

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 2474

Chapter 229, Laws of 2004

(partial veto)

58th Legislature
2004 Regular Session

TRANSPORTATION FUNDING

EFFECTIVE DATE: 3/31/04

Passed by the House March 11, 2004
Yeas 93 Nays 3

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 11, 2004
Yeas 49 Nays 0

BRAD OWEN

President of the Senate

Approved March 31, 2004, with the exception of sections 216, 224(5), 225(3), 302(4)(b), 305(7) and 505, which are vetoed.

GARY F. LOCKE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2474** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

March 31, 2004 - 2:16 p.m.

**Secretary of State
State of Washington**

1 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--INITIATIVE MEASURE NO. 776**

2 **COSTS**

3	Motor Vehicle Account--State Appropriation	\$1,200,000
4	Motor Vehicle Account--Local Appropriation	\$2,100,000
5	TOTAL APPROPRIATION	\$3,300,000

6 The appropriations in this section are subject to the following
7 conditions and limitations: \$1,200,000 of the motor vehicle account--
8 state appropriation and \$2,100,000 of the motor vehicle account--local
9 appropriation are provided solely for the administrative costs
10 associated with issuing refunds resulting from *Pierce County et al. v.*
11 *State of Washington et al.* (Supreme Court Cause No. 73607-3), upholding
12 the Initiative Measure No. 776. Funds may not be expended unless the
13 King county superior court issues a final order requiring the repayment
14 of fees collected.

15 **TRANSPORTATION AGENCIES--OPERATING**

16 **Sec. 201.** 2003 c 360 s 202 (uncodified) is amended to read as
17 follows:

18 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

19	Rural Arterial Trust Account--State Appropriation	\$769,000
20	Motor Vehicle Account--State Appropriation	(\$1,927,000)
21		<u>\$1,934,000</u>
22	County Arterial Preservation Account--State Appropriation . .	\$719,000
23	TOTAL APPROPRIATION	(\$3,415,000)
24		<u>\$3,422,000</u>

25 **Sec. 202.** 2003 c 360 s 203 (uncodified) is amended to read as
26 follows:

27 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

28	Urban Arterial Trust Account--State Appropriation	(\$1,611,000)
29		<u>\$1,613,000</u>
30	Transportation Improvement Account--State	
31	Appropriation	(\$1,620,000)
32		<u>\$1,622,000</u>
33	TOTAL APPROPRIATION	(\$3,231,000)
34		<u>\$3,235,000</u>

1 patrol. The patrol shall report to the house of representatives and
2 senate transportation committees by December 31, 2004, on the use of
3 agency vehicles by officers engaging in the off-duty employment
4 specified in this subsection. The report shall include an analysis
5 that compares cost reimbursement and cost-impacts, including increased
6 vehicle mileage, maintenance costs, and indirect impacts, associated
7 with the private use of patrol vehicles.

8 (2) \$2,075,000 of the state patrol highway account--state
9 appropriation in this section is provided solely for the addition of
10 thirteen troopers to those permanently assigned to vessel and terminal
11 security. The Washington state patrol shall continue to provide the
12 enhanced services levels established after September 11, 2001.

13 (3) In addition to the user fees, the patrol shall transfer into
14 the state patrol nonappropriated airplane revolving account created
15 under section 1501 of this act, no more than the amount of appropriated
16 state patrol highway account and general fund funding necessary to
17 cover the costs for the patrol's use of the aircraft. The state patrol
18 highway account and general fund--state funds shall be transferred
19 proportionately in accordance with a cost allocation that
20 differentiates between highway traffic enforcement services and general
21 policing purposes.

22 (4) The patrol shall not account for or record locally provided DUI
23 cost reimbursement payments as expenditure credits to the state patrol
24 highway account. The patrol shall report the amount of expected
25 locally provided DUI cost reimbursements to the transportation
26 committees of the senate and house of representatives by December 31 of
27 each year.

28 (5) \$2,138,000 of the state patrol highway account--state
29 appropriation is provided solely for additional security personnel and
30 equipment necessary to comply with the ferry security plan submitted by
31 the Washington state ferry system to the United States coast guard.

32 (6) \$264,600 of the state patrol highway account--state
33 appropriation in this subsection is provided solely for two full-time
34 detectives to work solely to investigate incidents of identity fraud,
35 drivers' license fraud, and identity theft. The detectives, as part of
36 their duty to police the public highways, shall work cooperatively with
37 the department of licensing's driver's special investigation unit.

1		\$4,403,000
2	DOL Services Account--State Appropriation	(((\$107,000))
3		\$144,000
4	TOTAL APPROPRIATION	(((\$13,185,000))
5		\$13,053,000

6 **Sec. 209.** 2003 c 360 s 211 (uncodified) is amended to read as
7 follows:

8 **FOR THE DEPARTMENT OF LICENSING--INFORMATION SERVICES**

9	Marine Fuel Tax Refund Account--State Appropriation	\$2,000
10	Motorcycle Safety Education Account--State	
11	Appropriation	(((\$133,000))
12		\$144,000
13	Wildlife Account--State Appropriation	(((\$58,000))
14		\$55,000
15	Highway Safety Account--State Appropriation	(((\$10,489,000))
16		\$11,656,000
17	Highway Safety Account--Federal Appropriation	\$6,000
18	<u>Highway Safety Account--Local Appropriation</u>	<u>\$60,000</u>
19	Motor Vehicle Account--State Appropriation	(((\$6,569,000))
20		\$6,285,000
21	DOL Services Account--State Appropriation	(((\$670,000))
22		\$1,220,000
23	TOTAL APPROPRIATION	(((\$17,927,000))
24		\$19,428,000

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

27 (1) The department shall submit a report to the transportation
28 committees of the legislature detailing the progress made in
29 transitioning off of the Unisys system by December 1, 2003, and each
30 December 1 thereafter.

31 (2) \$151,000 of the highway safety account--state appropriation is
32 provided solely for the implementation of Third Substitute Senate Bill
33 No. 5412. Within the amount provided, the department of licensing
34 shall prepare to implement a "one-to-one" biometric matching system
35 that compares the biometric identifier submitted to the individual
36 applicant's record. The authority to expend funds provided under this
37 subsection is subject to compliance with the provisions under section

1 504 of this act. If Third Substitute Senate Bill No. 5412 is not
2 enacted by June 30, 2004, the amount provided in this subsection shall
3 lapse.

4 **Sec. 210.** 2003 c 360 s 212 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF LICENSING--VEHICLE SERVICES**

7	Marine Fuel Tax Refund Account--State Appropriation	\$60,000
8	<u>License Plate Technology Account--State Appropriation</u>	<u>\$2,000,000</u>
9	Wildlife Account--State Appropriation	\$585,000
10	Motor Vehicle Account--Local Appropriation	\$1,372,000
11	Motor Vehicle Account--State Appropriation	(\$61,509,000)
12		<u>\$58,193,000</u>
13	Motor Vehicle Account--Federal Appropriation	\$600,000
14	DOL Services Account--State Appropriation	(\$3,211,000)
15		<u>\$3,844,000</u>
16	TOTAL APPROPRIATION	(\$67,337,000)
17		<u>\$66,654,000</u>

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

20 (1) \$144,000 of the motor vehicle account--state appropriation is
21 provided solely for the implementation of Substitute Senate Bill No.
22 5435 or Engrossed Substitute House Bill No. 1592.

23 (2) If Engrossed Senate Bill No. 6063 is not enacted by June 30,
24 2003, \$1,100,000 of the motor vehicle account--state appropriation
25 shall lapse.

26 (3) \$81,000 of the DOL services account--state appropriation is
27 provided solely for the implementation of Substitute House Bill No.
28 1036.

29 (4) \$58,000 of the motor vehicle account--state appropriation is
30 provided solely for the implementation of Substitute Senate Bill No.
31 6325. If Substitute Senate Bill No. 6325 is not enacted by June 30,
32 2004, the amount provided in this subsection shall lapse.

33 (5) \$192,000 of the motor vehicle account--state appropriation is
34 provided solely for the implementation of Engrossed Senate Bill No.
35 6710. If Engrossed Senate Bill No. 6710 is not enacted by June 30,
36 2004, the amount provided in this subsection shall lapse.

1 (6) \$25,000 of the motor vehicle account--state appropriation is
2 provided solely for the implementation of Substitute Senate Bill No.
3 6688. If Substitute Senate Bill No. 6688 is not enacted by June 30,
4 2004, the amount provided in this subsection shall lapse.

5 (7) \$33,000 of the motor vehicle account--state appropriation is
6 provided solely for the implementation of Substitute House Bill No.
7 2910. If Substitute House Bill No. 2910 is not enacted by June 30,
8 2004, the amount provided in this subsection shall lapse.

9 (8) \$25,000 of the motor vehicle account--state appropriation is
10 provided solely for the implementation of Substitute Senate Bill No.
11 6148. If Substitute Senate Bill No. 6148 is not enacted by June 30,
12 2004, the amount provided in this subsection shall lapse.

13 (9) \$2,000,000 of the license plate technology account--state
14 appropriation and \$400,000 of the motor vehicle account--state
15 appropriation are provided solely for the implementation of a digital
16 license plate printing system. Within the amounts provided, the
17 department shall fund the implementation of a digital license plate
18 system including: The purchase or lease of digital license plate
19 printing equipment by correctional industries; the remodeling of space
20 to provide climate control, ventilation, and power requirements, for
21 the equipment that will be housed at correctional industries; and the
22 purchase of digital license plate inventory. The department shall
23 expend all of the license plate technology account--state appropriation
24 before expending any of the motor vehicle account--state appropriation.
25 By December 1, 2004, the department and correctional industries shall
26 submit a joint report to the transportation committees of the
27 legislature detailing a digital license plate printing system
28 implementation plan. By June 30, 2005, the department and correctional
29 industries shall submit a joint report to the transportation committees
30 of the legislature concerning the cost of the consumables used in the
31 digital license plate printing process.

32 **Sec. 211.** 2003 c 360 s 213 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF LICENSING--DRIVER SERVICES**

35	Motorcycle Safety Education Account--State Appropriation .	\$2,576,000
36	Highway Safety Account--State Appropriation	((\$84,809,000))
37		<u>\$87,259,000</u>

1	Highway Safety Account--Federal Appropriation	\$318,000
2	<u>Highway Safety Account--Local Appropriation</u>	<u>\$67,000</u>
3	TOTAL APPROPRIATION	((\$87,703,000))
4		<u>\$90,220,000</u>

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

7 (1) \$178,000 of the highway safety account--state appropriation is
8 provided solely for two temporary collision processing FTEs to
9 eliminate the backlog of collision reports. The department shall
10 report, informally, to the house of representatives and senate
11 transportation committees quarterly, beginning October 1, 2003, on the
12 progress made in eliminating the backlog.

13 (2) \$369,000 of the highway safety account--state appropriation is
14 provided solely to implement Engrossed Substitute Senate Bill No. 5428
15 or House Bill No. 1681. Within the amount provided in this subsection,
16 the department is authorized to accept applications for driver's
17 license and identicard renewals via the mail or internet. If Engrossed
18 Substitute Senate Bill No. 5428 or House Bill No. 1681 is not enacted
19 by June 30, 2004, the amount provided in this subsection shall lapse.

