programs and in the amounts specified in this act. However, in order
19 to meet extraordinary expenses in snow and ice removal, after May 1,
20 2007, unless specifically prohibited by this act, the department may
21 transfer state appropriations among operating programs after approval
22 by the director of financial management. However, the department shall
23 not transfer state moneys that are provided solely for a specified
24 purpose.

25 (2) The department shall not transfer funds, and the director of
26 financial management shall not approve the transfer, unless the
27 transfer is consistent with the objective of conserving, to the maximum
28 extent possible, the expenditure of state funds and not federal funds.
29 The director of financial management shall notify the appropriate
30 transportation committees of the legislature in writing seven days
31 prior to approving any allotment modifications or transfers under this
32 subsection. The written notification shall include a narrative
33 explanation and justification of the changes, along with expenditures
34 and allotments by program and appropriation, both before and after any
35 allotment modifications or transfers.

1 her designee; (d) a representative of the attorney general's office;
2 (e) a representative of the department of licensing; and (f) a
3 representative of the financial community. The purpose of the study is
4 to develop an MVET depreciation schedule that more accurately reflects
5 vehicle value but does not hinder outstanding contractual obligations.

6 (3) Funds provided in this section are sufficient for the committee
7 to administer a study of the most reliable and cost-effective means of
8 providing passenger-only ferry service.

9 (a) The study shall be guided by a 18 member task force consisting
10 of the chairs and ranking members of the house of representatives and
11 senate transportation committees, a designee of the director of the
12 office of financial management, a member of the transportation
13 commission, a designee of the secretary of transportation, a
14 representative of organized labor, and ten stakeholders to be appointed
15 by the governor as follows: Six representatives of ferry user
16 communities, two representatives of public transportation agencies, and
17 two representatives of commercial ferry operators.

18 (b) The study shall examine issues including but not limited to the
19 long-term viability of different service providers, cost to ferry
20 passengers, the state subsidies required by each provider, and the
21 availability of federal funding for the different service providers.

22 (c) By November 30, 2005, the task force shall make its
23 recommendations to the house of representatives and senate
24 transportation committees.

25 (4) ~~(((\$450,000 of the motor vehicle account—state appropriation is
26 provided solely to administer a consultant study of the long term
27 viability of the state's transportation financing methods and sources.~~

28 ~~(a) At a minimum, the study must examine the following: (i) The
29 short and long term viability of the motor fuel tax (both state and
30 federal) as a major source of funding for transportation projects and
31 programs; (ii) the desirability and effectiveness of state distributed
32 transportation funds for the benefit of local units of government;
33 (iii) the potential for alternative and/or emerging sources of
34 transportation revenues, with particular emphasis on user based fees
35 and charges; and (iv) trends and implications of debt financing for
36 transportation projects. The scope of work for the study may be
37 expanded to include analysis of other financing issues relevant to the
38 long term viability of the state's transportation system.~~

1 ~~(b) The findings and recommendations must be submitted to the~~
2 ~~fiscal committees of the legislature by November 1, 2006.~~

3 ~~(5))~~ \$75,000 of the motor vehicle account--state appropriation is
4 provided solely for the joint transportation committee to contract for
5 a review of existing research on programs and policies which decrease
6 accidents by teenage drivers, including but not limited to publicly
7 operated driver education and intermediate drivers licensing programs.
8 The institute shall also evaluate the costs and benefits of programs
9 and policies showing the greatest positive impact on teenage driving
10 safety.

11 ~~((6))~~ (5) The committee shall conduct an evaluation of the
12 department of transportation surface transportation program enhancement
13 grant program. The evaluation will include (a) information about the
14 categories of projects submitted for consideration; (b) a review of the
15 allocation of funds awarded across the categories of STP enhancement
16 eligible activities; (c) a review of the criteria used to score
17 projects; and (d) a finding by the committee whether certain categories
18 of projects are disproportionately funded or unfunded.

19 **Sec. 805.** 2006 c 370 s 208 (uncodified) is amended to read as
20 follows:

21 **FOR THE WASHINGTON STATE PATROL--FIELD OPERATIONS BUREAU**

| | |
|--|----------------------|
| 22 State Patrol Highway Account--State Appropriation . . . | (\$201,063,000) |
| 23 | <u>\$197,234,000</u> |
| 24 State Patrol Highway Account--Federal Appropriation . . . | \$10,544,000 |
| 25 State Patrol Highway Account--Private/Local Appropriation . . | \$169,000 |
| 26 TOTAL APPROPRIATION | \$((211,776,000)) |
| 27 | <u>\$207,947,000</u> |

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

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

1 shall report to the house of representatives and senate transportation
2 committees by December 31, 2005, on the use of agency vehicles by
3 officers engaging in the off-duty employment specified in this
4 subsection. The report shall include an analysis that compares cost
5 reimbursement and cost-impacts, including increased vehicle mileage,
6 maintenance costs, and indirect impacts, associated with the private
7 use of patrol vehicles.

8 (2) In addition to the user fees, the patrol shall transfer into
9 the state patrol nonappropriated airplane revolving account under RCW
10 43.79.470 no more than the amount of appropriated state patrol highway
11 account and general fund funding necessary to cover the costs for the
12 patrol's use of the aircraft. The state patrol highway account and
13 general fund--state funds shall be transferred proportionately in
14 accordance with a cost allocation that differentiates between highway
15 traffic enforcement services and general policing purposes.

16 (3) The patrol shall not account for or record locally provided DUI
17 cost reimbursement payments as expenditure credits to the state patrol
18 highway account. The patrol shall report the amount of expected
19 locally provided DUI cost reimbursements to the transportation
20 committees of the senate and house of representatives by December 31st
21 of each year.

22 (4) The state patrol highway account--state appropriation for DUI
23 reimbursements shall only be spent for pursuit vehicle video cameras,
24 datamaster DUI testing equipment, tire deflator equipment, and taser
25 guns. The Washington state patrol prior to the issuance of any taser
26 guns will train the troopers on using the equipment. The agency will
27 provide a report to the transportation committees of the senate and
28 house of representatives by December 31st of each year on the
29 occurrences where the taser guns were utilized along with any issues
30 that have been identified.

31 (5) \$29,000 of the state patrol highway account--state
32 appropriation is provided solely for the implementation of House Bill
33 No. 1469. If House Bill No. 1469 is not enacted by June 30, 2005, the
34 amount provided in this subsection shall lapse.

35 (6) \$5,580,000 of the total appropriation is provided solely for a
36 3.8% salary increase for commissioned officers effective July 1, 2005,
37 in addition to any other salary increases provided for in this act.

1 (7) The Washington state patrol is authorized to use certificates
2 of participation to fund the King Air aircraft replacement over a term
3 of not more than ten years and an amount not to exceed \$1,900,000.

4 (8)(a) \$834,000 of the state patrol highway account--state
5 appropriation is provided solely for the collective bargaining
6 agreement reached between the governor and the Washington state patrol
7 troopers association under chapter 438, Laws of 2005. For commissioned
8 troopers and sergeants covered under this section, funding is provided
9 for a 2.6% salary increase effective July 1, 2006. This increase
10 supersedes the fiscal year 2007 increase granted under section 501,
11 chapter 313, Laws of 2005. Provisions of the collective bargaining
12 agreement contained in this subsection are described in general terms.
13 Only major economic terms are included in this description. This
14 description does not contain the complete contents of the agreement.
15 Due to the timing challenges in negotiating the initial collective
16 bargaining agreement under chapter 438, Laws of 2005, this agreement
17 was not concluded by the October 1st statutory deadline. However, the
18 legislature does not intend to fund bargaining agreements concluded
19 after the October 1st deadline, or other salary increases not included
20 in the governor's budget proposal, in future biennia.

21 (b) \$62,000 of the state patrol highway account--state
22 appropriation is provided solely for salary increases for commissioned
23 captains and lieutenants covered under this section, if a new
24 collective bargaining agreement is reached between the governor and the
25 Washington state patrol lieutenants association by July 1, 2006. The
26 amount provided in this subsection is contingent on an agreement being
27 reached by July 1, 2006, and shall be held in reserve status until the
28 agreement is reached. If an agreement is not reached by July 1, 2006,
29 the amount provided in this subsection shall lapse. If an agreement is
30 reached by July 1, 2006, the increase supersedes the fiscal year 2007
31 increase granted under section 501, chapter 313, Laws of 2005. Due to
32 the timing challenges in negotiating a collective bargaining agreement
33 funded under this subsection, the agreement will not have been
34 concluded by the October 1st statutory deadline. However, the
35 legislature does not intend to fund bargaining agreements concluded
36 after the October 1st deadline, or other salary increases not included
37 in the governor's budget proposal, in future biennia.

1 (9) The Washington state patrol, in consultation with the
2 department of licensing, local law enforcement agencies, and other
3 appropriate organizations, shall study the options for implementing an
4 inspection program for tow truck operators that are not licensed as
5 registered tow truck operators. This study shall also evaluate
6 prospective sources of funding and the amount of funding necessary for
7 the program. The Washington state patrol shall report to the
8 transportation committees of the legislature by December 1, 2006, on
9 the options, strategies, and recommendations for implementing an
10 inspection program for tow truck operators that are not licensed as
11 registered tow truck operators.

12 (10) \$2,040,000 of the state patrol highway account--state
13 appropriation is provided solely for eighteen additional commissioned
14 officers in the vessel and terminal security division.

15 (11) The office of financial management shall conduct a review of
16 the state patrol highway account and report its findings to the
17 legislature by January 1, 2007.