20 (3) \$282,000 of the highway safety account--state appropriation is
21 provided solely for the implementation of Third Substitute Senate Bill
22 No. 5412. Within the amount provided, the department of licensing
23 shall prepare to implement a "one-to-one" biometric matching system
24 that compares the biometric identifier submitted to the individual
25 applicant's record. The authority to expend funds provided under this
26 subsection is subject to compliance with the provisions under section
27 504 of this act. If Third Substitute Senate Bill No. 5412 is not
28 enacted by June 30, 2004, the amount provided in this subsection shall
29 lapse.

30 (4) \$354,000 of the highway safety account--state appropriation is
31 provided solely for the implementation of Substitute House Bill No.
32 2532. If Substitute House Bill No. 2532 is not enacted by June 30,
33 2004, the amount provided in this subsection shall lapse.

34 (5) \$538,000 of the highway safety account--state appropriation is
35 provided solely for the implementation of Substitute House Bill No.
36 2660. If Substitute House Bill No. 2660 is not enacted by June 30,
37 2004, the amount provided in this subsection shall lapse.

1 milestones and measurements. The department shall work with the
2 legislature to identify and define meaningful milestones and measures
3 to be used in monitoring the scope, schedule, and cost of projects.

4 (2)(a) (~~(\$2,963,000)~~) \$2,959,000 of the motor vehicle account--
5 state appropriation and \$2,963,000 of the motor vehicle account--
6 federal appropriation are provided solely for implementation of a new
7 revenue collection system, including the integration of the regional
8 fare coordination system (smart card), at the Washington state ferries.
9 By December 1st of each year, an annual update must be provided to the
10 legislative transportation committee concerning the status of
11 implementing and completing this project.

12 (b) (~~(\$400,000)~~) \$200,000 of the Puget Sound ferry operation
13 account--state appropriation is provided solely for implementation of
14 the smart card program. (~~(\$200,000 of this amount must be held in~~
15 ~~allotment reserve until a smart card report is delivered to the~~
16 ~~legislative transportation committee indicating that an agreement on~~
17 ~~which technology will be used throughout the state of Washington for~~
18 ~~the smart card program has been reached among smart card~~
19 ~~participants.))~~

20 (3) The department shall contract with the department of
21 information services to conduct a survey that identifies possible
22 opportunities and benefits associated with siting and use of technology
23 and wireless facilities located on state right of way authorized by RCW
24 47.60.140. The department shall submit a report regarding the survey
25 to the appropriate legislative committees by December 1, 2004.

26 **Sec. 213.** 2003 c 360 s 215 (uncodified) is amended to read as
27 follows:

28 **FOR THE DEPARTMENT OF TRANSPORTATION--FACILITY MAINTENANCE, OPERATIONS**
29 **AND CONSTRUCTION--PROGRAM D--OPERATING**

30 Motor Vehicle Account--State Appropriation (~~(\$31,048,000)~~)
31 \$30,981,000

32 **Sec. 214.** 2003 c 360 s 216 (uncodified) is amended to read as
33 follows:

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

35 Aeronautics Account--State Appropriation (~~(\$5,107,000)~~)
36 \$5,607,000

1 Aeronautics Account--Federal Appropriation ((\$650,000))
2 \$2,150,000
3 Aircraft Search and Rescue Safety and Education
4 Account--State Appropriation ((\$282,000))
5 \$260,000
6 TOTAL APPROPRIATION ((\$6,039,000))
7 \$8,017,000

8 The appropriations in this section are subject to the following
9 conditions and limitations: \$1,381,000 of the aeronautics account--
10 state appropriation is provided solely for additional preservation
11 grants to airports. (~~(\$122,000 of the aircraft search and rescue~~
12 ~~safety and education account state appropriation is provided for~~
13 ~~additional search and rescue and safety and education activities.)) If
14 Senate Bill No. 6056 is not enacted by June 30, 2003, the amounts
15 provided shall lapse.~~

16 **Sec. 215.** 2003 c 360 s 217 (uncodified) is amended to read as
17 follows:

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

20 Motor Vehicle Account--State Appropriation ((\$49,010,000))
21 \$49,056,000
22 Motor Vehicle Account--Federal Appropriation \$400,000
23 TOTAL APPROPRIATION ((\$49,410,000))
24 \$49,456,000

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

27 (1) \$14,310,000 of the motor vehicle account--state appropriation
28 is provided solely for the staffing, activities, and overhead of the
29 department's environmental affairs office. This funding is provided in
30 lieu of funding provided in sections 305 and 306 of this act.

31 (2) \$3,100,000 of the motor vehicle account--state appropriation is
32 provided solely for the staffing and activities of the transportation
33 permit efficiency and accountability committee. The committee shall
34 develop a model national environmental policy act (NEPA) tribal
35 consultation process for federal transportation aid projects related to
36 the preservation of cultural, historic, and environmental resources.
37 The process shall ensure that Tribal participation in the NEPA

1 consultation process is conducted pursuant to treaty rights, federal
2 law, and state statutes, consistent with their expectations for
3 protection of such resources.

4 (3) \$300,000 of the motor vehicle account--state appropriation is
5 provided to the department in accordance with RCW 46.68.110(2) and
6 46.68.120(3) and shall be used by the department solely for the
7 purposes of providing contract services to the association of
8 Washington cities and Washington state association of counties to
9 implement section 2(3)(c), (5), and (6), chapter 8 (ESB 5279), Laws of
10 2003 for activities of the transportation permit efficiency and
11 accountability committee.

12 *Sec. 216. 2003 c 360 s 218 (uncodified) is amended to read as
13 follows:

14 FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM K
15 Motor Vehicle Account--State Appropriation ((~~\$1,011,000~~)
16 \$1,411,000)

17 The appropriation in this section is subject to the following
18 conditions and limitations: \$200,000 of the motor vehicle account--
19 state appropriation is provided solely for a traffic study of the Mount
20 Saint Helens tourist and recreational area. The study shall analyze
21 existing and potential traffic patterns in the area. \$200,000 of the
22 motor vehicle account--state appropriation is provided solely for an
23 economic analysis study of the Mount Saint Helens tourist and
24 recreational area. The study shall develop funding strategies
25 sufficient to fund construction of a connection between state route
26 number 504 and forest service road number 99. The economic study shall
27 also include an analysis of potential partnership funding plans
28 involving the use of tolls in order to determine the potential to pay
29 for ongoing maintenance and operations requirements of visitor centers,
30 roads, and other amenities provided to tourists. The purpose and
31 results of the studies shall be made available to citizens, businesses,
32 and community organizations in the affected area. The studies shall be
33 completed and submitted to the transportation committees of the
34 legislature by December 31, 2004.

*Sec. 216 was vetoed. See message at end of chapter.

35 Sec. 217. 2003 c 360 s 219 (uncodified) is amended to read as
36 follows:

1	FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE--PROGRAM M	
2	Motor Vehicle Account--State Appropriation	((\$283,350,000))
3		<u>\$283,991,000</u>
4	Motor Vehicle Account--Federal Appropriation	\$1,426,000
5	Motor Vehicle Account--Private/Local Appropriation	\$4,253,000
6	TOTAL APPROPRIATION	((\$289,029,000))
7		<u>\$289,670,000</u>

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

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

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

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

24 (4) Funding is provided for maintenance on the state system to
25 allow for a continuation of the level of service targets included in
26 the 2001-03 biennium. In delivering the program, the department should
27 concentrate on the following areas:

28 (a) Meeting or exceeding the target for structural bridge repair on
29 a statewide basis;

30 (b) Eliminating the number of activities delivered in the "f" level
31 of service at the region level;

32 (c) Reducing the number of activities delivered in the "d" level of
33 service by increasing the resources directed to those activities on a
34 statewide and region basis; and

35 (d) Evaluating, analyzing, and potentially redistributing resources
36 within and among regions to provide greater consistency in delivering
37 the program statewide and in achieving overall level of service
38 targets.

1 Puget Sound (including state route 169), Spokane, and Vancouver. The
2 study must include proposals to alleviate congestion consistent with
3 population and land use expectations under the growth management act,
4 and must include measurement of all modes of transportation.

5 (2) \$2,000,000 of the motor vehicle account--state appropriation is
6 provided solely for additional assistance to support regional
7 transportation planning organizations and long-range transportation
8 planning efforts. As a condition of receiving this support, a regional
9 transportation planning organization containing any county with a
10 population in excess of one million shall provide voting membership on
11 its executive board to any incorporated principal city of a
12 metropolitan statistical area within the region, as designated by the
13 United States census bureau.

14 (3) \$3,000,000 of the motor vehicle account--state appropriation is
15 provided solely for the costs of the regional transportation investment
16 district (RTID) election and department of transportation project
17 oversight. These funds are provided as a loan to the RTID and shall be
18 repaid to the state motor vehicle account within one year following the
19 certification of the election results related to the RTID.

20 (4) \$650,000 of the motor vehicle account--state appropriation is
21 provided to the department in accordance with RCW 46.68.110(2) and
22 46.68.120(3) and shall be used by the department to support the
23 processing and analysis of the backlog of city and county collision
24 reports.

25 (5) The department shall contribute to the report required in
26 section 208(1) of this act in the form of an analysis of the cost
27 impacts incurred by the department as the result of the policy
28 implemented in section 208(1) of this act. The analysis shall contrast
29 overtime costs charged by the patrol prior to July 1, 2003, with
30 contract costs for similar services after July 1, 2003.

31 (6) \$60,000 of the distribution under RCW 46.68.110(2) and
32 46.68.120(3) is provided solely to the department for the Washington
33 strategic freight transportation analysis.

34 (7) \$500,000 of the multimodal transportation account--state
35 appropriation is provided solely for contracting with the department of
36 natural resources to develop data systems for state submerged lands
37 that can be shared with other governmental agencies and that can
38 support the state vision for ecoregional planning. The data to be

1 shared shall include, but not limited to, tabular and geospatial data
2 describing public land ownership, distributions of native plants,
3 marine and aquatic species and their habitats, physical attributes,
4 aquatic ecosystems, and specially designated conservation or
5 environmentally sensitive areas.

6 **Sec. 221.** 2003 c 360 s 223 (uncodified) is amended to read as
7 follows:

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

10 Motor Vehicle Account--State Appropriation ((~~\$61,082,000~~))
11 \$54,738,000

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

14 (1) ((~~\$50,799,000~~)) \$43,799,000 of the motor vehicle fund--state
15 appropriation is provided solely for the liabilities attributable to
16 the department of transportation. The office of financial management
17 must provide a detailed accounting of the revenues and expenditures of
18 the self- insurance fund to the transportation committees of the
19 legislature on December 31st and June 30th of each year.

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

22 (a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT DIVISION OF RISK
23 MANAGEMENT FEES ((~~\$989,000~~))
24 \$848,000

25 (b) FOR PAYMENT OF COSTS OF THE OFFICE OF
26 THE STATE AUDITOR ((~~\$823,000~~))
27 \$819,000

28 (c) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL ADMINISTRATION
29 FACILITIES AND SERVICES AND CONSOLIDATED MAIL SERVICES . . \$3,850,000

30 (d) FOR PAYMENT OF COSTS OF THE
31 DEPARTMENT OF PERSONNEL ((~~\$2,252,000~~))
32 \$2,786,000

33 (e) FOR PAYMENT OF SELF-INSURANCE LIABILITY PREMIUMS AND
34 ADMINISTRATION ((~~\$50,799,000~~))
35 \$43,799,000

36 (f) FOR PAYMENT OF THE DEPARTMENT OF GENERAL ADMINISTRATION CAPITAL
37 PROJECTS SURCHARGE \$1,846,000

1 (g) FOR ARCHIVES AND RECORDS MANAGEMENT ((\$523,000))
 2 \$538,000
 3 (h) FOR PAYMENT OF COSTS OF THE OFFICE OF MINORITY AND WOMEN'S
 4 BUSINESS ENTERPRISES \$252,000

5 **Sec. 222.** 2003 c 360 s 224 (uncodified) is amended to read as
 6 follows:

7 **FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM V**
 8 Multimodal Transportation Account--State
 9 Appropriation ((\$46,457,000))
 10 \$47,057,000
 11 Multimodal Transportation Account--Federal Appropriation . \$2,574,000
 12 Multimodal Transportation Account--Private/Local
 13 Appropriation \$155,000
 14 TOTAL APPROPRIATION ((\$49,186,000))
 15 \$49,786,000

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

18 (1) (~~(\$4,000,000 of the multimodal transportation account state~~
 19 ~~appropriation is provided solely for a grant program for nonprofit~~
 20 ~~providers of transportation for persons with special transportation~~
 21 ~~needs. \$14,000,000 of the multimodal transportation account state~~
 22 ~~appropriation is provided solely for a grant program for transit~~
 23 ~~agencies to transport persons with special transportation needs.~~
 24 ~~Moneys shall be to provide additional service only and may not be used~~
 25 ~~to supplant current funding. Grants shall only be used by nonprofit~~
 26 ~~providers and transit agencies for capital and operating costs directly~~
 27 ~~associated with adding additional service. Grants for nonprofit~~
 28 ~~providers shall be based on need, including the availability of other~~
 29 ~~providers of service in the area, efforts to coordinate trips among~~
 30 ~~providers and riders, and the cost effectiveness of trips provided.~~
 31 ~~Grants for transit agencies shall be prorated based on the amount~~
 32 ~~expended for demand response service and route deviated service in~~
 33 ~~calendar year 2001 as reported in the "Summary of Public Transportation~~
 34 ~~2001" published by the department of transportation. No transit~~
 35 ~~agency may receive more than thirty percent of these distributions.))~~
 36 \$18,000,000 of the multimodal transportation account--state

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

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

10 (b) \$14,000,000 of the amount provided in this subsection is
11 provided solely for grants to transit agencies to transport persons
12 with special transportation needs. To receive a grant, the transit
13 agency must have a maintenance of effort for special needs
14 transportation that is no less than the previous year's maintenance of
15 effort for special needs transportation. Grants for transit agencies
16 shall be prorated based on the amount expended for demand response
17 service and route deviated service in calendar year 2001 as reported in
18 the "Summary of Public Transportation - 2001" published by the
19 department of transportation. No transit agency may receive more than
20 thirty percent of these distributions.

21 (2) \$1,500,000 of the multimodal transportation account--state
22 appropriation is provided solely for grants to implement section 9 of
23 Engrossed Substitute House Bill No. 2228.

24 (3) Funds are provided for the rural mobility grant program as
25 follows:

26 (a) \$6,000,000 of the multimodal transportation account--state
27 appropriation is provided solely for grants for those transit systems
28 serving small cities and rural areas as identified in the Summary of
29 Public Transportation - 2001 published by the department of
30 transportation. Noncompetitive grants must be distributed to the
31 transit systems serving small cities and rural areas in a manner
32 similar to past disparity equalization programs.

33 (b) \$4,000,000 of the multimodal transportation account--state
34 appropriation is provided solely to providers of rural mobility service
35 in areas not served or underserved by transit agencies through a
36 competitive grant process.

37 (4) \$4,000,000 of the multimodal transportation account--state
38 appropriation is provided solely for a vanpool grant program for: (a)

1 Public transit agencies to add vanpools; and (b) incentives for
2 employers to increase employee vanpool use. The grant program for
3 public transit agencies will cover capital costs only; no operating
4 costs for public transit agencies are eligible for funding under this
5 grant program. ~~((Only grants that add vanpools are eligible, no))~~ No
6 additional employees may be hired for the vanpool grant program, and
7 supplanting of transit funds currently funding vanpools is not allowed.
8 Additional criteria for selecting grants will include leveraging funds
9 other than state funds. The commute trip reduction task force shall
10 determine the cost effectiveness of the grants, including vanpool
11 system coordination, regarding the use of the funds.

12 (5) \$100,000 of the multimodal transportation account--state
13 appropriation is provided solely for the commute trip reduction program
14 for Benton county.

15 (6) \$3,000,000 of the multimodal transportation account--state
16 appropriation is provided to the city of Seattle for the Seattle
17 streetcar project on South Lake Union.

18 (7) \$500,000 of the multimodal transportation account--state
19 appropriation is provided solely to King county as a state match to
20 obtain federal funding for a car sharing program.

21 **Sec. 223.** 2003 c 360 s 225 (uncodified) is amended to read as
22 follows:

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

24 Puget Sound Ferry Operations Account--State

25	Appropriation	((\$309,580,000))
26		<u>\$312,490,000</u>
27	Multimodal Transportation Account--State	
28	Appropriation	\$5,120,000
29	TOTAL APPROPRIATION	((\$314,700,000))
30		<u>\$317,610,000</u>

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

33 (1) The appropriation is based on the budgeted expenditure of
34 ~~((~~\$34,701,000~~))~~ \$35,348,000 for vessel operating fuel in the 2003-2005
35 biennium. If the actual cost of fuel is less than this budgeted
36 amount, the excess amount may not be expended. If the actual cost

1 exceeds this amount, the department shall request a supplemental
2 appropriation.

3 (2) The appropriation provides for the compensation of ferry
4 employees. The expenditures for compensation paid to ferry employees
5 during the 2003-2005 biennium may not exceed (~~(\$207,757,000)~~)
6 \$208,935,700, plus a dollar amount, as prescribed by the office of
7 financial management, that is equal to any insurance benefit increase
8 granted general government employees in excess of \$495.30 a month
9 annualized per eligible marine employee multiplied by the number of
10 eligible marine employees for fiscal year 2004 and \$567.67 a month
11 annualized per eligible marine employee multiplied by the number of
12 eligible marine employees for fiscal year 2005, a dollar amount as
13 prescribed by the office of financial management for costs associated
14 with pension amortization charges, and a dollar amount prescribed by
15 the office of financial management for salary increases during the
16 2003-2005 biennium. For the purposes of this section, the expenditures
17 for compensation paid to ferry employees shall be limited to salaries
18 and wages and employee benefits as defined in the office of financial
19 management's policies, regulations, and procedures named under objects
20 of expenditure "A" and "B" (7.2.6.2).

21 The prescribed salary increase or decrease dollar amount that shall
22 be allocated from the governor's compensation appropriations is in
23 addition to the appropriation contained in this section and may be used
24 to increase or decrease compensation costs, effective July 1, 2003, and
25 thereafter, as established in the 2003-2005 general fund operating
26 budget.

27 (3) \$4,234,000 of the multimodal transportation account--state
28 appropriation and \$800,000 of the Puget Sound ferry operations
29 account--state appropriation are provided solely for operating costs
30 associated with the Vashon to Seattle passenger-only ferry. The
31 Washington state ferries will develop a plan to increase passenger-only
32 farebox recovery to at least forty percent by July 1, 2003, with an
33 additional goal of eighty percent, through increased fares, lower
34 operation costs, and other cost-saving measures as appropriate. In
35 order to implement the plan, ferry system management is authorized to
36 negotiate changes in work hours (requirements for split shift work),
37 but only with respect to operating passenger-only ferry service, to be
38 included in a collective bargaining agreement in effect during the

1 2003-05 biennium that differs from provisions regarding work hours in
2 the prior collective bargaining agreement. The department must report
3 to the transportation committees of the legislature by December 1,
4 2003.

5 (4) \$984,000 of the Puget Sound ferry operations account--state
6 appropriation is provided solely for ferry security operations
7 necessary to comply with the ferry security plan submitted by the
8 Washington state ferry system to the United States coast guard. The
9 department shall track security costs and expenditures. Ferry security
10 operations costs shall not be included as part of the operational costs
11 that are used to calculate farebox recovery.

12 (5) \$866,000 of the multimodal transportation account--state
13 appropriation and \$200,000 of the Puget Sound ferry operations
14 account--state appropriation are provided solely for operating costs
15 associated with the Bremerton to Seattle passenger-only ferry service
16 for thirteen weeks.

17 ~~((+5))~~ (6) The department shall study the potential for private or
18 public partners, including but not limited to King county, to provide
19 passenger-only ferry service from Vashon to Seattle. The department
20 shall report to the legislative transportation committees by December
21 31, 2003.

22 ~~((+6))~~ (7) The Washington state ferries shall continue to provide
23 service to Sidney, British Columbia.

24 ~~((+7))~~ (8) When augmenting the existing ferry fleet, the
25 department of transportation ferry capital program shall explore cost-
26 effective options to include the leasing of ferries from private-sector
27 organizations.

28 ~~((+8))~~ (9) The Washington state ferries shall work with the
29 department of general administration, office of state procurement to
30 improve the existing fuel procurement process and solicit, identify,
31 and evaluate, purchasing alternatives to reduce the overall cost of
32 fuel and mitigate the impact of market fluctuations and pressure on
33 both short- and long-term fuel costs. Consideration shall include, but
34 not be limited to, long-term fuel contracts, partnering with other
35 public entities, and possibilities for fuel storage in evaluating
36 strategies and options. The department shall report back to the
37 transportation committees of the legislature by December 1, 2003, on

1 the options, strategies, and recommendations for managing fuel
2 purchases and costs.

3 ~~((+9))~~ (10) The department must provide a separate accounting of
4 passenger-only ferry service costs and auto ferry service costs, and
5 must provide periodic reporting to the legislature on the financial
6 status of both passenger-only and auto ferry service in Washington
7 state.

8 ~~((+10))~~ (11) The Washington state ferries must work with the
9 department's information technology division to implement a new revenue
10 collection system, including the integration of the regional fare
11 coordination system (smart card). Each December, annual updates are to
12 be provided to the transportation committees of the legislature
13 concerning the status of implementing and completing this project, with
14 updates concluding the first December after full project
15 implementation.

16 ~~((+11))~~ (12) The Washington state ferries shall evaluate the
17 benefits and costs of selling the depreciation rights to ferries
18 purchased by the state in the future through sale and lease-back
19 agreements, as permitted under RCW 47.60.010. The department is
20 authorized to issue a request for proposal to solicit proposals from
21 potential buyers. The department must report to the transportation
22 committees of the legislature by December 1, 2004, on the options,
23 strategies, and recommendations for sale/lease-back agreements on
24 existing ferry boats as well as future ferry boat purchases.

25 *Sec. 224. 2003 c 360 s 226 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING**
 28 Multimodal Transportation Account--State

29	Appropriation	((\$35,075,000)
30		<u>\$34,118,000</u>

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

33 (1) (~~\$30,831,000~~) \$29,961,000 of the multimodal transportation
34 account-- state appropriation is provided solely for the Amtrak service
35 contract and Talgo maintenance contract associated with providing and
36 maintaining the state- supported passenger rail service.

37 (2) No Amtrak Cascade runs may be eliminated.

1 (3) The department is directed to explore scheduling changes that
2 will reduce the delay in Seattle when traveling from Portland to
3 Vancouver B.C.