18 **Sec. 806.** 2006 c 370 s 209 (uncodified) is amended to read as
19 follows:

20 **FOR THE WASHINGTON STATE PATROL--INVESTIGATIVE SERVICES BUREAU**

| | |
|--|------------------------------|
| 21 State Patrol Highway Account--State Appropriation . . . | ((\$1,358,000)) |
| 22 | <u>\$778,000</u> |

23 **Sec. 807.** 2006 c 370 s 210 (uncodified) is amended to read as
24 follows:

25 **FOR THE WASHINGTON STATE PATROL--TECHNICAL SERVICES BUREAU**

| | |
|--|-------------------------------|
| 26 State Patrol Highway Account--State Appropriation . . . | ((\$91,359,000)) |
| 27 | <u>\$91,742,000</u> |
| 28 State Patrol Highway Account--Private/Local | |
| 29 Appropriation | \$2,008,000 |
| 30 TOTAL APPROPRIATION | ((\$93,367,000)) |
| 31 | <u>\$93,750,000</u> |

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

34 (1) \$247,000 of the state patrol highway account--state
35 appropriation is provided solely for the implementation of Second

1 Substitute House Bill No. 1188. If Second Substitute House Bill No.
2 1188 is not enacted by June 30, 2005, the amount provided in this
3 subsection shall lapse.

4 (2) The Washington state patrol is instructed to work with the risk
5 management division in the office of financial management in compiling
6 the state patrol data for establishing the agency's risk management
7 insurance premiums to the tort claims account. The office of financial
8 management and the Washington state patrol shall submit a report to the
9 transportation committees of the senate and house of representatives by
10 December 31st of each year on the number of claims, estimated claims to
11 be paid, method of calculation, and the adjustment in the premium.

12 (3) \$8,678,000 of the total appropriation is provided solely for
13 the purchase of pursuit vehicles.

14 (4) \$5,254,000 of the total appropriation is provided solely for
15 vehicle repair and maintenance costs of vehicles used for highway
16 purposes.

17 (5) \$384,000 of the total appropriation is provided solely for the
18 purchase of mission vehicles used for highway purposes in the
19 commercial vehicle and traffic investigation sections of the patrol.

20 (6)(a) \$28,000 of the state patrol highway account--state
21 appropriation is provided solely for the collective bargaining
22 agreement reached between the governor and the Washington state patrol
23 troopers association under chapter 438, Laws of 2005. For commissioned
24 troopers and sergeants covered under this section, funding is provided
25 for a 2.6% salary increase effective July 1, 2006. This increase
26 supersedes the fiscal year 2007 increase granted under section 501,
27 chapter 313, Laws of 2005. Provisions of the collective bargaining
28 agreement contained in this subsection are described in general terms.
29 Only major economic terms are included in this description. This
30 description does not contain the complete contents of the agreement.
31 Due to the timing challenges in negotiating the initial collective
32 bargaining agreement under chapter 438, Laws of 2005, this agreement
33 was not concluded by the October 1st statutory deadline. However, the
34 legislature does not intend to fund bargaining agreements concluded
35 after the October 1st deadline, or other salary increases not included
36 in the governor's budget proposal, in future biennia.

37 (b) \$2,000 of the state patrol highway account--state appropriation
38 is provided solely for salary increases for commissioned captains and

1 lieutenants covered under this section, if a new collective bargaining
2 agreement is reached between the governor and the Washington state
3 patrol lieutenants association by July 1, 2006. The amount provided in
4 this subsection is contingent on an agreement being reached by July 1,
5 2006, and shall be held in reserve status until the agreement is
6 reached. If an agreement is not reached by July 1, 2006, the amount
7 provided in this subsection shall lapse. If an agreement is reached by
8 July 1, 2006, the increase supersedes the fiscal year 2007 increase
9 granted under section 501, chapter 313, Laws of 2005. Due to the
10 timing challenges in negotiating a collective bargaining agreement
11 funded under this subsection, the agreement will not have been
12 concluded by the October 1st statutory deadline. However, the
13 legislature does not intend to fund bargaining agreements concluded
14 after the October 1st deadline, or other salary increases not included
15 in the governor's budget proposal, in future biennia.

16 **Sec. 808.** 2006 c 370 s 215 (uncodified) is amended to read as
17 follows:

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

| | |
|---|--------------------|
| 20 Tacoma Narrows Toll Bridge Account--State Appropriation ((\$8,294,000)) | |
| 21 | <u>\$5,288,000</u> |

22 **Sec. 809.** 2006 c 370 s 218 (uncodified) is amended to read as
23 follows:

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

| | |
|--|---------------------|
| 25 Aeronautics Account--State Appropriation ((\$7,137,000)) | |
| 26 | <u>\$6,925,000</u> |
| 27 Aeronautics Account--Federal Appropriation \$2,150,000 | |
| 28 Multimodal Transportation Account--State Appropriation . . . \$100,000 | |
| 29 Multimodal Transportation Account--Federal Appropriation . . \$900,000 | |
| 30 TOTAL APPROPRIATION ((\$10,287,000)) | |
| 31 | <u>\$10,075,000</u> |

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

34 (1)(a) \$433,000 of the aeronautics account--state appropriation is
35 provided solely for airport pavement projects. The department's
36 aviation division shall complete a priority airport pavement project

1 list by January 1, 2006, to be considered by the legislature in the
2 2006 supplemental budget. If Substitute Senate Bill No. 5414 is not
3 enacted by June 30, 2005, the amount provided in this subsection shall
4 lapse.

5 (b) If Substitute Senate Bill No. 5414 is enacted by July 1, 2005,
6 then the remaining unexpended fund balance in the aircraft search and
7 rescue, safety, and education account shall be deposited into the state
8 aeronautics account.

9 (2) The entire multimodal transportation account--state and federal
10 appropriations are provided solely for implementing Engrossed
11 Substitute Senate Bill No. 5121. If Engrossed Substitute Senate Bill
12 No. 5121 is not enacted by June 30, 2005, or if federal funds are not
13 received by March 1, 2006, for the purpose of implementing Engrossed
14 Substitute Senate Bill No. 5121, the amount provided in this subsection
15 shall lapse.

16 **Sec. 810.** 2006 c 370 s 224 (uncodified) is amended to read as
17 follows:

18 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**
19 **AND RESEARCH--PROGRAM T**

| | | |
|----|--|-------------------------------|
| 20 | Motor Vehicle Account--State Appropriation | ((\$24,052,000)) |
| 21 | | <u>\$23,053,000</u> |
| 22 | Motor Vehicle Account--Federal Appropriation | \$16,756,000 |
| 23 | Multimodal Transportation Account--State Appropriation . . | \$2,279,000 |
| 24 | Multimodal Transportation Account--Federal | |
| 25 | Appropriation | \$2,829,000 |
| 26 | Multimodal Transportation Account--Private/Local | |
| 27 | Appropriation | \$100,000 |
| 28 | Transportation Partnership Account--State | |
| 29 | Appropriation | \$2,300,000 |
| 30 | TOTAL APPROPRIATION | ((\$48,316,000)) |
| 31 | | <u>\$47,317,000</u> |

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

34 (1) In order to qualify for state planning funds available to
35 regional transportation planning organizations under this section, a
36 regional transportation planning organization containing any county
37 with a population in excess of one million shall provide voting

1 membership on its executive board to any incorporated principal city of
2 a metropolitan statistical area within the region, as designated by the
3 United States census bureau, and to any incorporated city within the
4 region with a population in excess of eighty thousand as of July 1,
5 2005. Additionally, a regional transportation planning organization
6 described under this subsection shall conduct a review of its executive
7 board membership criteria to ensure that the criteria appropriately
8 reflects a true and comprehensive representation of the organization's
9 jurisdictions of significance within the region.

10 (2) \$175,000 of the motor vehicle account--state appropriation is
11 provided to the department in accordance with RCW 46.68.110(2) and
12 46.68.120(3) and shall be used by the department to support the
13 processing and analysis of the backlog of city and county collision
14 reports by January 2006. The amount provided in this subsection shall
15 lapse if federal funds become available for this purpose.

16 (3) \$150,000 of the multimodal transportation account--state
17 appropriation is provided solely for the implementation of Engrossed
18 Second Substitute House Bill No. 1565. If Engrossed Second Substitute
19 House Bill No. 1565 is not enacted by June 30, 2005, the amount
20 provided in this subsection shall lapse.

21 (4) The department of transportation shall evaluate the number of
22 spaces available for long-haul truck parking relative to current and
23 projected future needs. The department of transportation shall also
24 explore options for augmenting the number of spaces available,
25 including, but not limited to, expanding state-owned rest areas or
26 modifying regulations governing the use of these facilities, utilizing
27 weigh stations and park and ride lots, and encouraging the expansion of
28 the private sector's role. Finally, the department shall explore the
29 utility of coordinating with neighboring states on long-haul truck
30 parking and evaluate methodologies for alleviating any air quality
31 issues relative to the issue. The department must report to the
32 transportation committees of the legislature by December 1, 2005, on
33 the options, strategies, and recommendations for long-haul truck
34 parking.

35 (5) \$50,000 of the multimodal transportation account--state
36 appropriation is provided solely for evaluating high-speed passenger
37 transportation facilities and services, including rail or magnetic
38 levitation transportation systems, to connect airports as a means to

1 more efficiently utilize airport capacity, as well as connect major
2 population and activity centers. This evaluation shall be coordinated
3 with the airport capacity and facilities market analysis conducted
4 pursuant to Engrossed Substitute Senate Bill No. 5121 and results of
5 the evaluation shall be submitted by July 1, 2007. If Engrossed
6 Substitute Senate Bill No. 5121 is not enacted by June 30, 2005, or if
7 federal funds are not received by March 1, 2006, for the purpose of
8 implementing Engrossed Substitute Senate Bill No. 5121, the amount
9 provided in this subsection shall lapse.