4 (4) The department is directed to explore opportunities with
5 British Columbia (B.C.) concerning the possibility of leasing an
6 existing Talgo trainset to B.C. during the day for a commuter run when
7 the Talgo is not in use during the Bellingham layover.

8 (5) The department shall undertake an origin and destination study
9 to provide data that may be used for a new passenger train cost sharing
10 agreement with the state of Oregon. The study shall be delivered to
11 the transportation committees of the legislature before July 1, 2004.

*Sec. 224 was partially vetoed. See message at end of chapter.

12 *Sec. 225. 2003 c 360 s 227 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
15 **OPERATING**

16 Motor Vehicle Account--State Appropriation	((\$7,057,000))
	<u>\$7,067,000</u>
18 Motor Vehicle Account--Federal Appropriation	\$2,569,000
19 TOTAL APPROPRIATION	((\$9,626,000))
	<u>\$9,636,000</u>

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

23 (1) Up to \$75,000 of the total appropriation is provided in
24 accordance with RCW 46.68.110(2) and 46.68.120(3) to fund the state's
25 share of the 2004 Washington marine cargo forecast study. Public port
26 districts, acting through their association, must provide funding to
27 cover the remaining cost of the forecast.

28 (2) \$300,000 of the motor vehicle account--state appropriation is
29 provided in accordance with RCW 46.68.110(2) and 46.68.120(3) solely to
30 fund a study of the threats posed by flooding to the state and other
31 infrastructure near the Interstate 5 crossing of the Skagit River.
32 This funding is contingent on the receipt of federal matching funds.

33 (3) In addition to other gubernatorial appointees, the state
34 historic preservation officer shall be appointed to any steering
35 committee that makes the final selection of projects funded from the
36 surface transportation program enhancement funds or a similar program

1 anticipated to be authorized in the extension or reauthorization of the
2 transportation equity act for the 21st century (TEA-21).

*Sec. 225 was partially vetoed. See message at end of chapter.

3 **TRANSPORTATION AGENCIES--CAPITAL**

4 **Sec. 301.** 2003 c 360 s 304 (uncodified) is amended to read as
5 follows:

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

8 Motor Vehicle Account--State Appropriation ((\$17,296,000))
9 \$17,186,000

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

12 (1) The entire motor vehicle account--state appropriation is
13 provided solely to implement the activities and projects included in
14 the Legislative 2003 Transportation Project List - Current Law report
15 as transmitted to LEAP on April 27, 2003.

16 (2) The department shall develop a standard design for all
17 maintenance facilities to be funded under this section. Prior to
18 developing design standards, the department must solicit input from all
19 personnel classifications typically employed at maintenance facilities.
20 By September 1, 2003, the department shall submit a report to the
21 legislative transportation committees describing the stakeholder
22 involvement process undertaken and the adopted design standards for
23 maintenance facilities.

24 ***Sec. 302.** 2003 c 360 s 305 (uncodified) is amended to read as
25 follows:

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

27 Transportation 2003 Account (Nickel Account)--State
28 Appropriation ((\$565,300,000))
29 \$558,465,000

30 ~~((Transportation 2003 Account (Nickel Account)--Federal~~
31 ~~Appropriation \$950,000~~

32 ~~Transportation 2003 Account (Nickel Account)--Local~~
33 ~~Appropriation \$3,434,000))~~

34 Motor Vehicle Account--State Appropriation ((\$157,374,000))

1		\$159,135,000
2	Motor Vehicle Account--Federal Appropriation	(((\$192,940,000))
3		\$201,578,000
4	Motor Vehicle Account--Local Appropriation	(((\$13,258,000))
5		\$30,158,000
6	Special Category C Account--State Appropriation	\$50,279,000
7	Tacoma Narrows Toll Bridge Account Appropriation	(((\$613,300,000))
8		\$603,992,000
9	TOTAL APPROPRIATION	(((\$1,596,835,000))
10		\$1,603,607,000

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

13 ~~(1) (((\$157,374,000 of the motor vehicle account state~~
14 ~~appropriation, \$192,940,000 of the motor vehicle account federal~~
15 ~~appropriation, \$13,258,000 of the motor vehicle account local~~
16 ~~appropriation, and \$50,279,000 of the special category C account state~~
17 ~~appropriation are provided solely to implement the activities and~~
18 ~~projects included in the Legislative 2003 Transportation Project List~~
19 ~~Current Law report as transmitted to LEAP on April 27, 2003.)) The~~
20 ~~entire transportation 2003 account (nickel account) appropriation is~~
21 ~~provided solely for the projects and activities as listed by project,~~
22 ~~biennium, and amount in the Legislative 2003 Transportation Project~~
23 ~~List - New Law List under the heading "Nickel Funds" as transmitted to~~
24 ~~LEAP on March 11, 2004. However, limited transfers of allocations~~
25 ~~between projects may occur for those amounts listed for the 2003-05~~
26 ~~biennium subject to conditions and limitations in section 503 of this~~
27 ~~act.~~

28 (a) Within the amount provided in this subsection, \$11,000,000 of
29 the transportation 2003 account (nickel account)--state appropriation
30 is provided solely for the environmental impact statement on the SR 520
31 Evergreen floating bridge.

32 (b) Within the amount provided in this subsection, \$250,000 of the
33 transportation 2003 account (Nickel Account)--state appropriation and
34 an equal amount from the city of Seattle are provided solely for an
35 analysis of the impacts that an expansion of the SR 520 Evergreen
36 floating bridge will have on the streets of North Capitol Hill, Roanoke
37 Park, and Montlake. An advisory committee with two members each from
38 Portage Bay/Roanoke Park Community Council, Montlake Community Council,

1 and the North Capitol Hill community organization along with the
2 secretary of transportation is established. The seven-member committee
3 shall hire and oversee the contract with a transportation consulting
4 organization to: (a) Perform an analysis of such impacts; and (b)
5 design a traffic and circulation plan that mitigates the adverse
6 consequences of such impacts. If the city of Seattle does not agree to
7 provide \$250,000 by January 1, 2004, the amount provided in this
8 subsection (1)(b) shall lapse.

9 (2) \$126,533,253 of the motor vehicle account--state appropriation
10 and motor vehicle account--federal appropriation is provided solely to
11 implement the projects as indicated in the Legislative 2003
12 Transportation Project List - New Law List under the heading "Pre-
13 Existing Revenues" as transmitted to LEAP on March 11, 2004.

14 (3) The motor vehicle account--state appropriation includes
15 (~~(\$78,000,000)~~) \$93,615,000 in proceeds from the sale of bonds
16 authorized by RCW 47.10.843. The transportation commission may
17 authorize the use of current revenues available to the department of
18 transportation in lieu of bond proceeds for any part of the state
19 appropriation. The motor vehicle account--state appropriation includes
20 (~~(\$18,038,000)~~) \$17,380,000 in unexpended proceeds from bond sales
21 authorized in RCW 47.10.843 for mobility and economic initiative
22 improvement projects.

23 (~~(+3)~~) (4) \$192,180,381 of the motor vehicle account--state
24 appropriation and motor vehicle account--federal appropriation and
25 \$50,279,000 of the special category C account--state appropriation are
26 provided solely to implement the projects included in the Legislative
27 2003 Transportation Project List - Current Law List under the heading
28 "Improvement Projects" as transmitted to LEAP on March 11, 2004. The
29 department shall manage all projects on the list within the overall
30 expenditure authority provided in this subsection.

31 (a) Within the amounts provided in this subsection, \$1,700,000 of
32 the motor vehicle account--state appropriation is provided solely for
33 the I-5 Salmon creek noisewall project.

34 (b) Within amounts provided in this subsection, \$100,000 of the
35 motor vehicle account--state appropriation is provided solely for the
36 department to hire a consultant to complete a cost-benefit analysis
37 comparing the efficiency of having high-occupancy vehicle (HOV) lanes
38 in the right lane versus the left lane. The study shall compare the

1 costs, and the traffic efficiencies of building HOV lanes in the right
2 and left lanes. The study shall be completed and submitted to the
3 transportation committees of the legislature by December 1, 2004.

4 (c) Within amounts provided in this subsection, \$500,000 of the
5 motor vehicle account--state appropriation is provided solely for a
6 study to provide the legislature with information regarding the
7 feasibility of pursuing a Washington commerce corridor. The department
8 shall retain outside experts to conduct the study. The study must
9 include the following conditions:

10 (i) The Washington commerce corridor must be a north-south corridor
11 starting in the vicinity of Lewis county and extending northerly to the
12 vicinity of the Canadian border. The corridor must be situated east of
13 state route number 405 and west of the Cascades. The corridor may
14 include any of the following features:

15 (A) Ability to carry long-haul freight;

16 (B) Ability to provide for passenger auto travel;

17 (C) Freight rail;

18 (D) Passenger rail;

19 (E) Public utilities; and

20 (F) Other ancillary facilities as may be desired to maximize use of
21 the corridor;

22 (ii) The Washington commerce corridor must be developed, financed,
23 designed, constructed, and operated by private sector consortiums;

24 (iii) The Washington commerce corridor must be subject to a joint
25 permitting process involving federal, state, and local agencies with
26 jurisdiction; and

27 (iv) The legislative transportation committee shall form a working
28 group to work with the department and the outside consultant on the
29 study.

30 (d) Within the amounts provided in this subsection, \$2,480,000 of
31 the motor vehicle account--state appropriation is provided solely for
32 either the SR 28 east end of the George Sellar bridge - phase 1 project
33 or the US 2/97 Peshastin East Interchange project.

34 (e) Within the amounts provided in this subsection, \$400,000 of the
35 motor vehicle account--state appropriation and \$150,000 of the motor
36 vehicle account-- local appropriation are provided solely for a route
37 development plan to identify the future transportation improvements

1 that should be pursued for state route 169. The study shall include
2 the following elements:

3 (i) Documentation of existing conditions;
4 (ii) Determination of present and future operating conditions;
5 (iii) Development and testing of various transportation conceptual
6 improvement strategies;

7 (iv) Preliminary environmental analysis;
8 (v) Public involvement; and
9 (vi) Cost estimates for the identified conceptual improvements.

10 (f) Within the amounts provided in this subsection, \$1,200,000 from
11 the motor vehicle account--state appropriation is provided solely for
12 the SR507- SR510 Yelm Bypass project.

13 (g) Within the amount provided in this subsection, \$650,000 from
14 the motor vehicle account--state appropriation is provided solely for
15 the SR164 Corridor Analysis project.

16 (5) A maximum of \$28,643,607 from the motor vehicle account--state
17 appropriation and motor vehicle account--federal appropriation is
18 provided for direct project support costs, including, but not limited
19 to, direct project support, property management, scenic byways, and
20 other administration.

21 (6) A maximum of \$9,238,726 from the motor vehicle account--state
22 appropriation and motor vehicle account--federal appropriation is
23 provided for environmental retrofit improvement projects not included
24 in the list in subsection (4) of this section.

25 (7) A maximum of \$2,266,813 from the motor vehicle account--state
26 appropriation and motor vehicle account--federal appropriation is
27 provided for improvement projects programmed through the transportation
28 commission's priority programming process.

29 (8) The Tacoma Narrows toll bridge account--state appropriation
30 includes \$567,000,000 in proceeds from the sale of bonds authorized by
31 RCW 47.10.843. The Tacoma Narrows toll bridge account--state
32 appropriation includes (~~(\$46,300,000)~~) \$36,992,000 in unexpended
33 proceeds from the January 2003 bond sale authorized in RCW 47.10.843
34 for the Tacoma Narrows bridge project.

35 (~~(4)~~) (9) The special category C account--state appropriation
36 includes \$44,000,000 in proceeds from the sale of bonds authorized by
37 RCW 47.10.812. The transportation commission may authorize the use of

1 current revenues available in the special category C account in lieu of
2 bond proceeds for any part of the state appropriation.

3 ~~((5) The entire transportation 2003 account (nickel account)~~
4 ~~appropriation is provided solely for the projects and activities as~~
5 ~~indicated in the Legislative 2003 Transportation Project List New Law~~
6 ~~report transmitted to LEAP on April 27, 2003.~~

7 ~~(6))~~ (10) ~~The ((motor vehicle account))~~ transportation 2003
8 account (nickel account)--state appropriation includes ~~(((\$280,000,000))~~
9 \$275,000,000 in proceeds from the sale of bonds authorized by Senate
10 Bill No. 6062. The transportation commission may authorize the use of
11 current revenues available to the department of transportation in lieu
12 of bond proceeds for any part of the state appropriation.

13 ~~((7) \$11,000,000 of the motor vehicle account state appropriation~~
14 ~~is provided solely for the environmental impact statement on the SR 520~~
15 ~~Evergreen floating bridge.~~

16 ~~(8) \$250,000 of the transportation 2003 account (Nickel Account)~~
17 ~~state appropriation and an equal amount from the city of Seattle are~~
18 ~~provided solely for an analysis of the impacts that an expansion of the~~
19 ~~SR 520 Evergreen floating bridge will have on the streets of North~~
20 ~~Capitol Hill, Roanoke Park, and Montlake. An advisory committee with~~
21 ~~two members each from Portage Bay/Roanoke Park Community Council,~~
22 ~~Montlake Community Council, and the North Capitol Hill community~~
23 ~~organization along with the secretary of transportation is established.~~
24 ~~The seven member committee shall hire and oversee the contract with a~~
25 ~~transportation consulting organization to: (a) Perform an analysis of~~
26 ~~such impacts; and (b) design a traffic and circulation plan that~~
27 ~~mitigates the adverse consequences of such impacts. If the city of~~
28 ~~Seattle does not agree to provide \$250,000 by January 1, 2004, the~~
29 ~~amount provided in this subsection shall lapse.~~

30 ~~(9)(a) \$500,000 of the motor vehicle account state appropriation~~
31 ~~is provided solely for a study to provide the legislature with~~
32 ~~information regarding the feasibility of pursuing a Washington commerce~~
33 ~~corridor. The department shall retain outside experts to conduct the~~
34 ~~study. The study must include the following conditions:~~

35 ~~(i) The Washington commerce corridor must be a north-south corridor~~
36 ~~starting in the vicinity of Lewis county and extending northerly to the~~
37 ~~vicinity of the Canadian border. The corridor must be situated east of~~

1 ~~state route number 405 and west of the Cascades. The corridor may~~
2 ~~include any of the following features:~~

3 ~~(A) Ability to carry long-haul freight;~~

4 ~~(B) Ability to provide for passenger auto travel;~~

5 ~~(C) Freight rail;~~

6 ~~(D) Passenger rail;~~

7 ~~(E) Public utilities; and~~

8 ~~(F) Other ancillary facilities as may be desired to maximize use of~~
9 ~~the corridor;~~

10 ~~(ii) The Washington commerce corridor must be developed, financed,~~
11 ~~designed, constructed, and operated by private sector consortiums; and~~

12 ~~(iii) The Washington commerce corridor must be subject to a joint~~
13 ~~permitting process involving federal, state, and local agencies with~~
14 ~~jurisdiction.~~

15 ~~(b) The legislative transportation committee shall form a working~~
16 ~~group to work with the department and the outside consultant on the~~
17 ~~study.~~

18 ~~(10) \$8,000,000 of the motor vehicle account state appropriation~~
19 ~~is provided for the SR 522, University of Washington Bothell campus~~
20 ~~access project. This amount will cover approximately one-half of the~~
21 ~~construction costs.)~~

22 (11) The transportation permit efficiency and accountability
23 committee (TPEAC) shall select from the project list under ((this))
24 subsection (1) of this section ten projects that have not yet secured
25 state permits. TPEAC shall select projects from both urban and rural
26 areas representing a wide variety of locations within the state. These
27 projects shall be designated "Department of Transportation Permit
28 Drafting Pilot Projects" and shall become a part of the work plan of
29 TPEAC required under section 2(1)(b), chapter 8 (ESB 5279), Laws of
30 2003.

31 (12) Of the amounts appropriated in this section and section 306 of
32 this act, no more than \$124,000 is provided for increased project costs
33 due to the enactment of Substitute Senate Bill No. 5457.

34 ((+14)) (13) To manage some projects more efficiently, federal
35 funds may be transferred from program Z to program I ((to replace those
36 federal)) and replaced with state funds in a dollar-for-dollar match.
37 However, funds may not be transferred between federal programs, except
38 in order to accept federally earmarked funds and maintain eligibility

1 for federal discretionary programs. Fund transfers authorized under
2 this subsection shall not affect project prioritization status.
3 Appropriations shall initially be allotted as appropriated in this act.
4 The department shall not transfer funds as authorized under this
5 subsection without approval of the transportation commission and the
6 director of financial management. The department shall submit a report
7 on those projects receiving fund transfers to the transportation
8 committees of the senate and house of representatives by December 1,
9 2004.

10 (14) The department shall, on a quarterly basis beginning July 1,
11 2004, provide to the legislature reports providing the status on each
12 project in the project lists submitted pursuant to this act to LEAP on
13 March 11, 2004, and on any additional projects for which the department
14 has expended funds during the 2003-05 fiscal biennium. The department
15 shall work with the transportation committees of the legislature to
16 agree on report formatting and elements. Elements shall include, but
17 not be limited to, project scope, schedule, and costs. The department
18 shall also provide the information required under this subsection via
19 the transportation executive information systems (TEIS).

20 (15) Funding provided by this act for the Alaskan Way Viaduct
21 project shall not be spent for preliminary engineering, design, right
22 of way acquisition, or construction on the project if it could have the
23 effect of reducing roadway capacity on that facility.

24 (16) In conducting its environmental impact statement
25 responsibilities on the Alaskan Way Viaduct project, the department of
26 transportation must provide briefings and consult with the legislators
27 in the affected project area, and the chairs of the transportation
28 committees of the legislature, on the design alternatives for that
29 facility.

**Sec. 302 was partially vetoed. See message at end of chapter.*

30 **Sec. 303.** 2003 1st sp.s. c 26 s 506 (uncodified) is amended to
31 read as follows:

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

33	Transportation 2003 Account (Nickel Account)	\$2,000,000
34	Motor Vehicle Account--State Appropriation	(((\$178,909,000))
35		\$205,349,000
36	Motor Vehicle Account--Federal Appropriation	(((\$457,467,000))
37		\$499,067,000

1 Motor Vehicle Account--Local Appropriation \$12,666,000
 2 Multimodal Account--State Appropriation \$1,690,000
 3 (~~Multimodal Account--Federal Appropriation \$4,247,000~~)
 4 Puyallup Tribal Settlement Account--State
 5 Appropriation \$11,000,000
 6 TOTAL APPROPRIATION (~~(\$656,979,000)~~)
 7 \$731,772,000

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

10 (1) (~~(\$178,909,000 of the motor vehicle account state~~
 11 ~~appropriation, \$457,467,000 of the motor vehicle account federal~~
 12 ~~appropriation, \$12,666,000 of the motor vehicle account local~~
 13 ~~appropriation, \$1,690,000 of the multimodal transportation account--~~
 14 ~~state appropriation, and \$4,247,000 of the multimodal transportation~~
 15 ~~account--federal appropriation are provided solely to implement the~~
 16 ~~activities and projects included in the Legislative 2003 Transportation~~
 17 ~~Project List--Current Law report transmitted to LEAP on April 27,~~
 18 ~~2003.)) The entire 2003 transportation account (nickel account)
 19 appropriation is provided solely for the projects and activities as
 20 listed by project, biennium, and amount in the Legislative 2003
 21 Transportation Project List - New Law List under the heading "Nickel
 22 Funds" as transmitted to LEAP on March 11, 2004. However, limited
 23 transfers of allocations between projects may occur for those amounts
 24 listed for the 2003-05 biennium subject to conditions and limitations
 25 in section 503 of this act.~~

26 (2) \$35,974,657 of the motor vehicle account--state appropriation
 27 and motor vehicle account--federal appropriation and \$11,000,000 of the
 28 Puyallup tribal settlement account--state appropriation are provided
 29 solely to implement the projects included in the Legislative 2003
 30 Transportation Project List - Current Law List under the heading
 31 "Bridge Improvements" as transmitted to LEAP on March 11, 2004. The
 32 department shall manage all projects on the list within the overall
 33 expenditure authority provided in this subsection.

34 (a) Within the amounts provided in this subsection, \$1,000,000 of
 35 the motor vehicle account--state appropriation is provided solely for
 36 the Purdy creek bridge project. The 2005-07 biennium appropriations
 37 for this project are expected to be \$5,074,000.

1 (b) Within the amounts provided in this subsection, \$11,000,000 of
2 the Puyallup tribal settlement account--state appropriation is provided
3 solely for mitigation costs associated with the Murray Morgan/11st
4 Street Bridge demolition. The department may negotiate with the city
5 of Tacoma for the purpose of transferring ownership of the Murray
6 Morgan/11th Street Bridge to the city. The department is allowed to
7 use the Puyallup tribal settlement account appropriation, as well as
8 any funds appropriated in the current biennium and planned in future
9 biennia for the demolition and mitigation for the demolition of the
10 bridge to rehabilitate or replace the bridge, if agreed to by the city.
11 In no event will the department's participation exceed \$26,500,000 and
12 no funds may be expended unless the city of Tacoma agrees to take
13 ownership of the bridge in its entirety and provide that the payment of
14 these funds extinguishes any real or implied agreements regarding
15 future expenditures on the bridge.

16 (3) A maximum of \$211,585,010 from the motor vehicle account--state
17 appropriation and motor vehicle account--federal appropriation and
18 \$1,690,000 of the multimodal account--state appropriation are provided
19 for roadway preservation projects.

20 (4) A maximum of \$55,336,893 from the motor vehicle account--state
21 appropriation and motor vehicle account--federal appropriation is
22 provided for bridge repair projects.

23 (5) A maximum of \$51,562,422 from the motor vehicle account--state
24 appropriation and motor vehicle account--federal appropriation is
25 provided for other facilities preservation projects.

26 (6) A maximum of \$38,968,540 from the motor vehicle account--state
27 appropriation and motor vehicle account--federal appropriation is
28 provided for other preservation projects programmed through the
29 transportation commission's priority programming process.

30 (7) A maximum of \$56,737,803 from the motor vehicle account--state
31 appropriation and motor vehicle account--federal appropriation is
32 provided for direct project support costs, including, but not limited
33 to, direct project support, property management, scenic byways, and
34 other administration.

35 (8) \$81,147,069 of the motor vehicle account--state appropriation
36 and \$173,103,529 of the motor vehicle account--federal appropriation
37 are provided solely for the Hood Canal bridge project.