10 (6) \$700,000 of the motor vehicle account--state appropriation is
11 provided solely for completing funding for a route development plan of
12 U.S. route 2.

13 (7) The department shall conduct a study of the resources allocated
14 to each of the seven department regions and the corresponding
15 workloads. Given the magnitude of the investments in the Puget Sound
16 region, particular emphasis shall be given to reviewing the resources
17 allocated and corresponding workloads with respect to the urban
18 corridors region and the northwest region. Based on the results of
19 this study, the department shall submit recommendations by December 1,
20 2006, to the legislature and the office of financial management
21 regarding reallocating resources and revising regional boundaries
22 within the department, as appropriate, in order to better coincide
23 allocated resources with designated regional boundaries.

24 (8) \$750,000 of the multimodal transportation account--state
25 appropriation is provided solely for implementing Engrossed Substitute
26 House Bill No. 2871. If Engrossed Substitute House Bill No. 2871 is
27 not enacted by June 30, 2006, the amount provided in this subsection
28 shall lapse. The regional transportation commission's duties to
29 develop, complete, and submit a governance proposal to the 2007
30 legislature are highly time sensitive. As a result, the legislature
31 finds that competitive bidding is not cost-effective or appropriate for
32 personal service contracts entered into by the commission, and that the
33 director of the office of financial management should, by the
34 director's authority under RCW 39.29.011(5), exempt any such personal
35 service contract from the competitive bidding requirements of chapter
36 39.29 RCW.

37 (9) \$2,300,000 of the transportation partnership account--state
38 appropriation is provided solely for the costs of the regional

1 transportation investment district (RTID) and department of
2 transportation project oversight. The department shall provide support
3 from its urban corridors region to assist in preparing project costs,
4 expenditure plans, and modeling. The department shall not deduct a
5 management reserve, nor charge management or overhead fees. These
6 funds are provided as a loan to the RTID and shall be repaid to the
7 state motor vehicle account within one year following the certification
8 of the election results related to the RTID.

9 (10) \$100,000 of the motor vehicle account--state appropriation is
10 provided solely to the department in accordance with RCW 46.68.110(2)
11 and 46.68.120(3) and shall be used by the department solely to conduct
12 an analysis of expanding the transportation concurrency requirements
13 prescribed under the growth management act, chapter 36.70A RCW, to
14 include development impacts on level of service standards applicable to
15 state-owned transportation facilities, including state highways and
16 state ferry routes. The objective of the analysis is to determine how
17 to ensure that jurisdictional divisions do not defeat growth management
18 act concurrency goals. The department shall convene a committee to
19 oversee the analysis, with the committee comprised of, at a minimum,
20 four members of the transportation committees of the legislature, four
21 members of the appropriate land use committees of the legislature, and
22 one member each from the association of Washington cities and the
23 Washington state association of counties, or a designee thereof. The
24 completed study, including recommendations, must be submitted to the
25 appropriate standing committees of the legislature, and to the office
26 of financial management, by December 1, 2006.

27 (11) The department of transportation, the Washington state
28 economic revenue forecast council, and the office of financial
29 management shall review and adopt a method of forecasting motor vehicle
30 and special fuel prices, revenue, and the amount of consumption that
31 has an increased rate of accuracy as compared to the existing method.
32 The three agencies shall submit a report to the transportation
33 committees of the legislature by December 1, 2006, outlining the
34 methods researched and the criteria utilized to select and adopt the
35 new fuel forecasting method.

36 (12) \$150,000 of the multimodal transportation account--state
37 appropriation is provided solely for a transportation demand management
38 program, developed by the Whatcom council of governments, to further

1 reduce drive-alone trips and maximize the use of sustainable
2 transportation choices. The community based program must focus on all
3 trips, not only commute trips, by providing education, assistance, and
4 incentives to four target audiences: (a) Large work sites; (b)
5 employees of businesses in downtown areas; (c) school children; and (d)
6 residents of Bellingham.

7 **Sec. 811.** 2006 c 370 s 225 (uncodified) is amended to read as
8 follows:

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

| | | |
|----|--|-------------------------------|
| 11 | Motor Vehicle Account--State Appropriation | ((\$46,874,000)) |
| 12 | | <u>\$47,334,000</u> |
| 13 | Motor Vehicle Account--Federal Appropriation | \$400,000 |
| 14 | TOTAL APPROPRIATION | ((\$47,274,000)) |
| 15 | | <u>\$47,734,000</u> |

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

18 (1) ((~~\$31,749,000~~)) \$32,209,000 of the motor vehicle fund--state
19 appropriation is provided solely for the liabilities attributable to
20 the department of transportation. The office of financial management
21 must provide a detailed accounting of the revenues and expenditures of
22 the self-insurance fund to the transportation committees of the
23 legislature on December 31st and June 30th of each year.

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

| | | |
|----|---|-------------------------------|
| 26 | (a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT | |
| 27 | DIVISION OF RISK MANAGEMENT FEES | \$1,667,000 |
| 28 | (b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE | |
| 29 | AUDITOR | \$1,026,000 |
| 30 | (c) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL | |
| 31 | ADMINISTRATION FACILITIES AND SERVICES AND CONSOLIDATED | |
| 32 | MAIL SERVICES | \$4,049,000 |
| 33 | (d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF | |
| 34 | PERSONNEL | \$4,548,000 |
| 35 | (e) FOR PAYMENT OF SELF-INSURANCE LIABILITY | |
| 36 | PREMIUMS AND ADMINISTRATION | ((\$31,749,000)) |
| 37 | | <u>\$32,209,000</u> |

1 efforts to coordinate trips among providers and riders, and the cost
2 effectiveness of trips provided.

3 (b) \$19,500,000 of the amount provided in this subsection is
4 provided solely for grants to transit agencies to transport persons
5 with special transportation needs. To receive a grant, the transit
6 agency must have a maintenance of effort for special needs
7 transportation that is no less than the previous year's maintenance of
8 effort for special needs transportation. Grants for transit agencies
9 shall be prorated based on the amount expended for demand response
10 service and route deviated service in calendar year 2003 as reported in
11 the "Summary of Public Transportation - 2003" published by the
12 department of transportation. No transit agency may receive more than
13 thirty percent of these distributions. The first \$450,000 provided to
14 King county shall be used as follows:

15 (i) \$320,000 shall be used to provide electric buses, instead of
16 diesel buses, for service on Capital Hill in Seattle, Washington
17 through June 30, 2007;

18 (ii) \$130,000 shall be used to provide training for blind
19 individuals traveling through Rainier Valley and the greater Seattle
20 area. The training is to include destination training and retraining
21 due to the expected closure of the downtown bus tunnel and training on
22 how to use the Sound Transit light rail system.

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

25 (a) \$7,000,000 of the multimodal transportation account--state
26 appropriation is provided solely for grants for those transit systems
27 serving small cities and rural areas as identified in the Summary of
28 Public Transportation - 2003 published by the department of
29 transportation. Noncompetitive grants must be distributed to the
30 transit systems serving small cities and rural areas in a manner
31 similar to past disparity equalization programs.

32 (b) \$7,000,000 of the multimodal transportation account--state
33 appropriation is provided solely to providers of rural mobility service
34 in areas not served or underserved by transit agencies through a
35 competitive grant process.

36 (3) \$8,900,000 of the multimodal transportation account--state
37 appropriation is provided solely for a vanpool grant program for: (a)
38 Public transit agencies to add vanpools; and (b) incentives for

1 employers to increase employee vanpool use. The grant program for
2 public transit agencies will cover capital costs only; no operating
3 costs for public transit agencies are eligible for funding under this
4 grant program. No additional employees may be hired from the funds
5 provided in this section for the vanpool grant program, and supplanting
6 of transit funds currently funding vanpools is not allowed. Additional
7 criteria for selecting grants must include leveraging funds other than
8 state funds.

9 (4) \$3,000,000 of the multimodal transportation account--state
10 appropriation is provided solely for the city of Seattle for the
11 Seattle streetcar project on South Lake Union.

12 (5) \$1,200,000 of the multimodal transportation account--state
13 appropriation is provided solely for the implementation of Engrossed
14 Substitute House Bill No. 2124. If Engrossed Substitute House Bill No.
15 2124 is not enacted by June 30, 2005, the amount provided in this
16 subsection shall lapse.

17 (6)(a) (~~(\$20,000,000)~~) \$2,832,000 of the multimodal transportation
18 account--state appropriation is provided solely for the regional
19 mobility grant projects identified on the LEAP Transportation Document
20 2006-D, Regional Mobility Grant Program Projects as developed March 8,
21 2006. The department shall review all projects receiving grant awards
22 under this program at least semiannually to determine whether the
23 projects are making satisfactory progress. Any project that has been
24 awarded funds, but does not report activity on the project within one
25 year of the grant award, shall be reviewed by the department to
26 determine whether the grant should be terminated. The department shall
27 promptly close out grants when projects have been completed, and
28 identify where unused grant funds remain because actual project costs
29 were lower than estimated in the grant award. When funds become
30 available either because grant awards have been rescinded for lack of
31 sufficient project activity or because completed projects returned
32 excess grant funds upon project closeout, the department shall
33 expeditiously extend new grant awards to qualified alternative projects
34 identified on the list.

35 (b) Pursuant to the grant program established in RCW 47.66.030, the
36 department shall issue a call for projects and/or service proposals.
37 Applications must be received by the department by November 1, 2005,
38 and November 1, 2006. The department must submit a prioritized list

1 for funding to the transportation committees of the legislature that
2 reflects the department's recommendation, as well as, a list of all
3 project or service proposals received.

4 (7) \$2,000,000 of the multimodal transportation account--state
5 appropriation is provided solely for new tri-county connection service
6 for Island, Skagit, and Whatcom transit agencies.

7 (8) \$2,000,000 of the multimodal transportation account--state
8 appropriation is provided solely to King county as a state match to
9 obtain federal funding for a car sharing program for persons meeting
10 certain income or employment criteria.

11 (9) \$750,000 of the multimodal transportation account--state
12 appropriation is provided solely for the implementation of the local
13 government and regional transportation planning requirements in
14 Engrossed Substitute Senate Bill No. 6566 (commute trip reduction).
15 The department may use contract or temporary employees to implement the
16 bill and shall allocate the remaining funds to regional transportation
17 planning organizations, counties, and cities on an as needed basis. If
18 Engrossed Substitute Senate Bill No. 6566 is not enacted by June 30,
19 2006, the amount provided in this subsection shall lapse.

20 (10) (~~(\$200,000)~~) \$140,000 of the multimodal account appropriation
21 is provided solely for up to three low-income car ownership programs.
22 The department shall seek to leverage available federal funds from the
23 job access and reverse commute program to augment the funding provided
24 in this subsection. Additionally, the department shall report back to
25 the appropriate committees of the legislature with a review of the
26 obstacles presented by state laws on surplus property disposal to
27 community organizations reconditioning cars and selling those cars at
28 below market rates to low-income families.

29 **Sec. 813.** 2006 c 370 s 227 (uncodified) is amended to read as
30 follows:

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

| | |
|--|--------------------------------|
| 32 Puget Sound Ferry Operations Account--State | |
| 33 Appropriation | ((\$372,254,000)) |
| 34 | <u>\$388,101,000</u> |
| 35 Multimodal Transportation Account--State | |
| 36 Appropriation | \$3,660,000 |
| 37 TOTAL APPROPRIATION | ((\$375,914,000)) |

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

(1) (~~(\$75,280,000)~~) \$80,476,000 of the total appropriation is provided solely for auto ferry vessel operating fuel in the 2005-2007 biennium.

(2) The maximum amount of expenditures for compensation paid to ferry employees during the 2005-2007 biennium shall not exceed (~~(\$226,455,000)~~) \$235,325,000. This amount reflects the sole source of state funding available to support the implementation of any collective bargaining agreements or arbitration awards with respect to state ferry employee compensation, including salaries, wages, and employee benefits, during the 2005-2007 biennium, which amount includes \$6,223,000 in full satisfaction of the arbitration awards for the 2001-2003 biennium and \$1,339,000 for labor productivity gains agreements and \$8,870,000 in full satisfaction of the arbitration awards and the negotiated collective bargaining agreements for the 2003-2005 and 2005-2007 biennia. The department's use of this expenditure authority constitutes a good faith attempt to implement such agreements and awards, including those applicable to prior biennia. It is the intent of the legislature that the expenditure authority provided in this subsection fully satisfy any agreements or awards required to be implemented during the 2005-2007 biennium, and that the provisions of Substitute House Bill No. 3178 (marine employees collective bargaining) will govern the implementation of agreements or awards effective beginning with the 2007-2009 biennium. For the purposes of this section, the expenditures for compensation paid to ferry employees shall be limited to salaries and wages and employee benefits as defined in the office of financial management's state administrative and accounting manual, chapter 75.70, named under objects of expenditure "A" and "B".

(3) \$1,116,000 of the Puget Sound ferry operations account--state appropriation is provided solely for ferry security operations necessary to comply with the ferry security plan submitted by the Washington state ferry system to the United States coast guard. The department shall track security costs and expenditures. Ferry security operations costs shall not be included as part of the operational costs that are used to calculate farebox recovery.

1 (4) The Washington state ferries must work with the department's
2 information technology division to implement an electronic fare system,
3 including the integration of the regional fare coordination system
4 (smart card). Each December and June, semi-annual updates must be
5 provided to the transportation committees of the legislature concerning
6 the status of implementing and completing this project, with updates
7 concluding the first December after full project implementation.

8 (5) The Washington state ferries shall continue to provide service
9 to Sidney, British Columbia.

10 (6) \$3,660,000 of the multimodal transportation account--state
11 appropriation is provided solely to provide passenger-only ferry
12 service. The ferry system shall continue passenger-only ferry service
13 from Vashon Island to Seattle until such time as a county ferry
14 district's assumption of the route, as authorized by Substitute Senate
15 Bill No. 6787. Beginning September 1, 2005, ferry system management
16 shall implement its agreement with the Inlandboatmen's Union of the
17 Pacific and the International Organization of Masters, Mates and Pilots
18 providing for part-time passenger-only work schedules.

19 (7) \$350,000 of the Puget Sound ferry operations account--state
20 appropriation is provided solely for the implementation of Substitute
21 House Bill No. 3178 (marine employees collective bargaining). If
22 Substitute House Bill No. 3178 is not enacted by June 30, 2006, the
23 amount provided in this subsection shall lapse.

24 **Sec. 814.** 2006 c 370 s 228 (uncodified) is amended to read as
25 follows:

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

27 Multimodal Transportation Account--State

28 Appropriation (~~(\$36,876,000)~~)
29 \$35,626,000

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

32 (1)(a) \$29,091,000 of the multimodal transportation account--state
33 appropriation is provided solely for the Amtrak service contract and
34 Talgo maintenance contract associated with providing and maintaining
35 the state-supported passenger rail service. Upon completion of the
36 rail platform project in the city of Stanwood, the department shall
37 provide daily Amtrak Cascades service to the city.

1 (b) The department shall negotiate with Amtrak and Burlington
2 Northern Santa Fe to adjust the Amtrak Cascades schedule to leave
3 Bellingham at a significantly earlier hour.

4 (2) (~~(\$2,750,000)~~) \$1,500,000 of the multimodal transportation
5 account--state appropriation is provided solely for a new round trip
6 rail service between Seattle and Portland beginning July 1, 2006.

7 (3) No AMTRAK Cascade runs may be eliminated.

8 (4) \$40,000 of the multimodal transportation account--state
9 appropriation is provided solely for the produce railcar program. The
10 department is encouraged to implement the produce railcar program by
11 maximizing private investment.

12 (5) \$500,000 of the multimodal transportation account--state
13 appropriation is provided solely for a study of the realignment of
14 highway and rail in the Longview industrial area (SR 432) corridor,
15 specifically regarding whether the construction of a limited access
16 bypass highway to reduce congestion resulting from anticipated growth
17 in future rail and truck traffic, is a feasible alternative. In
18 conducting the study, the department shall consult port districts,
19 local government planning staff, and rail road companies, and other
20 appropriate stakeholders.

21 (6) \$60,000 of the multimodal transportation account--state
22 appropriation is provided solely for a study of the need for
23 transloading capabilities in the West Plains area that could be served
24 by the Geiger Spur, including evaluation of prospective transloader
25 sites, potential operators and users, and the type, size, and special
26 needs of shippers/customers. The study must also evaluate the costs
27 associated with building and operating a transloader site and the
28 impact to local roadways and surrounding land uses. In conducting the
29 study, the department shall consult with Spokane County.

30 **Sec. 815.** 2006 c 370 s 229 (uncodified) is amended to read as
31 follows:

32 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
33 **OPERATING**

| | | |
|----|--|------------------------------|
| 34 | Motor Vehicle Account--State Appropriation | ((\$8,500,000)) |
| 35 | | <u>\$8,836,000</u> |
| 36 | Motor Vehicle Account--Federal Appropriation | \$2,597,000 |
| 37 | Multimodal Transportation Account--State | |

1 Appropriation ((~~\$411,000~~))
 2 \$200,000
 3 TOTAL APPROPRIATION ((~~\$11,508,000~~))
 4 \$11,633,000

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

7 (1) \$211,000 of the motor vehicle account--state appropriation and
 8 ((~~\$411,000~~)) \$200,000 of the multimodal transportation account--state
 9 appropriation are provided solely for the state's contribution to
 10 county and city studies of flood hazards in association with interstate
 11 highways. First priority shall be given to threats along the I-5
 12 corridor.

13 (2) ((~~\$525,000~~)) \$861,000 of the motor vehicle account--state
 14 appropriation is provided solely to the department in accordance with
 15 RCW 46.68.110(2) and 46.68.120(3) and shall be used by the department
 16 solely for contract services with the association of Washington cities
 17 and the Washington state association of counties for improving
 18 transportation permitting and mitigation processes.

19 **TRANSPORTATION AGENCIES--CAPITAL**

20 **Sec. 901.** 2005 c 313 s 301 (uncodified) is amended to read as
 21 follows:

22 **FOR THE WASHINGTON STATE PATROL**

23 State Patrol Highway Account--State Appropriation . . . ((~~\$2,801,000~~))
 24 \$4,138,000

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

27 (1) \$1,535,000 of the appropriation is provided solely for the
 28 Shelton training academy domestic water and wastewater treatment
 29 project.

30 (2) \$1,266,000 of the appropriation is provided solely for minor
 31 works projects.

32 **Sec. 902.** 2006 c 370 s 301 (uncodified) is amended to read as
 33 follows:

34 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

35 Rural Arterial Trust Account--State Appropriation . . ((~~\$64,933,000~~))

1 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM D (DEPARTMENT OF**
2 **TRANSPORTATION-ONLY PROJECTS)--CAPITAL**

3 Motor Vehicle Account--State Appropriation (~~(\$2,328,000)~~)
4 \$1,911,000

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

7 (1) \$584,000 of the motor vehicle account--state appropriation is
8 provided solely for statewide administration.

9 (2) (~~(\$632,000)~~) \$561,000 of the motor vehicle account--state
10 appropriation is provided solely for regional minor projects.