1 (9) The motor vehicle account--state appropriation includes
2 \$2,850,000 in proceeds from the sale of bonds authorized in RCW
3 47.10.761 and 47.10.762 for emergency purposes.

4 ~~((3))~~ (10) The motor vehicle account--state appropriation
5 includes \$77,700,000 in proceeds from the sale of bonds authorized by
6 RCW 47.10.843. The transportation commission may authorize the use of
7 current revenues available to the department of transportation in lieu
8 of bond proceeds for any part of the state appropriation.

9 ~~((4) The entire transportation 2003 account (nickel account)~~
10 ~~appropriation is provided solely for the projects and activities as~~
11 ~~indicated in the Legislative 2003 Transportation Project List New Law~~
12 ~~report transmitted to LEAP on April 27, 2003.~~

13 (5)) (11) The department of transportation shall continue to
14 implement the lowest life cycle cost planning approach to pavement
15 management throughout the state to encourage the most effective and
16 efficient use of pavement preservation funds. Emphasis should be
17 placed on increasing the number of roads addressed on time and reducing
18 the number of roads past due.

19 ~~((6))~~ (12) Of the amounts appropriated in this section and
20 section 305 of this act, no more than \$124,000 is provided for
21 increased project costs due to the enactment of Substitute Senate Bill
22 No. 5457.

23 ~~((7))~~ (13) To manage some projects more efficiently, federal
24 funds may be transferred from program Z to program P ~~((to replace those~~
25 ~~federal))~~ and replaced with state funds in a dollar-for-dollar match.
26 However, funds may not be transferred between federal programs, except
27 in order to accept federally earmarked funds and maintain eligibility
28 for federal discretionary programs. Fund transfers authorized under
29 this subsection shall not affect project prioritization status.
30 Appropriations shall initially be allotted as appropriated in this act.
31 The department shall not transfer funds as authorized under this
32 subsection without approval of the transportation commission and the
33 director of financial management. The department shall submit a report
34 on those projects receiving fund transfers to the transportation
35 committees of the senate and house of representatives by December 1,
36 2004.

37 (14) The department shall, on a quarterly basis beginning July 1,
38 2004, provide to the legislature reports providing the status on each

1 project in the project lists submitted pursuant to this act to LEAP on
2 March 11, 2004, and on any additional projects for which the department
3 has expended funds during the 2003-05 fiscal biennium. The department
4 shall work with the transportation committees of the legislature to
5 agree on report formatting and elements. Elements shall include, but
6 not be limited to, project scope, schedule, and costs. The department
7 shall also provide the information required under this subsection via
8 the transportation executive information systems (TEIS).

9 **Sec. 304.** 2003 c 360 s 308 (uncodified) is amended to read as
10 follows:

11 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
12 **CONSTRUCTION-- PROGRAM W**

13	Puget Sound Capital Construction Account--	
14	State Appropriation	((\$129,066,000))
15		<u>\$108,330,000</u>
16	Puget Sound Capital Construction Account--	
17	Federal Appropriation	((\$34,400,000))
18		<u>\$69,881,000</u>
19	<u>Puget Sound Capital Construction Account--</u>	
20	<u>Local Appropriation</u>	<u>\$249,000</u>
21	Multimodal Transportation Account--State	
22	Appropriation	\$13,381,000
23	Transportation 2003 Account (nickel account)	
24	Appropriation	\$5,749,000
25	TOTAL APPROPRIATION	((\$182,596,000))
26		<u>\$197,590,000</u>

27 The appropriations in this section are provided for improving the
28 Washington state ferry system, including, but not limited to, vessel
29 construction, major and minor vessel (~~improvements~~) preservation, and
30 terminal preservation, construction, and improvements. The
31 appropriations in this section are subject to the following conditions
32 and limitations:

33 (1) The multimodal transportation account--state appropriation
34 includes \$11,772,000 in proceeds from the sale of bonds authorized by
35 Senate Bill No. 6062. The transportation commission may authorize the
36 use of current revenues available to the department of transportation
37 in lieu of bond proceeds for any part of the state appropriation.

1 (2) (~~(\$129,066,000 of the Puget Sound capital construction~~
2 ~~account--state appropriation and \$34,400,000 of the Puget Sound capital~~
3 ~~construction account-- federal appropriation are provided solely for~~
4 ~~capital projects as listed in the Legislative 2003 Transportation~~
5 ~~Project List-- Current Law as transmitted to the LEAP on April 27,~~
6 ~~2003.~~

7 (3) ~~\$17,521,000 of the transportation 2003 account (nickel~~
8 ~~account)--state appropriation is provided solely for capital projects~~
9 ~~as listed in the Legislative 2003 Transportation Project List-- New Law~~
10 ~~as transmitted to the LEAP on April 27, 2003.~~

11 (4)) \$108,330,000 of the Puget Sound capital construction
12 account--state appropriation, \$69,881,000 of the Puget Sound capital
13 construction account-- federal appropriation, \$249,000 of the Puget
14 Sound capital construction account--local appropriation, and \$1,609,000
15 of the multimodal transportation account--state appropriation are
16 provided for ferry construction projects. The department shall report
17 against the Legislative 2003 Transportation Project List - Current Law
18 transmitted to LEAP on March 11, 2004.

19 (a) Within the amounts provided in this subsection, a maximum of
20 \$58,205,000 of the Puget Sound capital construction account--state
21 appropriation, \$21,362,000 of the Puget Sound capital construction
22 account-- federal appropriation, \$409,000 of the multimodal
23 transportation account--state appropriation, and \$249,000 of the Puget
24 Sound capital construction account-- local appropriation are provided
25 for terminal projects.

26 (b) Within the amounts provided in this subsection, a maximum of
27 \$44,875,000 of the Puget Sound capital construction account--state
28 appropriation, \$48,432,000 of the Puget Sound capital construction
29 account-- federal appropriation, and \$1,200,000 of the multimodal
30 transportation account-- state appropriation are provided for vessel
31 projects.

32 (c) Within the amounts provided in this subsection, \$5,250,000 of
33 the Puget Sound capital construction account--state appropriation and
34 \$87,000 of the Puget Sound capital construction account--federal
35 appropriation are provided for emergency repair projects.
36 Additionally, unused funds under (a) and (b) of this subsection, may be
37 transferred to emergency repair projects.

1 (3) \$11,772,000 of the multimodal transportation account--state
2 appropriation and \$5,749,000 of the transportation 2003 (nickel)
3 account--state appropriation are provided solely for the projects and
4 activities as listed by project, biennium, and amount in the
5 Legislative 2003 Transportation Project List - New Law transmitted to
6 LEAP on March 11, 2004. However, limited transfers of allocations
7 between projects may occur for those amounts listed for the 2003-05
8 biennium subject to conditions and limitations in section 503 of this
9 act.

10 (4) \$1,000,000 of the Puget Sound capital construction account--
11 state appropriation is provided solely for the department of
12 transportation's Washington state ferry program to conduct a terminal
13 analysis, including technical analysis, to determine the viability of
14 the existing Keystone harbor. The department of transportation staff,
15 including the chief of staff, secretary, or the secretary's designee,
16 and the citizen advisory group formed under this subsection, shall meet
17 at least three times during the duration of the analysis. The first
18 meeting shall occur before the analysis is created.

19 (a) The technical analysis shall at a minimum include the following
20 issues: (i) The costs and benefits associated with preserving and
21 maintaining the terminal, including enlarging the harbor and dredging;
22 (ii) ridership projections associated with preserving and maintaining
23 the current terminal; (iii) maintaining and retrofitting existing
24 vessels so they can serve the terminal; (iv) coordinating the impact of
25 vehicles using the ferry run with highway capacity; (v) how many, if
26 any, new vessels should be constructed; and (vi) the impact on the
27 environment. The department shall report back to the legislative
28 transportation committee by December 1, 2004. The report must include
29 alternatives to relocating the Keystone Terminal.

30 (b) By June 1, 2004, the transportation commission shall select a
31 citizen advisory group to be composed of the following: One Washington
32 state ferry pilot, two members of the traveling public that use the
33 Keystone to Port Townsend route on a regular basis, and one tug pilot.

34 (5) The Puget Sound capital construction account--state
35 appropriation includes (~~(\$45,000,000)~~) \$29,385,000 in proceeds from the
36 sale of bonds authorized by RCW 47.10.843 for vessel and terminal
37 acquisition, major and minor improvements, and long lead time materials
38 acquisition for the Washington state ferries. The transportation

1 commission may authorize the use of current revenues available to the
2 motor vehicle account in lieu of bond proceeds for any part of the
3 state appropriation.

4 ~~((+5))~~ (6) The Washington state ferries shall consult with the
5 United States Coast Guard regarding operational and design standards
6 required to meet Safety of Life at Sea requirements, in an effort to
7 determine the most efficient and cost-effective vessel design that
8 meets these requirements.

9 (7) The department shall, on a quarterly basis beginning July 1,
10 2004, provide to the legislature reports providing the status on each
11 project in the project lists submitted pursuant to this act to LEAP on
12 March 11, 2004, and on any additional projects for which the department
13 has expended funds during the 2003-05 fiscal biennium. The department
14 shall work with the transportation committees of the legislature to
15 agree on report formatting and elements. Elements shall include, but
16 not be limited to, project scope, schedule, and costs. The department
17 shall also provide the information required under this subsection via
18 the transportation executive information systems (TEIS).

19 *Sec. 305. 2003 1st sp.s. c 26 s 508 (uncodified) is amended to
20 read as follows:

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

22	Essential Rail Assistance Account--State Appropriation	\$770,000
23	Multimodal Transportation Account--State	
24	Appropriation	((\$34,530,000))
25		<u>\$35,330,000</u>
26	Multimodal Transportation Account--Federal	
27	Appropriation	((\$9,499,000))
28		<u>\$10,088,000</u>
29	<u>Multimodal Transportation Account--Local</u>	
30	<u>Appropriation</u>	<u>\$9,787,000</u>
31	Washington Fruit Express Account--State Appropriation	\$500,000
32	TOTAL APPROPRIATION	((\$45,299,000))
33		<u>\$56,475,000</u>

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

36 (1) The multimodal transportation account--state appropriation
37 includes \$30,000,000 in proceeds from the sale of bonds authorized by

1 Senate Bill No. 6062. The transportation commission may authorize the
2 use of current revenues available to the department of transportation
3 in lieu of bond proceeds for any part of the state appropriation.

4 (2) \$4,530,000 of the multimodal transportation account--state
5 appropriation, \$9,499,000 of the multimodal transportation account--
6 federal appropriation, \$500,000 of the Washington fruit express
7 account--state appropriation, and \$770,000 of the essential rail
8 assistance account--state appropriation are provided solely for capital
9 projects as listed in the Legislative 2003 Transportation Project List
10 - Current Law as transmitted to the LEAP on (~~April 27, 2003~~) March
11 11, 2004.

12 (3) \$1,230,000 of the multimodal transportation account--state
13 appropriation and \$770,000 of the essential rail assistance account--
14 state appropriation is to be placed in reserve status by the office of
15 financial management to be held until the department identifies the
16 location for a new transload facility at either Wenatchee or Quincy.
17 The funds are to be released upon determination of a location and
18 approval by the office of financial management.

19 (4) \$30,000,000 of the multimodal transportation account--state
20 appropriation is provided solely for capital projects as listed in the
21 Legislative 2003 Transportation Project List - New Law as transmitted
22 to the LEAP on (~~April 27, 2003~~) March 11, 2004.