11 (3) (~~(\$305,000)~~) \$40,000 of the motor vehicle account--state
12 appropriation is provided solely for designing the replacement of the
13 existing outdated maintenance facility in Ephrata.

14 (4) (~~(\$239,000)~~) \$158,000 of the motor vehicle account--state
15 appropriation is provided solely for the designing of the northwest
16 regional maintenance complex in Seattle.

17 (5) \$568,000 of the motor vehicle account--state appropriation is
18 provided solely for the Olympic region headquarters project.

19 (a) The department of transportation is authorized to use
20 certificates of participation for the financing of the Olympic region
21 project in the amount of \$34,874,000 plus financing expenses and
22 required reserves pursuant to chapter 39.94 RCW.

23 (b) The Washington state department of transportation may utilize
24 the design-build process in accordance with chapter 39.10 RCW for the
25 Olympic region project. If the design-build process is used, it may be
26 developed in partnership with the department of general administration.

27 **Sec. 905.** 2006 c 370 s 306 (uncodified) is amended to read as
28 follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
30 **CAPITAL**

31 Motor Vehicle Account--State Appropriation (~~(\$17,555,000)~~)
32 \$11,162,000

33 Motor Vehicle Account--Federal Appropriation (~~(\$15,068,000)~~)
34 \$10,308,000

35 Motor Vehicle Account--Local Appropriation (~~(\$108,000)~~)
36 \$50,000

37 TOTAL APPROPRIATION (~~(\$32,731,000)~~)

1 \$21,520,000

2 The appropriations in this section are subject to the following
3 conditions and limitations: The motor vehicle account--state
4 appropriation includes (~~(\$11,255,000)~~) \$11,162,000 for state matching
5 funds for federally selected competitive grant or congressional earmark
6 projects other than the commercial vehicle information systems and
7 network. These moneys shall be placed into reserve status until such
8 time as federal funds are secured that require a state match.

9 **Sec. 906.** 2006 c 370 s 304 (uncodified) is amended to read as
10 follows:

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

| | | |
|----|--|----------------------------------|
| 12 | Transportation 2003 Account (Nickel Account)--State | |
| 13 | Appropriation | ((\$1,190,511,000)) |
| 14 | | <u>\$1,079,697,000</u> |
| 15 | Motor Vehicle Account--State Appropriation | ((\$85,165,000)) |
| 16 | | <u>\$84,385,000</u> |
| 17 | Motor Vehicle Account--Federal Appropriation | ((\$395,043,000)) |
| 18 | | <u>\$352,856,000</u> |
| 19 | Motor Vehicle Account--Private/Local Appropriation | ((\$58,522,000)) |
| 20 | | <u>\$46,807,000</u> |
| 21 | Special Category C Account--State Appropriation | ((\$3,479,000)) |
| 22 | | <u>\$3,152,000</u> |
| 23 | Tacoma Narrows Toll Bridge Account Appropriation | \$274,038,000 |
| 24 | Transportation Partnership Account--State | |
| 25 | Appropriation | ((\$384,186,000)) |
| 26 | | <u>\$282,784,000</u> |
| 27 | Multimodal Transportation Account--State | |
| 28 | Appropriation | ((\$1,002,000)) |
| 29 | | <u>\$750,000</u> |
| 30 | TOTAL APPROPRIATION | ((\$2,391,946,000)) |
| 31 | | <u>\$2,124,469,000</u> |

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

34 (1)(a) The entire transportation 2003 account (nickel account)
35 appropriation and the entire transportation partnership account
36 appropriation are provided solely for the projects and activities as
37 listed by (~~fund,~~) project (~~and amount~~) in LEAP Transportation

1 Document 2006-1, Highway Improvement Program (I) as developed March 8,
2 2006. (~~However, limited transfers of allocations between projects may~~
3 ~~occur for those amounts listed subject to the conditions and~~
4 ~~limitations in section 603 of this act.~~)

5 (b) Within the amounts provided in this subsection, \$6,835,000 of
6 the transportation partnership account--state appropriation, \$5,002,000
7 of the transportation 2003 account (nickel account)--state
8 appropriation, and \$2,645,000 of the motor vehicle account--federal
9 appropriation are for project 109040T: I-90/Seattle to Mercer Island
10 - Two way transit/HOV. Expenditure of these funds on construction is
11 contingent upon the development of an access plan that provides
12 equitable and dependable access for I-90 Mercer Island exit and entry.

13 (c) Within the amounts provided in this subsection, \$500,000 of the
14 transportation partnership account--state appropriation is for a west
15 Olympia access study, to complete an access study for state route
16 101/west Olympia.

17 (d) Within the amounts provided in this subsection, \$800,000 of the
18 transportation partnership account--state appropriation is for an SR
19 534 access point decision report.

20 (f) Within the amounts provided within this subsection, \$6,000,000
21 of the transportation partnership account--state appropriation is for
22 project 509009B: I-90 Snoqualmie Pass East - Hyak to Keechelus dam.
23 However, if the preferred alternative selected for this project results
24 in a lower total project cost, the remaining funds may be used for
25 concrete rehabilitation on I-90 in the vicinity of this project.

26 (g) Within the amounts provided in this subsection, \$12,841,000 of
27 the transportation 2003 account (nickel account)--state appropriation
28 and \$4,939,000 of the transportation partnership account--state
29 appropriation are for construction of a new interchange on SR 522 to
30 provide direct access to the University of Washington Bothell/Cascadia
31 community college joint campus. This appropriation assumes an
32 additional \$8,061,000 will be provided in the 2007-09 biennium from the
33 transportation partnership account.

34 (h) Within the amounts provided in this subsection, \$19,262,149 of
35 the motor vehicle account--federal appropriation and \$1,873,478 of the
36 transportation 2003 account (nickel account) appropriation are for
37 project 154302E: SR 543 (I-5 to the international boundary).

1 (2) The motor vehicle account--state appropriation includes up to
2 \$50,000,000 in proceeds from the sale of bonds authorized by RCW
3 47.10.843.

4 (3) The department shall not commence construction on any part of
5 the state route number 520 bridge replacement and HOV project until a
6 record of decision has been reached providing reasonable assurance that
7 project impacts will be avoided, minimized, or mitigated as much as
8 practicable to protect against further adverse impacts on neighborhood
9 environmental quality as a result of repairs and improvements made to
10 the state route 520 bridge and its connecting roadways, and that any
11 such impacts will be addressed through engineering design choices,
12 mitigation measures, or a combination of both. The requirements of
13 this section shall not apply to off-site pontoon construction
14 supporting the state route number 520 bridge replacement and HOV
15 project.

16 (4) The transportation partnership account--state appropriation
17 includes up to \$150,000,000 in proceeds from the sale of bonds
18 authorized in RCW 47.10.873.

19 (5) The Tacoma Narrows toll bridge account--state appropriation
20 includes up to \$257,016,000 in proceeds from the sale of bonds
21 authorized by RCW 47.10.843. The Tacoma Narrows toll bridge account--
22 state appropriation includes up to \$17,022,000 in unexpended proceeds
23 from the March 2005 bond sale authorized in RCW 47.10.843 for the
24 Tacoma Narrows bridge project.

25 (6) The transportation 2003 account (nickel account)--state
26 appropriation includes up to \$880,000,000 in proceeds from the sale of
27 bonds authorized by chapter 147, Laws of 2003.

28 (7) The department shall, on a quarterly basis beginning July 1,
29 2005, provide to the office of financial management and the legislature
30 reports providing the status on each project in the project lists
31 submitted pursuant to this act. Other projects may be reported on a
32 programmatic basis. The department shall work with the office of
33 financial management and the transportation committees of the
34 legislature to agree on report formatting and elements. Elements shall
35 include, but not be limited to, project scope, schedule, and costs.
36 The department shall also provide the information required under this
37 subsection on a quarterly basis via the transportation executive
38 information systems (TEIS).

1 (8) The department of transportation shall conduct an analysis of
2 the causes of traffic congestion on I-5 in the vicinity of Fort Lewis
3 and develop recommendations for alleviating the congestion. The
4 department must report to the transportation committees of the
5 legislature by December 1, 2005, on its analysis and recommendations
6 regarding traffic congestion on I-5 in the vicinity of Fort Lewis.

7 (9) The department of transportation is authorized to proceed with
8 the SR 519 Intermodal Access project if the city of Seattle has not
9 agreed to a project configuration or design by July 1, 2006.

10 (10) The motor vehicle account--state appropriation includes up to
11 \$14,214,000 in unexpended proceeds from the sale of bonds authorized in
12 RCW 47.10.843.

13 (11) The special category C account--state appropriation includes
14 up to \$1,710,000 in unexpended proceeds from the sale of bonds
15 authorized in RCW 47.10.812.

16 (12) The department should consider using mitigation banking on
17 appropriate projects whenever possible, without increasing the cost to
18 projects. The department should consider using the advanced
19 environmental mitigation revolving account (AEMRA) for corridor and
20 watershed based mitigation opportunities, in addition to project
21 specific mitigation.

22 (13) \$500,000 of the motor vehicle account--state appropriation is
23 provided solely for a planning study regarding congestion mitigation
24 improvements on state route 101 in the vicinity of the city of
25 Aberdeen.

26 (14) \$6,200,000 of the motor vehicle account--federal appropriation
27 is provided solely for eastern Washington international border crossing
28 and freight mobility projects, including pavement preservation,
29 pavement structural strengthening, and other safety enhancements.
30 Projects shall include funding for U.S. route 97 international border
31 vicinity paving and improvement projects.

32 (15) \$3,509,738 of the motor vehicle account--federal appropriation
33 and \$30,793 of the motor vehicle account--state appropriation are
34 provided solely for project 100598C: I-5 Blaine Exit interchange
35 improvements.

36 ((+17)) (16) The legislature recognizes that the finance and
37 project implementation planning processes required for the Alaskan Way
38 viaduct and Seattle Seawall replacement project and the SR 520 bridge

1 replacement and HOV project cannot guarantee appropriate decisions
2 unless key study assumptions are reasonable with respect to each
3 project.

4 To assure appropriate finance plan and project implementation plan
5 assumptions, an expert review panel shall be appointed to provide
6 independent financial and technical review for development of a finance
7 plan and project implementation plan for the projects described in this
8 subsection.

9 (a) The expert review panel shall consist of five to ten members
10 who are recognized experts in relevant fields, such as planning,
11 engineering, finance, law, the environment, emerging transportation
12 technologies, geography, and economics.

13 (b) The expert review panel shall be selected cooperatively by the
14 chairs of the senate and house transportation committees, the secretary
15 of the department of transportation, and the governor to assure a
16 balance of disciplines.

17 (c) The chair of the expert review panel shall be designated by the
18 governor.

19 (d) The expert panel shall, with respect to completion of the
20 project alternatives as described in the draft environmental impact
21 statement of each project:

22 (i) Review the finance plan for the project to ensure that it
23 clearly identifies secured and anticipated funding sources and is
24 feasible and sufficient;

25 (ii) Review the project implementation plan covering all state and
26 local permitting and mitigation approvals that ensure the most
27 expeditious and cost-effective delivery of the project; and

28 (iii) Report its findings and recommendations on the items
29 described in (d)(i) and (ii) of this subsection to the joint
30 transportation committee, the office of financial management, and the
31 governor no later than September 1, 2006.

32 (e) Upon receipt of the expert review panel's findings and
33 recommendations under (d)(iii) of this subsection, the governor must
34 make a finding of whether each finance plan is feasible and sufficient
35 to complete the project as described in the draft environmental impact
36 statement.

37 (f) Nothing in this section shall be interpreted to delay
38 construction of any of the projects referenced in this subsection.

1 ~~((18))~~ (17)(a) Prior to commencing construction on either
 2 project, the department of transportation must complete all of the
 3 following requirements for both the Alaskan Way viaduct and Seattle
 4 Seawall replacement project, and the state route number 520 bridge
 5 replacement and HOV project: (i) In accordance with the national
 6 environmental policy act, the department must designate the preferred
 7 alternative, prepare a substantial project mitigation plan, and
 8 complete a comprehensive cost estimate review using the department's
 9 cost estimate validation process, for each project; (ii) in accordance
 10 with all applicable federal highway administration planning and project
 11 management requirements, the department must prepare a project finance
 12 plan for each project that clearly identifies secured and anticipated
 13 fund sources, cash flow timing requirements, and project staging and
 14 phasing plans if applicable; and (iii) the department must report these
 15 results for each project to the joint transportation committee.

16 (b) The requirements of this subsection shall not apply to (i)
 17 utility relocation work, and related activities, on the Alaskan Way
 18 viaduct and Seattle Seawall replacement project and (ii) off-site
 19 pontoon construction supporting the state route number 520 bridge
 20 replacement and HOV project.

21 **Sec. 907.** 2006 c 370 s 305 (uncodified) is amended to read as
 22 follows:

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

24 Transportation 2003 Account (Nickel Account)--State

| | | |
|----|--|--------------------------------|
| 25 | Appropriation | ((\$1,687,000)) |
| 26 | | <u>\$1,690,000</u> |
| 27 | Motor Vehicle Account--State Appropriation | ((\$94,799,000)) |
| 28 | | <u>\$88,954,000</u> |
| 29 | Motor Vehicle Account--Federal Appropriation | ((\$435,310,000)) |
| 30 | | <u>\$426,297,000</u> |
| 31 | Motor Vehicle Account--Private/Local Appropriation | ((\$8,485,000)) |
| 32 | | <u>\$6,194,000</u> |
| 33 | ((Puyallup Tribal Settlement Account--State | |
| 34 | Appropriation | \$11,000,000)) |
| 35 | Transportation Partnership Account--State | |
| 36 | Appropriation | ((\$24,540,000)) |
| 37 | | <u>\$20,180,000</u> |

1 TOTAL APPROPRIATION ((\$575,821,000))
2 \$543,315,000

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

5 (1) The entire transportation 2003 account (nickel account)
6 appropriation and the entire transportation partnership account
7 appropriation are provided solely for the projects and activities as
8 listed by ~~((fund,)) project ((and amount))~~ in LEAP Transportation
9 Document 2006-1, Highway Preservation Program (P) as developed March 8,
10 2006. ~~((However, limited transfers of allocations between projects may
11 occur for those amounts listed subject to the conditions and
12 limitations in section 603 of this act.))~~

13 (2) \$11,000,000 of the Puyallup tribal settlement account--state
14 appropriation is provided solely for mitigation costs associated with
15 the Murray Morgan/11th Street Bridge demolition. The department may
16 negotiate with the city of Tacoma for the purpose of transferring
17 ownership of the Murray Morgan/11th Street Bridge to the city. The
18 department may use the Puyallup tribal settlement account
19 appropriation, as well as any funds appropriated in the current
20 biennium and planned in future biennia for the demolition and
21 mitigation for the demolition of the bridge to rehabilitate or replace
22 the bridge, if agreed to by the city. In no event shall the
23 department's participation exceed \$26,500,000 and no funds may be
24 expended unless the city of Tacoma agrees to take ownership of the
25 bridge in its entirety and provide that the payment of these funds
26 extinguishes any real or implied agreements regarding future
27 expenditures on the bridge.

28 (3) \$740,000 of the motor vehicle account--state appropriation,
29 \$106,149,000 of the motor vehicle account--federal appropriation, and
30 \$10,305,000 of the transportation partnership account--state
31 appropriation are provided solely for the Hood Canal bridge project.

32 (4) The motor vehicle account--state appropriation includes up to
33 \$735,000 in unexpended proceeds from the sale of bonds authorized in
34 RCW 47.10.761 and 47.10.762 for emergency purposes.

35 (5) The department of transportation shall continue to implement
36 the lowest life cycle cost planning approach to pavement management
37 throughout the state to encourage the most effective and efficient use

1 of pavement preservation funds. Emphasis should be placed on
2 increasing the number of roads addressed on time and reducing the
3 number of roads past due.

4 (6) The department shall, on a quarterly basis beginning July 1,
5 2005, provide to the office of financial management and the legislature
6 reports providing the status on each project in the project lists
7 submitted pursuant to this act. Other projects may be reported on a
8 programmatic basis. The department shall work with the office of
9 financial management and the transportation committees of the
10 legislature to agree on report formatting and elements. Elements shall
11 include, but not be limited to, project scope, schedule, and costs.
12 The department shall also provide the information required under this
13 subsection on a quarterly basis via the transportation executive
14 information systems (TEIS).

15 (7) The motor vehicle account--state appropriation includes up to
16 \$912,000 in unexpended proceeds from the sale of bonds authorized in
17 RCW 47.10.843.

18 (8) The motor vehicle account--state appropriation includes up to
19 \$6,000,000 in proceeds from the sale of bonds authorized by RCW
20 47.10.843.

21 (9) (~~(\$4,000,000)~~) \$3,200,000 of the motor vehicle account--federal
22 appropriation and \$6,000,000 of the motor vehicle account--state
23 appropriation, as specified in subsection (8) of this section, are for
24 expenditures on damaged state roads due to flooding, mudslides, rock
25 fall, or other unforeseen events. Slide repair on state routes 101, 4,
26 107, and 105 must be funded from this amount if federal emergency funds
27 are not available.

28 **Sec. 908.** 2006 c 370 s 307 (uncodified) is amended to read as
29 follows:

30 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
31 **CONSTRUCTION--PROGRAM W**

| | | |
|----|---|--------------------------------|
| 32 | Puget Sound Capital Construction Account--State | |
| 33 | Appropriation | ((\$122,324,000)) |
| 34 | | <u>\$100,254,000</u> |
| 35 | Puget Sound Capital Construction Account--Federal | |
| 36 | Appropriation | ((\$73,590,000)) |
| 37 | | <u>\$62,842,000</u> |

1 the department has expended funds during the 2005-07 fiscal biennium.
2 Elements shall include, but not be limited to, project scope, schedule,
3 and costs. The department shall also provide the information required
4 under this subsection via the transportation executive information
5 systems (TEIS).

6 (6) \$3,000,000 of the multimodal transportation account--state
7 appropriation is provided solely for passenger-only projects. Projects
8 may include vessel or terminal projects or costs associated with
9 selling vessels.

10 (7) The multimodal transportation account--state appropriation
11 includes up to \$1,170,000 in unexpended proceeds from the sale of bonds
12 authorized in RCW 47.10.867.

13 **Sec. 909.** 2006 c 370 s 308 (uncodified) is amended to read as
14 follows:

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

| | | |
|----|---|-------------------------------|
| 16 | ((Essential Rail Assistance Account--State Appropriation | \$250,000)) |
| 17 | <u>Motor Vehicle Account--Federal Appropriation</u> | <u>\$1,485,000</u> |
| 18 | Multimodal Transportation Account--State | |
| 19 | Appropriation | ((\$68,176,000)) |
| 20 | | <u>\$57,814,000</u> |
| 21 | Multimodal Transportation Account--Private/Local | |
| 22 | Appropriation | ((\$8,287,000)) |
| 23 | | <u>\$551,000</u> |
| 24 | Multimodal Transportation Account--Federal | |
| 25 | Appropriation | ((\$17,268,000)) |
| 26 | | <u>\$10,198,000</u> |
| 27 | TOTAL APPROPRIATION | ((\$93,981,000)) |
| 28 | | <u>\$70,048,000</u> |

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

31 (1) The multimodal transportation account--state appropriation
32 includes up to ((~~\$33,435,000~~)) \$1,422,000 in proceeds from the sale of
33 bonds ((~~and up to \$830,000 in unexpended bond proceeds authorized by~~
34 ~~RCW 47.10.867~~)).