23 (5) If federal block grant funding for freight or passenger rail is
24 received, the department shall consult with the legislative
25 transportation committee prior to spending the funds on additional
26 projects.

27 (6) If the department issues a call for projects, applications must
28 be received by the department by November 1, 2003, and November 1,
29 2004.

30 **(7) The department may not execute the Palouse River & Coulee City**
31 **Rail purchase until the chairs of the transportation committees of the**
32 **legislature have reviewed, and the office of financial management has**
33 **approved, a business plan that demonstrates the long term financial**
34 **viability of state-owned, privately operated short rail service. The**
35 **office of financial management shall issue to the chairs of the**
36 **transportation committees of the legislature a report outlining reasons**
37 **for the acceptance or rejection of the plan.**

**Sec. 305 was partially vetoed. See message at end of chapter.*

1 that protects the state's commercial crab fishery. The amount provided
2 in this subsection shall lapse unless the state of Oregon appropriates
3 a dollar-for-dollar match to fund its share of the project.

4 (4) (~~(\$1,156,000)~~) \$647,000 of the motor vehicle account--state
5 appropriation is reappropriated and provided solely for additional
6 small city pavement preservation program grants, to be administered by
7 the department's highways and local programs division. The department
8 shall review all projects receiving grant awards under this program at
9 least semiannually to determine whether the projects are making
10 satisfactory progress. Any project that has been awarded small city
11 pavement preservation program grant funds, but does not report activity
12 on the project within one year of grant award, should be reviewed by
13 the department to determine whether the grant should be terminated.
14 The department must promptly close out grants when projects have been
15 completed, and identify where unused grant funds remain because actual
16 project costs were lower than estimated in the grant award. The
17 department shall expeditiously extend new grant awards to qualified
18 projects when funds become available either because grant awards have
19 been rescinded for lack of sufficient project activity or because
20 completed projects returned excess grant funds upon project closeout.

21 (5) (~~(\$4,010,000)~~) \$3,156,000 of the motor vehicle account--state
22 appropriation is reappropriated and provided solely for additional
23 traffic and pedestrian safety improvements near schools. The highways
24 and local programs division within the department of transportation
25 shall administer this program. The department shall review all
26 projects receiving grant awards under this program at least
27 semiannually to determine whether the projects are making satisfactory
28 progress. Any project that has been awarded traffic and pedestrian
29 safety improvement grant funds, but does not report activity on the
30 project within one year of grant award should be reviewed by the
31 department to determine whether the grant should be terminated. The
32 department must promptly close out grants when projects have been
33 completed, and identify where unused grant funds remain because actual
34 project costs were lower than estimated in the grant award. The
35 department shall expeditiously extend new grant awards to qualified
36 projects when funds become available either because grant awards have
37 been rescinded for lack of sufficient project activity or because
38 completed projects returned excess grant funds upon project closeout.

1 (6) The motor vehicle account--state appropriation includes
2 (~~(\$20,452,000)~~) \$15,317,000 in unexpended proceeds from the sale of
3 bonds authorized by RCW 47.10.843.

4 (7) The multimodal transportation account--state appropriation
5 includes \$6,000,000 in proceeds from the sale of bonds authorized by
6 Senate Bill No. 6062. The transportation commission may authorize the
7 use of current revenues available to the department of transportation
8 in lieu of bond proceeds for any part of the state appropriation.

9 (8) \$500,000 of the multimodal account--state appropriation is
10 provided solely to complete the engineering and permitting necessary to
11 implement the Skagit county flood control project.

12 (9) \$1,000,000 of the multimodal transportation account--state
13 appropriation is provided solely to support the safe routes to school
14 program.

15 (10) \$12,670,000 of the motor vehicle account--state appropriation
16 is provided solely for the local freight projects identified in this
17 subsection. The specific funding listed is provided solely for the
18 respective projects: SR 397 Ainsworth Ave. Grade Crossing, \$4,650,000;
19 Colville Alternate Truck Route, \$2,000,000; S. 228th Street Extension
20 and Grade Separation, \$2,000,000; Duwamish Intelligent Transportation
21 Systems (ITS), \$450,000; Bigelow Gulch Road-Urban Boundary to Argonne
22 Rd., \$500,000; Granite Falls Alternate Route, \$1,800,000; Port of
23 Kennewick/Pierr Road, \$520,000; and Pacific Hwy. E./Port of Tacoma Road
24 to Alexander, \$750,000.

25 (11) \$1,250,000 of the multimodal account--state appropriation is
26 provided solely for the Port of Kalama Grain terminal track improvement
27 project.

28 **TRANSFERS AND DISTRIBUTIONS**

29 **Sec. 401.** 2003 c 360 s 401 (uncodified) is amended to read as
30 follows:

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

34 Highway Bond Retirement Account Appropriation (~~(\$258,971,000)~~)
35 \$250,000,000

1 For transfer to the Tacoma Narrows toll bridge
2 account \$567,000,000

3 The department of transportation is authorized to sell up to
4 \$567,000,000 in bonds authorized by RCW 47.10.843 for the Tacoma
5 Narrows bridge project. Proceeds from the sale of the bonds shall be
6 deposited into the motor vehicle account. The department of
7 transportation shall inform the treasurer of the amount to be
8 deposited.

9 (2) Motor Vehicle Account--State Appropriation:
10 For transfer to the Puget Sound capital construction
11 account ((~~\$45,000,000~~))
12 \$29,385,000

13 The department of transportation is authorized to sell up to
14 ((~~\$45,000,000~~)) \$29,385,000 in bonds authorized by RCW 47.10.843 for
15 vessel and terminal acquisition, major and minor improvements, and long
16 lead-time materials acquisition for the Washington state ferries.

17 **Sec. 404.** 2003 c 360 s 404 (uncodified) is amended to read as
18 follows:

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

20 Motor Vehicle Account Appropriation for
21 motor vehicle fuel tax distributions to
22 cities and counties ((~~\$441,359,000~~))
23 \$440,228,000

24 Motor Vehicle Account--State Appropriation:
25 For license permit and fee distributions to cities
26 and counties ((~~\$51,652,000~~))
27 \$13,119,000

28 **Sec. 405.** 2003 c 360 s 405 (uncodified) is amended to read as
29 follows:

30 **FOR THE STATE TREASURER--TRANSFERS**

31 (1) State Patrol Highway Account--State
32 Appropriation: For transfer to the Motor
33 Vehicle Account \$20,000,000

34 (2) Motor Vehicle Account--State
35 Appropriation: For motor vehicle fuel tax

1 refunds and transfers ((~~\$465,152,000~~))
2 \$770,347,000

3 (3) Highway Safety Account--State
4 Appropriation: For transfer to the motor
5 vehicle account--state \$12,000,000

6 The state treasurer shall perform the transfers from the state
7 patrol highway account and the highway safety account to the motor
8 vehicle account on a quarterly basis.

9 **Sec. 406.** 2003 c 360 s 406 (uncodified) is amended to read as
10 follows:

11 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSFERS**

12 (1) Motor Vehicle Account--State Appropriation:
13 For transfer to Puget Sound Ferry Operations
14 Account \$21,757,000

15 (2) RV Account--State Appropriation:
16 For transfer to the Motor Vehicle Account--State \$1,954,000

17 (3) Motor Vehicle Account--State Appropriation:
18 For transfer to Puget Sound Capital Construction
19 Account ((~~\$64,287,000~~))
20 \$61,287,000

21 (4) Puget Sound Ferry Operations Account--State
22 Appropriation: For transfer to Puget Sound Capital
23 Construction Account \$22,000,000

24 (5) Transportation Equipment Fund--State
25 Appropriation: For transfer to the Motor Vehicle
26 Account--State \$5,000,000

27 (6) Advanced Right-of-Way Revolving Account--
28 State Appropriation: For transfer to the Motor
29 Vehicle Account--State \$3,000,000

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

32 (a) The department of transportation shall only transfer funds in
33 subsections (2) and (3) of this section up to the level provided, on an
34 as- needed basis.

35 (b) The department of transportation shall transfer funds in
36 subsection (4) of this section up to the amount identified, provided

1 that a minimum balance of \$5,000,000 is retained in the Puget Sound
2 ferry operations account.

3 (c) The amount identified in subsection (4) of this section may not
4 include any revenues collected as passenger fares.

5 **Sec. 407.** 2003 c 360 s 407 (uncodified) is amended to read as
6 follows:

7 **FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--TRANSFERS**

8 State Patrol Highway Account: For transfer to the
9 department of retirement systems expense account:

10 For the administrative expenses of the (~~judicial~~)
11 Washington state patrol retirement system (~~(\$223,304)~~)
12 \$290,000

13 **MISCELLANEOUS**

14 **Sec. 501.** RCW 70.94.996 and 2003 c 364 s 9 are each amended to
15 read as follows:

16 (1) To the extent that funds are appropriated, the department of
17 transportation shall administer a performance-based grant program for
18 private employers, public agencies, nonprofit organizations,
19 developers, and property managers who provide financial incentives for
20 ride sharing in vehicles carrying two or more persons, for using public
21 transportation, for using car sharing, or for using nonmotorized
22 commuting, including telework, before July 1, 2013, to their own or
23 other employees.

24 (2) The amount of the grant will be determined based on the value
25 to the transportation system of the vehicle trips reduced. The commute
26 trip reduction task force shall develop an award rate giving priority
27 to applications achieving the greatest reduction in trips and commute
28 miles per public dollar requested and considering the following
29 criteria: The local cost of providing new highway capacity, congestion
30 levels, and geographic distribution.

31 (3) No private employer, public agency, nonprofit organization,
32 developer, or property manager is eligible for grants under this
33 section in excess of one hundred thousand dollars in any fiscal year.

1 (4) The total of grants provided under this section may not exceed
2 seven hundred fifty thousand dollars in any fiscal year. However, this
3 subsection does not apply during the 2003-2005 fiscal biennium.

4 (5) The department of transportation shall report to the department
5 of revenue by the 15th day of each month the aggregate monetary amount
6 of grants provided under this section in the prior month and the
7 identity of the recipients of those grants.

8 (6) The source of funds for this grant program is the multimodal
9 transportation account.

10 (7) This section expires January 1, 2014.

11 NEW SECTION. Sec. 502. A new section is added to 2003 c 360
12 (uncodified) to read as follows:

13 The department is given the authority to provide up to \$3,000,000
14 in toll credits to Kitsap transit for its role in new passenger-only
15 ferry service. The number of toll credits provided to Kitsap transit
16 must be equal to, but no more than, a number sufficient to meet federal
17 match requirements for grant funding for passenger-only ferry service,
18 but shall not exceed the amount authorized under this section.

19 NEW SECTION. Sec. 503. A new section is added to 2003 c 360
20 (uncodified) to read as follows:

21 (1) The transportation commission may authorize a transfer of
22 spending allocation within the appropriation provided and between
23 projects as listed in the Legislative 2003 Transportation Project List
24 - New Law to manage project spending near biennial cutoffs under the
25 following conditions and limitations:

26 (a) Transfers from a project may be made if the funds allocated to
27 the project are in excess of the amount needed to complete the project,
28 but transfers may only be made in the biennium in which the savings
29 occur;

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

33 (c) Transfers may be made within the current biennium from projects
34 that are experiencing unavoidable expenditure delays, but the transfers
35 may only occur if the commission finds that any resulting change to the

1 nickel program financial plan provides that all projects on the list
2 may be completed as intended by the legislature; and

3 (d) Transfers may not occur to projects not identified on the list.