35 (2) If federal block grant funding for freight or passenger rail is
36 received, the department shall consult with the transportation

1 committees of the legislature prior to spending the funds on additional
2 projects.

3 (3)(a) (~~(\$68,176,000)~~) \$57,714,000 of the multimodal transportation
4 account--state appropriation, (~~(\$17,268,000)~~) \$10,198,000 of the
5 multimodal transportation account--federal appropriation,
6 (~~(\$8,287,000)~~) \$551,000 of the multimodal transportation account--local
7 appropriation, and (~~(\$250,000 of the essential rail assistance~~
8 ~~account)~~) \$1,485,000 of the motor vehicle account--federal
9 appropriation are provided solely for the projects and activities as
10 listed by (~~(fund,)~~) project (~~(and amount)~~) in LEAP Transportation
11 Document 2006-C, Rail Capital Program (Y) as developed March 8, 2006.
12 (~~(However, limited transfers of allocations between projects may occur~~
13 ~~for those amounts listed subject to the conditions and limitations in~~
14 ~~section 603 of this act.)~~)

15 (b) Within the amounts provided in this subsection, (~~(\$6,500,000)~~)
16 \$5,000,000 of the multimodal transportation account--state
17 appropriation is for the (~~(two)~~) commuter rail project(~~(s)~~) listed in
18 the LEAP Transportation Document 2006-C, Rail Capital Program (Y) as
19 developed March 8, 2006.

20 (c) Within the amounts provided in this subsection, \$10,937,000 of
21 the multimodal transportation account--state appropriation is for the
22 cost of the memorandum of understanding for the acquisition of the
23 Palouse River Coulee City (PCC) rail lines.

24 (i) The office of financial management shall negotiate the purchase
25 of the CW line. The purchase agreement must include both the operating
26 and capital rights of the CW line. If the office of financial
27 management is unable to negotiate the purchase of the CW line, the
28 office may stop all negotiations and acquire the line and operational
29 rights through any other alternative means available. The office of
30 financial management shall also negotiate a new operational agreement
31 for the line for the 2007 and 2008 harvest seasons, in consultation
32 with local governments and other stakeholders.

33 (~~(d)~~) (ii) The office of financial management shall negotiate the
34 purchase of the operating rights of the P&L and PV Hooper lines. If
35 the office of financial management is unable to negotiate the purchase
36 of the operating rights of the P&L and PV Hooper lines, the office may
37 stop all negotiations and acquire the operating rights through any
38 other alternative means available. The office of financial management

1 shall also negotiate new operational agreement(s) for the P&L and PV
2 Hooper lines, for the 2007 and 2008 harvest seasons, in consultation
3 with local governments and other stakeholders.

4 ~~((e))~~ (iii) In order to maintain the operation of the Palouse
5 River & Coulee City rail lines, the office of financial management is
6 authorized to negotiate an agreement wherein they may forgive all or
7 part of the existing freight rail assistance loan to the current
8 operator of the Palouse River & Coulee City rail lines in exchange for
9 good and valuable consideration.

10 (iv) Following acquisition of the PCC rail lines, the department
11 shall not expend funds provided in (a) of this subsection to refurbish
12 the lines or provide an operating subsidy for the lines.

13 (4) If the department issues a call for projects, applications must
14 be received by the department by November 1, 2005, and November 1,
15 2006.

16 (5) \$50,000 of the multimodal transportation account--state
17 appropriation is provided solely for a study of eastern Skagit county
18 freight rail. The study shall examine the feasibility of restoring
19 portions of freight rail line to the towns of Lyman, Hamilton, and
20 Concrete. The study must also identify existing and potential
21 industrial sites available for development and redevelopment, and the
22 freight rail service needs of the identified industrial sites.

23 (6) The department shall finalize and issue the Amtrak Cascades
24 long range plan update as of the effective date of this act.

25 (7) Funds provided for the Tacoma rail improvement project may be
26 expended for preconstruction engineering.

27 (8) \$2,500,000 of the multimodal transportation account--state
28 appropriation is provided solely for a rail loop at the Port of Walla
29 Walla.

30 **Sec. 910.** 2006 c 370 s 309 (uncodified) is amended to read as
31 follows:

32 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
33 **CAPITAL**

| | | |
|----|--|------------------------------|
| 34 | ((Highway Infrastructure Account--State Appropriation | \$207,000 |
| 35 | Highway Infrastructure Account--Federal Appropriation | \$1,602,000)) |
| 36 | Motor Vehicle Account--Federal Appropriation | ((\$48,998,000)) |
| 37 | | <u>\$16,734,000</u> |

1 fiscal biennium, except for projects managed by the freight mobility
2 strategic investment board. The department shall work with the
3 transportation committees of the legislature to agree on report
4 formatting and elements. For projects funded by new revenue in the
5 2003 and 2005 transportation packages, reporting elements shall
6 include, but not be limited to, project scope, schedule, and costs.
7 Other projects may be reported on a programmatic basis. The department
8 shall also provide the information required under this subsection on a
9 quarterly basis via the transportation executive information system
10 (TEIS).

11 (3) The multimodal transportation account--state appropriation
12 includes up to \$6,000,000 in proceeds from the sale of bonds authorized
13 by RCW 47.10.867.

14 (4) \$1,545,000 of the multimodal transportation account--state
15 appropriation is reappropriated and provided solely to fund the
16 multiphase cooperative project with the state of Oregon to dredge the
17 Columbia River. The amount provided in this subsection shall lapse
18 unless the state of Oregon appropriates a dollar-for-dollar match to
19 fund its share of the project.

20 (5) Up to \$206,000 of the motor vehicle account--state
21 appropriation is reappropriated and provided (~~solely~~) for additional
22 traffic and pedestrian safety improvements near schools. The highways
23 and local programs division within the department of transportation
24 shall administer this program. The department shall review all
25 projects receiving grant awards under this program at least
26 semiannually to determine whether the projects are making satisfactory
27 progress. Any project that has been awarded traffic and pedestrian
28 safety improvement grant funds, but does not report activity on the
29 project within one year of grant award should be reviewed by the
30 department to determine whether the grant should be terminated. The
31 department must promptly close out grants when projects have been
32 completed, and identify where unused grant funds remain because actual
33 project costs were lower than estimated in the grant award. The
34 department shall expeditiously extend new grant awards to qualified
35 projects when funds become available either because grant awards have
36 been rescinded for lack of sufficient project activity or because
37 completed projects returned excess grant funds upon project closeout.

1 (6) The motor vehicle account--state appropriation includes up to
2 \$905,000 in unexpended proceeds from the sale of bonds authorized by
3 RCW 47.10.843.

4 (7) Up to \$607,000 of the multimodal transportation account--state
5 appropriation is reappropriated and provided (~~((solely))~~) to support the
6 safe routes to school program.

7 (8) (~~(\$16,110,000)~~) Up to \$7,488,000 of the motor vehicle account--
8 federal appropriation is provided (~~((solely))~~) for the local freight
9 capital projects in progress identified in this subsection. The
10 specific funding listed is provided (~~((solely))~~) for the respective
11 projects: SR 397 Ainsworth Ave. Grade Crossing, \$4,992,000; Colville
12 Alternate Truck Route, \$1,746,000; (~~((S. 228th Street Extension and
13 Grade Separation, \$6,500,000; Bigelow Gulch Road Urban Boundary to
14 Argonne Rd., \$2,000,000; Granite Falls Alternate Route, \$122,000;))~~) and
15 Pacific Hwy. E./Port of Tacoma Road to Alexander, \$750,000.

16 (9) (~~(\$2,898,000)~~) Up to \$1,011,000 of the motor vehicle account--
17 state appropriation is provided (~~((solely))~~) for the local freight
18 capital projects in progress identified in this subsection. The
19 specific funding listed is provided (~~((solely))~~) for the respective
20 projects: Duwamish Intelligent Transportation Systems (ITS),
21 (~~(\$2,382,000)~~) \$495,000; Port of Kennewick/Piert Road, \$516,000.

22 (10) Up to \$6,000,000 of the multimodal account--state
23 appropriation is provided (~~((solely))~~) for the local freight 'D' street
24 grade separation project.

25 (11) The department shall issue a call for pedestrian safety
26 projects, such as safe routes to schools and transit, and bicycle and
27 pedestrian paths. Applications must be received by the department by
28 November 1, 2005, and November 1, 2006. The department shall identify
29 cost-effective projects, and submit a prioritized list to the
30 legislature for funding by December 15th of each year. Recommendations
31 made to the legislature for safe routes to schools and bicycle and
32 pedestrian path projects must, to the extent practicable based on
33 available funding, allocate sixty percent of available funds to bicycle
34 and pedestrian path projects and forty percent to safe routes to
35 schools. Preference shall be given to projects that provide a local
36 match.

37 (12) (~~(\$18,370,000)~~) Up to \$12,000,000 of the multimodal
38 transportation account--state appropriation, (~~(\$6,000,000)~~) up to

1 \$2,440,000 of the freight mobility multimodal account--state
2 appropriation, and up to \$2,008,000 of the transportation partnership
3 account--state appropriation(~~(, and \$6,000,000 of the freight mobility~~
4 ~~investment account--state appropriation))~~ are provided (~~(solely)~~) for
5 the projects and activities as listed by fund, project and amount in
6 LEAP Transportation Document 2006-1, Local Programs (Z) as developed
7 March 8, 2006. However, limited transfers of allocations between
8 projects may occur for those amounts listed subject to the conditions
9 and limitations in section 603 of this act.