4 NEW SECTION. **Sec. 504.** A new section is added to 2003 c 360
5 (uncodified) to read as follows:

6 **INFORMATION SYSTEMS PROJECTS.** Agencies shall comply with the
7 following requirements regarding information systems projects when
8 specifically directed to do so by this act.

9 (1) Agency planning and decisions concerning information technology
10 shall be made in the context of its information technology portfolio.
11 "Information technology portfolio" means a strategic management
12 approach in which the relationships between agency missions and
13 information technology investments can be seen and understood, such
14 that: Technology efforts are linked to agency objectives and business
15 plans; the impact of new investments on existing infrastructure and
16 business functions are assessed and understood before implementation;
17 and agency activities are consistent with the development of an
18 integrated, nonduplicative statewide infrastructure.

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

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

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

24 (c) Assessment of overall information processing performance,
25 resources, and capabilities;

26 (d) Ensuring appropriate transfer of technological expertise for
27 the operation of any new systems developed using external resources;
28 and

29 (e) Progress toward enabling electronic access to public
30 information.

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

36 (4) The agency shall produce a feasibility study for information
37 technology projects at the direction of the information services board

1 and in accordance with published department of information services
2 policies and guidelines. At a minimum, such studies shall include a
3 statement of: (a) The purpose or impetus for change; (b) the business
4 value to the agency, including an examination and evaluation of
5 benefits, advantages, and cost; (c) a comprehensive risk assessment
6 based on the proposed project's impact on both citizens and state
7 operations, its visibility, and the consequences of doing nothing; (d)
8 the impact on agency and statewide information infrastructure; and (e)
9 the impact of the proposed enhancements to an agency's information
10 technology capabilities on meeting service delivery demands.

11 (5) The agency shall produce a comprehensive management plan for
12 each project. The plan or plans shall address all factors critical to
13 successful completion of each project. The plan(s) shall include, but
14 is not limited to, the following elements: A description of the
15 problem or opportunity that the information technology project is
16 intended to address; a statement of project objectives and assumptions;
17 a definition and schedule of phases, tasks, and activities to be
18 accomplished; and the estimated cost of each phase. The planning for
19 the phased approach shall be such that the business case justification
20 for a project needs to demonstrate how the project recovers cost or
21 adds measurable value or positive cost benefit to the agency's business
22 functions within each development cycle.

23 (6) The agency shall produce quality assurance plans for
24 information technology projects. Consistent with the direction of the
25 information services board and the published policies and guidelines of
26 the department of information services, the quality assurance plan
27 shall address all factors critical to successful completion of the
28 project and successful integration with the agency and state
29 information technology infrastructure. At a minimum, quality assurance
30 plans shall provide time and budget benchmarks against which project
31 progress can be measured, a specification of quality assurance
32 responsibilities, and a statement of reporting requirements. The
33 quality assurance plans shall set out the functionality requirements
34 for each phase of a project.

35 (7) A copy of each feasibility study, project management plan, and
36 quality assurance plan shall be provided to the department of
37 information services, the office of financial management, and
38 legislative fiscal committees. The plans and studies shall demonstrate

1 a sound business case that justifies the investment of taxpayer funds
2 on any new project, an assessment of the impact of the proposed system
3 on the existing information technology infrastructure, the disciplined
4 use of preventative measures to mitigate risk, and the leveraging of
5 private-sector expertise as needed. Authority to expend any funds for
6 individual information systems projects is conditioned on the approval
7 of the relevant feasibility study, project management plan, and quality
8 assurance plan by the department of information services and the office
9 of financial management.

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

14 ***NEW SECTION. Sec. 505. A new section is added to 2003 c 360**
15 **(uncodified) to read as follows:**

16 (1) *It is the intent of the legislature that the freight mobility*
17 *account created in Substitute Senate Bill No. 6680 maintain a zero or*
18 *positive cash balance at the end of each biennium. Toward this purpose*
19 *the Washington state department of transportation may make expenditures*
20 *from the account before receiving reimbursements. Before the end of*
21 *the biennium, the department shall transfer sufficient cash to cover*
22 *any negative cash balances from the motor vehicle fund and the*
23 *multimodal transportation account to the freight mobility account for*
24 *unrecovered reimbursements. The department shall calculate the*
25 *distribution of this transfer based on expenditures. In the ensuing*
26 *biennium the department shall transfer the reimbursements received in*
27 *the freight mobility account back to the motor vehicle fund and the*
28 *multimodal transportation account to the extent of the cash transferred*
29 *at biennium end. The department shall also distribute any interest*
30 *charges accruing to the freight mobility account to the motor vehicle*
31 *fund and the multimodal transportation account. Adjustments for any*
32 *indirect cost recoveries may also be made at this time.*

33 (2) *This section is null and void unless either Engrossed*
34 *Substitute Senate Bill No. 6701 or Engrossed Substitute Senate Bill No.*
35 *6680 is enacted by June 30, 2004.*

**Sec. 505 was vetoed. See message at end of chapter.*

1 NEW SECTION. **Sec. 506.** A new section is added to 2003 c 360
2 (uncodified) to read as follows:

3 Washington state ferries are more than a symbol of the state's
4 natural beauty and economic vitality. They also are a critical
5 component of our state's transportation system, serving as an extension
6 of our land-based highways and transit systems, connecting Washington's
7 people, jobs, and communities.

8 The investments made in the 2003 transportation funding package
9 provide the foundation for a marine transportation system that
10 coordinates Washington's cross-Sound marine transportation and our
11 land-based transportation alternatives to create a fully integrated
12 marine/land multimodal transportation system. Achieving this will
13 require the development of a long-range vision and supporting strategy
14 that will provide the policy guidance to define and maximize efficient
15 delivery of quality marine transportation service to the traveling
16 public.

17 (1) To accomplish this, the Washington state department of
18 transportation shall develop a vision statement and 10-year strategy
19 for the future development of Washington's multimodal water-based
20 transportation system.

21 (a) This strategy shall recommend the most appropriate means of
22 moving foot passengers across central Puget Sound, using Washington
23 state ferries, alternative operators, or a combination of both, in the
24 immediate future and over the longer term:

25 (i) Giving priority to those routes where passenger service likely
26 will be provided at least for the near term on passenger-only vessels,
27 such as Vashon- Seattle, Kingston-Seattle, Southworth-Seattle, and
28 Clinton-Seattle. Consideration shall be given to existing public-
29 private partnership opportunities;

30 (ii) Considering how service patterns will best fit in the near and
31 long term with development goals and opportunities of Colman Dock as a
32 major hub for integrating water transportation with other
33 transportation modes in downtown Seattle;

34 (iii) Evaluating how operating economies and reasonable fare box
35 recoveries can be established by scheduling A.M. and P.M. services to
36 match commuter demand and to fit within existing collective bargaining
37 agreements as interpreted and applied to facilitate "split shift"
38 transit-like operations; and

1 (iv) Providing a vessel plan that most efficiently uses existing
2 state ferry assets and provides for their likely repair and
3 rehabilitation needs, while preserving flexibility to structure
4 services around vessel availability that could rely on purchase or
5 lease of additional vessels, as may suitably be required.

6 The strategy shall also consider the availability of partnering in
7 operations, vessel deployment, or funding arrangements with other
8 public transportation entities and with the private sector. The study
9 shall also recommend the most effective use of federal funding
10 opportunities for the overall support of integrated water
11 transportation services on the central Puget Sound.

12 (b) Other components of the strategy shall include but not be
13 limited to:

14 (i) A long-term plan for the ferry system's existing terminals,
15 considering the revenue generation opportunities and potential for
16 partnering with the private sector where appropriate. This should
17 include a plan for generating other revenues as identified in the 2003
18 5-5-5 plan; and

19 (ii) A more equitable fare structure for the San Juan Islands,
20 particularly for island residents.

21 (2) The department shall consult with key public and private sector
22 stakeholders including business, labor, environmental community
23 representatives, local governments, and transit agencies as part of the
24 development of the vision statement and supporting strategy.

25 The long-range strategy should also recommend a short-range
26 implementation plan for the 2005-07 biennium. The department shall
27 provide its recommendations to the transportation committees of the
28 legislature by December 15, 2004.

29 NEW SECTION. **Sec. 507.** If any provision of this act or its
30 application to any person or circumstance is held invalid, the
31 remainder of the act or the application of the provision to other
32 persons or circumstances is not affected.

33 NEW SECTION. **Sec. 508.** This act is necessary for the immediate
34 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.

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Passed by the Senate March 11, 2004.	
Approved by the Governor March 31, 2004, with the exception of certain items that were vetoed.	
Filed in Office of Secretary of State March 31, 2004.	

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to sections 216; 224 (5); 225(3); 302(4)(b); 305(7); and 505, Engrossed Substitute House Bill No. 2474 entitled:

"AN ACT Relating to transportation funding and appropriations;"

Section 216, page 13, Department of Transportation - Economic Partnerships

This section would have provided \$400,000 for a traffic study and an economic analysis related to constructing a connection between State Route 504 and Forest Service Road 99. In 2001, the Department of Transportation completed a study on this project, and it does not consider additional study of the project to be a high priority. While there may be rural economic development benefits to such a road connection, existing state transportation funding remains quite limited and should be reserved for higher priority projects.

Section 224(5), page 25, Department of Transportation - Rail

This section would have directed the Department to perform an origin and destination study by July 1, 2004. No funding was appropriated for this purpose. Nonetheless, the Department has indicated that it will look for opportunities to collect comparable data to achieve the goal of the study. As it does this, the Department should communicate to the Legislature by July 1, 2004 regarding currently available data, and other relevant information that supports the rationale for the new passenger train cost sharing agreement.

Section 225(3), page 25, Department of Transportation - Local Programs

This section would have required that the state historic preservation officer be appointed to a committee appointed by the Governor. This is an unnecessary intrusion into executive authority. Notwithstanding this, it is anticipated that the state historic preservation officer will be included in a steering committee where historic preservation issues will be considered.

Section 302(4)(b), page 28, Department of Transportation - Improvements

This section would have provided \$100,000 to the Department to analyze the costs and benefits of having high-occupancy lanes in the right lane, instead of the left lane. The Department has analyzed the placement of the high-occupancy lanes, and another study is unnecessary.

Section 305(7), page 41, Department of Transportation - Rail

This section would have directed the Department to provide the Legislature and the Office of Financial Management (OFM) with a business plan for purchasing the Palouse River and Coulee City Railroad. Further, it would have directed that the purchase may not be executed until OFM has approved the plan. No additional funding was provided for this purpose. In addition, the Department, which has expertise in rail operations and financial management, has already reviewed the financial issues related to purchasing this railroad, so another study is unnecessary.

Section 505, page 52

This section referenced two bills, Substitute Senate Bill No. 6680 and Engrossed Substitute Senate Bill No. 6701, that were not approved during the 2004 legislative session. Therefore, I have vetoed this section.

For these reasons, I have vetoed sections 216; 224(5); 225(3); 302(4)(b); 305(7); and 505 of Engrossed Substitute House Bill No. 2474.

With the exception of sections 216; 224(5); 225(3); 302(4)(b); 305(7); and 505, Engrossed Substitute House Bill No. 2474 is approved."