10 (13) \$870,000 of the multimodal transportation account--state
11 appropriation is provided solely for the Yakima Avenue, 9th Street to
12 Front Street, pedestrian safety improvement project.

13 (14) Up to \$5,000,000 of the multimodal transportation account--
14 state appropriation and up to \$2,000,000 of the motor vehicle account--
15 federal appropriation are provided (~~(solely)~~) for the pedestrian and
16 bicycle safety program projects and safe routes to schools program
17 projects identified on the LEAP Transportation Document 2006-B,
18 Pedestrian and Bicycle Safety Program Projects and Safe Routes to
19 Schools Program Projects as developed March 8, 2006. Projects must be
20 allocated funding based on order of priority. The department shall
21 review all projects receiving grant awards under this program at least
22 semiannually to determine whether the projects are making satisfactory
23 progress. Any project that has been awarded funds, but does not report
24 activity on the project within one year of the grant award, shall be
25 reviewed by the department to determine whether the grant should be
26 terminated. The department shall promptly close out grants when
27 projects have been completed, and identify where unused grant funds
28 remain because actual project costs were lower than estimated in the
29 grant award. When funds become available either because grant awards
30 have been rescinded for lack of sufficient project activity or because
31 completed projects returned excess grant funds upon project closeout,
32 the department shall expeditiously extend new grant awards to qualified
33 alternative projects identified on the list.

34 (15) Up to \$9,700,000 of the motor vehicle account--federal
35 appropriation is provided (~~(solely)~~) for the intersection and corridor
36 safety program projects as identified on the LEAP Transportation
37 Document 2006-A, Intersection and Corridor Safety Program Projects as
38 developed March 8, 2006.

1 (16) Up to \$19,500,000 of the motor vehicle account--federal
2 appropriation is provided (~~solely~~) for rural county two-lane roadway
3 pilot projects including \$7,500,000 already under contract. Any
4 further allocations shall be prioritized by the department based on
5 high-accident-corridor criteria. For purposes of this subsection,
6 "high-accident-corridor" means a highway corridor of one mile or more
7 where analysis of collision history indicates that the section has
8 higher than average collision and severity factors.

9 (17) Up to \$2,500,000 of the motor vehicle account--state
10 appropriation is provided (~~solely~~) for the Yakima downtown futures
11 initiative.

12 (18) Up to \$810,000 of the multimodal transportation account--state
13 appropriation is provided (~~solely~~) for the projects identified in
14 this subsection: Des Moines creek trail, \$250,000; SR 282 to Port of
15 Ephrata connector, \$385,000; Mount Baker Ridge viewpoint, \$175,000.

16 (~~(19)~~) (19) Up to \$688,000 of the motor vehicle account--federal
17 appropriation is provided (~~solely~~) for completion of the Coal Creek
18 Parkway project.

19 (~~(21) \$9,000,000 of the passenger ferry account state~~
20 ~~appropriation is provided solely for the implementation of the~~
21 ~~passenger only ferry grant program created in Substitute Senate Bill~~
22 ~~No. 6787. If Substitute Senate Bill No. 6787 is not enacted by June~~
23 ~~30, 2006, the amount provided in this subsection shall lapse.))~~

24 (20) \$827,000 of the motor vehicle account--federal appropriation
25 is provided solely for the projects identified in this subsection: The
26 Franklin county slide project, \$800,000; and the Loomis-Oroville Road
27 guardrail replacement project, \$27,000.

28 (21) \$252,000 of the multimodal transportation account--state
29 appropriation is provided solely for the Winthrop pedestrian and bike
30 path project.

31 TRANSFERS AND DISTRIBUTIONS

32 **Sec. 1001.** 2006 c 370 s 401 (uncodified) is amended to read as
33 follows:

34 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
35 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND**

1 \$2,876,000

2 **Sec. 1003.** 2006 c 370 s 404 (uncodified) is amended to read as
3 follows:

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

5 Motor Vehicle Account Appropriation for
6 motor vehicle fuel tax distributions to cities
7 and counties ((~~\$487,612,000~~))
8 \$468,391,000

9 **Sec. 1004.** 2006 c 370 s 405 (uncodified) is amended to read as
10 follows:

11 **FOR THE STATE TREASURER--TRANSFERS**

12 Motor Vehicle Account--State
13 Appropriation: For motor vehicle fuel tax
14 refunds and transfers ((~~\$1,037,342,000~~))
15 \$1,031,321,000

16 **Sec. 1005.** 2006 c 370 s 406 (uncodified) is amended to read as
17 follows:

18 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSFERS**

19 (1) RV Account--State Appropriation:

20 For transfer to the Motor Vehicle Account--State . . . ((~~\$2,000,000~~))
21 \$2,104,000

22 (2) Motor Vehicle Account--State Appropriation:

23 For transfer to Puget Sound Capital Construction
24 Account--State ((~~\$73,000,000~~))
25 \$70,223,000

26 (3) Highway Safety Account--State Appropriation:

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

28 (4) Motor Vehicle Account--State Appropriation:

29 For transfer to the Puget Sound Ferry Operations
30 Account--State ((~~\$31,000,000~~))
31 \$50,680,000

32 (5) Motor Vehicle Account--State Appropriation:

33 For transfer to the Transportation Partnership
34 Account--State \$33,127,000

35 (6) Highway Safety Account--State Appropriation:

| | | |
|----|--|------------------------------|
| 1 | For transfer to the Multimodal Transportation | |
| 2 | Account--State | \$25,980,000 |
| 3 | (7) Transportation Partnership Account--State Appropriation: | |
| 4 | For transfer to the Small City Pavement and Sidewalk | |
| 5 | Account--State | \$1,000,000 |
| 6 | (8) Transportation Partnership Account--State Appropriation: | |
| 7 | For transfer to the Transportation Improvement | |
| 8 | Account--State | \$2,500,000 |
| 9 | (9) Transportation Partnership Account--State Appropriation: | |
| 10 | For transfer to the County Arterial Preservation | |
| 11 | Account--State | \$1,500,000 |
| 12 | (10) License Plate Technology Account--State Appropriation: | |
| 13 | For transfer to the Motor Vehicle Account--State | \$2,500,000 |
| 14 | (11) Multimodal Transportation Account--State Appropriation: | |
| 15 | For transfer to the Transportation Partnership | |
| 16 | Account--State | \$29,417,000 |
| 17 | (12) Motor Vehicle Account--State Appropriation: | |
| 18 | For transfer to the Freight Mobility Multimodal | |
| 19 | Account--State, up to a maximum of | ((\$3,700,000)) |
| 20 | | <u>\$3,537,000</u> |
| 21 | (13) Multimodal Transportation Account--State Appropriation: | |
| 22 | For transfer to the Tacoma Narrows Toll Bridge | |
| 23 | Account--State | \$1,300,000 |
| 24 | (14) Multimodal Transportation Account--State Appropriation: | |
| 25 | For transfer to the Freight Mobility Multimodal | |
| 26 | Account--State | \$4,610,000 |
| 27 | <u>(15) Motor Vehicle Account--State Appropriation:</u> | |
| 28 | <u>For transfer to the Tacoma Narrows Toll Bridge</u> | |
| 29 | <u>Account--State</u> | <u>\$5,288,000</u> |
| 30 | <u>(16) Multimodal Transportation Account--State</u> | |
| 31 | <u>Appropriation: For transfer to the Transportation</u> | |
| 32 | <u>Infrastructure Account--State</u> | <u>\$11,000,000</u> |

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

- 35 (a) The department of transportation shall only transfer funds in
- 36 subsection (2) of this section up to the level provided, on an as-
- 37 needed basis.

1 (b) The amount transferred in subsection (12) of this section shall
2 be the same as the Union Pacific Railroad's original contribution,
3 adjusted for earned interest and expenditures, and shall be made on
4 June 30, 2006.

5 (c) The amount transferred in subsection (14) of this section is
6 the equivalent of the Burlington Northern Santa Fe funds advanced to
7 the SR 519 project and shall be invested in a freight mobility project
8 agreed to by the freight mobility strategic investment board and the
9 BNSF railway if the final design of the SR 519 project does not include
10 the original rail benefit.

11 (d) The amount transferred in subsection (13) of this section is
12 appropriated as a nonreimbursable state financial contribution to the
13 project and does not require repayment.

14 **MISCELLANEOUS**

15 **Sec. 1101.** RCW 46.68.060 and 1969 c 99 s 11 are each amended to
16 read as follows:

17 There is hereby created in the state treasury a fund to be known as
18 the highway safety fund to the credit of which shall be deposited all
19 moneys directed by law to be deposited therein. This fund shall be
20 used for carrying out the provisions of law relating to driver
21 licensing, driver improvement, financial responsibility, cost of
22 furnishing abstracts of driving records and maintaining such case
23 records, and to carry out the purposes set forth in RCW 43.59.010.
24 During the 2005-2007 fiscal biennium, the legislature may transfer from
25 the highway safety fund to the motor vehicle fund and the multimodal
26 transportation account such amounts as reflect the excess fund balance
27 of the highway safety fund.

28 NEW SECTION. **Sec. 1102.** If any provision of this act or its
29 application to any person or circumstance is held invalid, the
30 remainder of the act or the application of the provision to other
31 persons or circumstances is not affected.

32 NEW SECTION. **Sec. 1103.** This act is necessary for the immediate
33 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and takes effect
2 immediately.

(End of bill)

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